
SECTION TWO

PUBLIC RELATIONS PRACTICE

In this section we examine more closely the specific practices of public relations, including government, financial, media, employee, and community relations, together with public relations and marketing, issue management and crisis public relations, and fundraising programs.

This section also includes outstanding case studies, many of which can be classified as being unique to our region.

CHAPTER 8

GOVERNMENT RELATIONS

Government relations is the art of working with myriad legislative and regulatory bodies that can influence the way business and the community lives and works. It takes place at local, state, and national levels. If your organisation does any kind of business abroad or has clientele overseas, government relations may also occur at the international level as well.

In Australia we are governed by more than 750 parliamentarians in the various houses of parliament. Thus one Member of Parliament could represent on average some 25,000 Australians. In the last 20 years, they have legislated more than 16,500 Acts of Parliament.

In addition to public servants working at state, territory and local levels, there are approximately 112,000 ongoing employees in the Australian Public Service (APS). There are 82 different APS agencies (comprising 18 departments, 58 statutory agencies and 7 executive agencies). More than half of these employees work in the three largest Commonwealth agencies: Centrelink, the Australian Taxation Office and the Department of Defence.

WHY DO WE NEED GOVERNMENT RELATIONS?

A number of factors have combined to induce mounting government interest in a variety of endeavours. They include more demanding and better-educated consumers, an increasingly sophisticated non-government and community sector, a rise in investigative media reporting with a large number of reports successfully catching private and public officials in unethical practices, and the growing independence of increasingly diverse segments of Australian society.

One of the principal tasks of the business community today is establishing and maintaining contact with government. If business is to have its voice heard and its views considered by government then it must know what government is planning and the pressure points in the policy development and decision-making process, before legislation is tabled in Parliament. Once legislation reaches Parliament the chances of major changes involving policy shifts are slight.

In the Australian system, legislation – whether in fulfillment of election policy or introduction for any other policy reason – is normally introduced by a minister. As a result, virtually all legislation is devised in detail and written by the officers of the minister's department, who sometimes may not be aware of its potential impact on business, industry and the general public.

Government legislation and policies can affect any area of Australian society. In recognition of this, different business and community sectors are increasingly establishing advocacy groups to represent their sectional interests to government at all levels. The advocacy groups range from national industry associations to small volunteer community groups. Some engage government relations specialists, while others rely on their own resources to highlight their views and opinions to government.

THE VARIOUS FORMS OF GOVERNMENT

As a Commonwealth, Australia has a federal structure of government with the legislative, executive, and judicial power divided between Commonwealth and state authorities. Simply speaking, legislative is the means by which laws are made, executive is the carrying out of the laws, and judicial is the means by which disputes are resolved.

While it can be said that there are in fact four tiers of public authority in Australia – Australian Government (Commonwealth), state, and local government; and statutory bodies at both Commonwealth and state levels – only the Commonwealth and state parliaments are empowered to legislate in accordance with the constitutional division of power between the Commonwealth and the states. Generally speaking, legislation affecting local government is enacted by the state governments. However, local governments are able to issue their own by-laws under the legislation.

When the states approached Federation, the Constitution was drawn up to define which functions were to be the responsibilities of the national government. All other functions of government remained under the jurisdiction of the states. (The Northern Territory and the Australian Capital Territory have their own legislatures although they are answerable to the federal Minister for Territories.)

In June 2003, the Australian Government introduced a new terminology and branding design for Australian Government departments and agencies. Reference is now made to 'Australian Government' where reference would previously have been made to the 'Commonwealth Government' or the 'Federal Government'.

AUSTRALIAN GOVERNMENT

At time of publishing, the Australian Government included 18 departments with responsibility for those issues which affect all Australians and Australia as a nation, as follows:

Attorney-General's Department (AG's)
Department of Agriculture, Fisheries and Forestry (DAFF)
Department of Communications, Information Technology and the Arts (DCITA)
Department of Defence (Defence)
Department of Education, Science and Training (DEST)
Department of Employment and Workplace Relations (DEWR)
Department of Family and Community Services (FACS)
Department of Finance and Administration (DoFA)
Department of Foreign Affairs and Trade (DFAT)
Department of Health and Ageing (DoHA)
Department of Human Services (DHS)
Department of Immigration and Multicultural and Indigenous Affairs (DIMIA)
Department of Industry, Tourism and Resources (DITR)
Department of the Environment and Heritage (DEH)
Department of the Prime Minister and Cabinet (PMC)
Department of the Treasury (Treasury)
Department of Transport and Regional Services (DOTARS)
Department of Veterans' Affairs (DVA)

State and local government are responsible for those issues of a state based and local nature, with some replication of national government portfolios including for health, education and transport.

THE AUSTRALIAN PARLIAMENT

The Australian Parliament comprises two houses: the House of Representatives, sometimes called the 'lower house' or 'people's house' and the Senate also referred to as the 'upper house' or the 'house of government'.

The House of Representatives has 150 Members, each representing a geographic electoral division. The boundaries of these electorates are adjusted from time to time so that they all contain approximately equal numbers of electors. The functions of the House of Representatives are to:

- Make laws
- Determine the Government
- Control government expenditure
- Publicise and scrutinise government administration
- Represent the people

The Senate consists of 76 Senators, twelve from each of the six states and two from each of the mainland territories. It has virtually equal power to make laws with the House of Representatives. It is elected by proportional representation, so that its composition closely reflects the voting pattern of the electors. The Senate is the house of review, responsible for reviewing the deliberations of the House of Representatives, ensuring that laws are supported by a majority, properly representative of the country, and that ministers are accountable for their conduct of government to the Australian public.

FEDERAL CABINET

Each minister is individually responsible to Parliament for the policy and actions of his or her portfolio department, and all the ministers are collectively responsible for the policy of the government as a whole. The most senior ministers meet privately in Cabinet, usually once a week when Parliament is sitting, to discuss matters of policy and ways of putting them into effect. Each minister may speak freely at these closed meetings, but once a decision is taken, each minister is bound by it and is equally responsible for it. Ministers are usually chosen from among the most senior, experienced, or able party Members of Parliament. All states are usually represented in the federal Cabinet.

Although the government is formed from the majority in the House of Representatives, some ministers are normally chosen for the Cabinet from the Senate.



A sitting of the House of Representatives. (Photograph by arrangement with The Canberra Times.)

STATE PARLIAMENTS

Five of the six Australian states have a bicameral parliament. In Queensland there is a single house. The lower houses in New South Wales, Victoria, Queensland and Western Australia are entitled Legislative Assembly. In South Australia and Tasmania the term is House of Assembly. The title of all upper houses is Legislative Council.

The extent of state legislative powers is defined by the Commonwealth and state Constitutions, and includes education, police, public health, public transport, agriculture, roads and the oversight of local government.

Each state is governed by a ministry headed by a premier. The state Cabinet, chaired by the Premier, is the centre of political and administrative power in each state. State cabinets range in membership from 10 ministers in Tasmania to 19 in New South Wales. Ministers may have more than one portfolio, and titles vary from state to state.

TERRITORY PARLIAMENTS

The Australian Capital Territory and the Northern Territory are self-governing polities with powers almost matching those of the original states. The Northern Territory has been working towards full statehood, though a referendum on the question was rejected by Northern Territory voters in 1998. The Northern Territory has an administrator of the territory, appointed by the Governor-General. The Australian Capital Territory has neither administrator nor governor. Each territory has an elected Legislative Assembly (and a Chief Minister), with a wide range of powers.

THE EXECUTIVE COUNCIL

The Executive Council consists of the Governor-General or Governor and the cabinet ministers of the day. Cabinet meetings, where government policy and action are discussed and decided, are private and closed. Meetings of the Executive Council are formal and official, and give legal form, where necessary, to discussions of cabinet. The Governor-General or Governor (or his deputy) presides, and only two ministers need to be present. At these meetings, proclamations are issued, appointments to public office are made, and regulations authorised by Acts of Parliament are approved. These are legally said to be made by the Governor-General-in-Council or Governor-in-Council.

FINDING YOUR WAY THROUGH GOVERNMENT

Although government is large and complex, it is not difficult to find the area of government you need to communicate with, or the person you should contact. The Australian Government has an active online strategy which ensures that all of its departments and agencies have up to date websites which provide information about their structure and senior management, contact details, services, programs, key publications and forms, and tender and career opportunities. Departments and agencies must also meet a range of legislative requirements by making available on their websites information such as their contracts with suppliers, updates to the legislation for which they are responsible, their service charters and their policy and processes on issues such as Freedom of Information and fraud. State and territory governments have comparable online strategies.

Australian Government information online is structured around a portals framework and individual department and agency websites. The portals framework provides access to information on all government policies, services, programs and responsible agencies on the basis of population groups (such as youth, families and seniors), industry sectors (such as small business and tourism) and government programs and services (such as health, employment and education). A good place to start is the Australian Government portal www.australia.gov.au which provides links to all government portals and agency websites. State and territory governments have similar online strategies based around websites and portals.

Finding the right person to talk to in the Australian Government is easy using the online directory www.gold.gov.au. This directory provides contact details for managers in every government department and agency, and is searchable by names, agencies and functions. If you need to contact a parliamentarian, the Australian Parliament House website www.aph.gov.au provides contact details for all members and senators, their staff and their Parliament House and electoral offices.

For a printed guide, *The National Guide to Government*, published by the Margaret Gee Media Group, gives an index to federal and state government departments and services together with members of federal Parliament and all diplomatic and trade representatives of foreign governments in Australia.

Ministerial Directories are available, which provide ready-reference contact lists of the private, personal, and press secretaries of federal ministers.

Many similar directories are available at state level.

Several industries also publish their own directories.

INFLUENCING GOVERNMENT DECISION MAKING

The majority of ministers and their advisers and public servants are prepared to listen to advice from experts, including the business community, if their comments are relevant to the subject being examined. Increasingly, governments are recognising the value of maintaining relationships and dialogue with their stakeholders, and are building consultation and communication strategies into their policy and decision-making processes. However, it is valuable to understand the stages that legislation goes through before it reaches Parliament, so that action can be taken in the early stages if necessary (see Figure 8.1).

The operation of every level of government is determined by the annual budget process. Departments of local, state and Australian Governments put forward proposals for allocating funds for new policies or programs. At a state and federal level the budget proposals are examined and scrutinised by the Cabinet, while local government budgets are approved by the elected council. Advocacy groups and government relations specialists can become active during the budget process as funding of policies and programs is central to the focus of government operations for at least 12 months ahead. This process normally involves internal and external communication and consultation on priorities for funding and the presentation of submissions on the likely impact of new individual government programs and decisions. Once the budget has been approved, the Australian and state governments will introduce legislation into their respective parliaments to formalise the funding arrangements. Local government presents its budgets to a meeting of its regionally elected representatives.

At a state level, the minister will have discussions with his senior public service advisers. A formal minute will be prepared and presented to the state Cabinet outlining the main purposes of the legislation. If this is approved, the minister will then take the matter to a special subcommittee of the Cabinet. The membership of this subcommittee is made up of members of the Government party who have expressed a particular interest in the minister's portfolio. When the approval of the subcommittee is given, the matter is then taken to the Cabinet as a whole for ratification.

When the Cabinet approval is forthcoming, the proposal is sent to the Parliamentary Council for the preparation of draft legislation.

The original proposal and, if successful, the draft legislation pass through the same channels for final approval. Then the matter is presented to Parliament.

At any of these stages it is possible to have legislation changed, and in fact changes are frequently made to ministers' original proposals.

The process is not a complicated one but unless an expert is used to 'tap into

the system' it can seem impenetrable and a great deal of time can be spent to achieve very little. People wishing to influence legislation must know whom to talk to, what they want to achieve, why the legislation should be changed, how to present the changes, and what the likely response will be. In some cases, this is best achieved by a professional government relations consultant. In other cases, a company, an industry, or a trade group can use the services of its representative association.

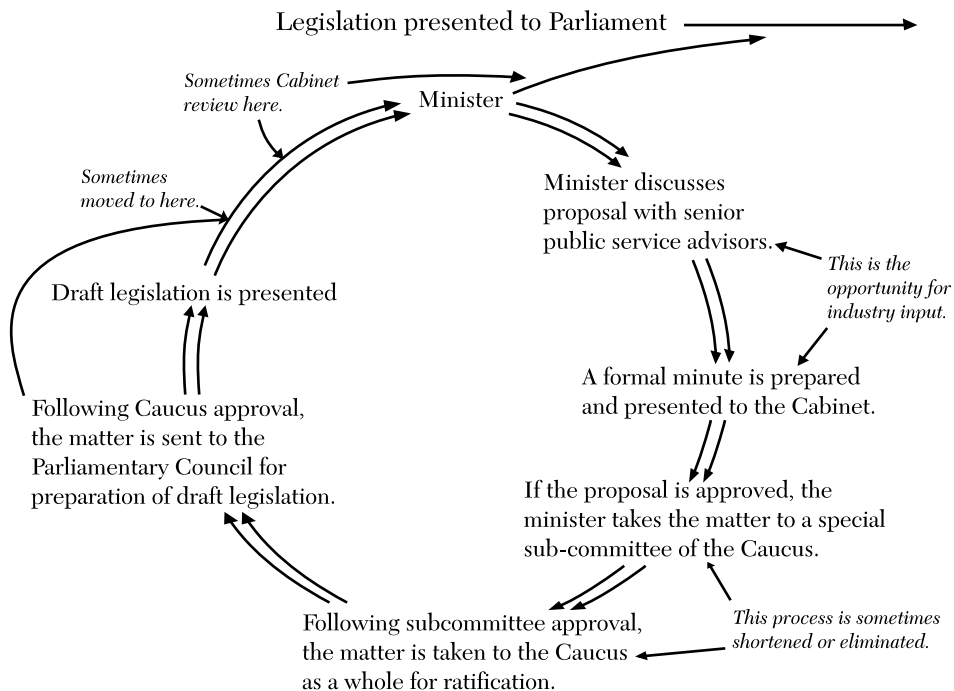


Figure 8.1 It is important to understand the stages that legislation goes through before it reaches Parliament so that action can be taken in the early stages if necessary.

GOVERNMENT COMMUNICATIONS

Government offers communication professionals a variety of unique and interesting opportunities and challenges—as in-house public relations and communication advisers and practitioners, or as external consultants who have government departments and agencies as clients, or who specialise in lobbying or government relations on behalf of non-government clients.

Typical in-house roles within government departments and agencies include managing community and industry information and awareness campaigns, media

and issues management, corporate communication and marketing, publications development and production, stakeholder management, website management and internal communication.

Government departments and agencies usually employ the services of external consultants for specialist roles such as market research, advertising, graphic design, independent public relations counsel, writing and editing. Very strict rules apply to the engagement of external consultants to ensure transparency and that government receives value for money services. In the Australian Government, the engagement of public relations, market research and advertising agencies and consultants is performed by the Ministerial Committee on Government Communications (MCGC) and is managed by the Government Communications Unit (GCU) in the Department of the Prime Minister and Cabinet. All consultants seeking to work with the Australian Government should register with the GCU. The GCU has an excellent website which provides comprehensive information on all aspects of government communication, including guidelines and regulations www.gcu.gov.au

The Australian Government also operates the Central Advertising System (CAS) to consolidate government advertising expenditure, secure optimal media discounts and value-added benefits and to ensure that Australian Government departments and agencies do not compete against each other for media time and space.

All Australian government departments and agencies that are subject to the Financial Management and Accountability Act (FMAA) are required to place their advertising through the CAS. Commonwealth Statutory Authorities and Government Business Enterprises, and organisations that receive Australian Government funding for communication purposes, may also place their advertising through the system. Some of the state governments operate similar systems for their advertising and other communication expenditure.

SPECIALIST COMMUNICATORS

The complexity of 'government' makes government relations a challenging task.

While the legislative process is relatively straightforward, it is clearly the job of a communication specialist to understand how the system works, know the people involved, relate business and community objectives to government policy, be able to present a case in its best light, and – by constant dialogue directed towards clearing up questions, misunderstandings, uncertainties – provide more information. Such a specialist could be either a lobbyist or a government relations consultant.

- A lobbyist is generally a former political operative whose prime activity is directed towards ministers, politicians, and the press.
- A government relations consultant, on the other hand, works largely with the public service and government agencies and media, but also with politicians and political parties.

Both these specialists undertake a range of activities with government as an integral and accepted part of the Australian system of government and they provide a vital communication link between business and the community, politicians, and public servants.

GOVERNMENT RELATIONS LOBBYING GROUPS

In addition to lobbyists and government relations consultants there is the government relations area which can be divided into about six quite separate and distinct groups. The first three are organisational in nature; the second three are commercial in nature.

The first group includes non-profit lobby organisations such as local government, consumer and community groups. The second includes specific business organisations such as the Australian Mining Industry Council and the National Farmers' Federation. The third includes generalist business groups such as the Chamber of Commerce and the Confederation of Australian Industry.

The specific business organisations in turn fall into three groups. They are:

- Specialist consultants, who have specific expertise in areas such as tariff and Industries Assistance Commission inquiries;
- General professional consultants, most of whom have been in Canberra for many years and have come from the public service or from journalism; and
- Political operatives who have been closely connected with political parties and have worked directly for politicians or various former governments.

Professional communicators operating in the field of government relations generally charge an hourly rate, or a monthly retainer based on the expected number of hours required by a client. These rates can range from \$200 to \$500 an hour, plus expenses, depending upon the calibre of work required and the experience and contacts of the consultant.

There are 24 specialist lobbying firms in Canberra, together with numerous industry associations, single interest groups, councils, and federations which carry out lobbying activities.

In Public Relations Handbook Jim Macnamara cites the success of single-interest groups such as the Tasmanian Wilderness Society which gained worldwide attention with its 'Save the Franklin' campaign and ultimately a High Court hearing. The Vietnam Veterans' Association won its battle to have a Royal Commission appointed to inquire into its members' claims over health disorders related to war service.

Whatever business you are in, chances are there is some group seeking changes counter to your interest. Mining companies have conflicts of interest with conservationists. Farmers are having a running battle with animal liberationists, animal rights activists have issues with pharmaceutical companies actively engaged in research and marketing of genetically engineered products. Manufacturing companies have to contend with interests seeking import competition and removal or reductions in government assistance to their industries.

WHAT A LOBBYIST DOES

Whether an individual professional lobbyist, an industry lobby group, or a company's government relations officer, the role of the lobbyist is to:

1. Monitor legislation and regulation. This is the key function of a government relations program. Decisions that could have a serious effect on an organisation are regularly made by every level of Australian government. It is important that the lobbyist knows when, why, and how these decisions are arrived at, and then pass the information on to their employer/client .
2. Create opportunities to present an organisation's views. This can be done informally during a casual conversation or formally by testifying in a committee hearing or at a briefing meeting with the relevant minister. Casual conversation offers the opportunity to discuss a matter in private, off the record if necessary, while the more formal meeting gives a wider audience and serves as an indication that the views being expressed are considered important by some powerful members of the relevant industry or community group.
- 3 Promote views through the media. Occasionally it is considered necessary to go public on an issue when it is felt that public opinion will influence the politicians' final decision. A good relationship with the members of the Canberra or relevant press gallery, which comprises senior political journalists from each major paper, radio station, and television station, is essential, as is a professional knowledge of media relations. The affiliated media relations program may be handled by the government relations consultant or lobbyist directly, or in association with the organisation's public relations people.

4. Serve as a source of information to government officials and their staff. Officials know they don't have all the answers and are not above seeking assistance. This offers the lobbyist a good way to ensure that the organisation gets points across while fielding questions and providing an information service. Those who respond in a helpful fashion tend to be asked more often and, of course, this also provides an excellent opportunity to build good relationships with the government officers who in turn are more likely to assist with information, when it is requested.

5. Keep senior management informed on legislative or regulatory developments. Government relations work in Canberra, or at state level, deals with two kinds of information: what has happened, and what may happen. It is therefore important that the government relations person keeps their employer/client fully briefed on all relevant matters.

In summary, government relations specialists or lobbyists are communicators who serve as the eyes, ears, and mouths of the organisations they represent, but who limit their two-way flow of communication to legislative and regulatory matters. They must have a thorough knowledge and understanding of the government and how it operates, as well as their organisation's operations and policies.

While professional lobbyists tended in the past to have served in government or to have been former politicians or political reporters, today the trend seems to be that more and more lobbyists have backgrounds in political science or economics. In their government relations work these people are dealing on a daily basis with some of the country's most influential people and sometimes they may be the sole spokesperson for their organisation or industry. They have important jobs.

There is little doubt that government in Australia will continue to assume larger and more powerful roles. The work of government relations specialists and professional lobbyists is essential to ensure that the views of various groups are known by government and that their employer/client is fully aware of what is going on behind the scenes in Canberra and at state level.

FINDING THE RIGHT LOBBYIST

If you have need of a specialist to communicate within government, here are some ways to find the appropriate person:

- Ask in Parliament House or through your local member's electoral office
- Look in the Yellow Pages
- A publication entitled "Federal Lobbyists - Influencing the Political Process" lists all major lobbying organisations and relevant staff. It is available from Forrester Communications, 88 Empire Circuit, Deakin, ACT 2600 or via its website www.federallobbyists.com.au

Be aware that there can be danger in using a high profile lobbyist. These are usually connected to one political party or another. While their influence is useful if their party is in power, you may find them less helpful when the power shifts. It is also true that many politicians are nervous about high profile lobbyists who can make news simply by being involved in a particular matter. Media coverage may be the last thing that either the politician or your employer/client needs.

HOW TO TALK TO MINISTERS/SENIOR BUREAUCRATS

There are a few simple rules (some of which may appear obvious):

- Show respect;
- Assume that the person with whom you are speaking understands your issue. If it turns out that they do not, remember not to drown them in technical detail – keeping it simple is still the best way to communicate with anyone;
- Remember that time is of the essence. Busy parliamentarians and bureaucrats don't have a lot of time, so don't waste what they have. Be aware that during a Parliamentary Sitting a parliamentarian may be called away for a 'division' in their Chamber;
- Take a short executive summary with you, which can be left as a record of your discussion. A simple one-page list of points is useful;
- You might think you are important to your audience, but they may see it otherwise;
- Understand the numbers game and be sensitive to political issues. Know how the Cabinet, Party Room and Parliament work, so that you can decide how best to approach the task.;

- Be aware that political considerations are at work continually (the incumbent v. the challenger, the right v. the left, the wets v. the dries). The Party Room is the place where all members can air their views on all topics;
- Remember that the main driver for all politicians is to be re-elected. Lobbying them on an unpopular issue is doomed to failure unless you can deliver a convincing argument;
- Be sure you have a good idea of how the media will react to your lobbying issue. Your audience will want to know your view about this; and
- Timing is vital. You need to know where your lobbying target will be (in the electorate office, at Parliament House, overseas on a trade mission?) And you need to consider just when to take your issue to your target. How will the electorate react within the restraints of an election or by-election campaign? What is happening in the Cabinet? Are there more important issues which will distract from yours? ... Is there a leadership tussle? Or a ministerial reshuffle in the offing?

DEALING DIRECT WITH THE GOVERNMENT

One of the most important things about working with government is to understand the process of how the individual local, state or Australian government works. Without understanding and respecting the process, it is very difficult to influence the deliberations or outcomes.

There is no better lobbyist than a person whose job or income is threatened by some form of legislative action. The best place to start your lobbying therefore is with the man or woman who represents your electorate.

If you keep them advised about your interests then they in turn will keep an eye out for you in the Parliament. They might not recognise immediately if something in a foreshadowed piece of legislation may be of significance to you, but usually they are shrewd enough to spot it. They can and should open ministerial doors to you and help you to establish a relationship with a minister or, perhaps more importantly, the minister's advisers.

Don't overlook the possibility of joining forces with others who face similar problems. An industry rather than an individual company has a far better chance of a hearing.

When you are deciding whom to contact in the government structure it is helpful to think of it as being similar to a business structure—that is:

Prime Minister/Premier	Chief executive
Ministers	Board members
Personal staff	Staff appointments
Department heads	General managers

The ultimate decisions and the responsibility rest with the chief executive. But on the way to that decision, as illustrated earlier, a very large number of people will have to provide input.

Once you have decided that a direct approach to a particular minister is the best solution, this is the procedure you should follow:

1. Contact the minister's private secretary to establish roughly what time the minister will be available.
2. Send a formal request asking for an appointment, providing a brief outline of the matter to be discussed.
3. Be prepared. Attend the meeting knowing exactly what you wish to achieve from the meeting and be clear about what you want the minister to do.
4. Prepare a written submission, which can be left with the minister.

BOX 8.1 PREPARING A SUBMISSION

In *How to Deal with the Government*, published by the Margaret Gee Media Group, G.A. Binkowski gives general guidelines for preparing a submission. In summary, a submission should:

- Have an appropriate heading.
- Begin with a brief summary of its purpose and content (preferably with an index making reference to particular parts of the submission easier).
- Present arguments for the proposal(s) submitted in a clear and precise way.
- Support arguments with facts and research whenever possible.
- Where appropriate, include forecasts and summaries of expected future trends or developments that could result from the proposal(s), if accepted.
- As much as possible, provide a cost/benefit analysis of the proposal(s) with as much supporting data as possible.

- Provide an evaluation of the expected economic, political, social, or environmental impact, including the basis for your evaluation.
- If the purpose(s) of the submission can be achieved by alternative methods, provide a range of options, emphasising preferences (and explaining why a certain option is preferred).
- Include an evaluation of expected general and specific effects of the proposal(s), giving their effect on other legislation and/or policy.
- Use clear, precise language and be as objective as possible in argument and style.
- Include additional data and supporting arguments in an appendix rather than in the body of the submission.
- Be as brief as possible without truncating arguments.
- Be neatly typed, with attention to setting out and presentation.

When you go to your meeting, in addition to the minister, there may be at least one public servant present who has advised the minister on your particular matter. It is likely, in fact, that you would have had some dealings with this person, prior to this meeting. They may also have been asked to prepare a report for the minister and your written submission will either be incorporated in this report or act as an aide-memoir for the minister.

Finally, don't expect an instant answer. If your case is a good one the best outcome you can hope for is sympathy from the minister and a promise for further action. Your job has only just begun! Follow up, follow up, and follow up! But try to do it without irritating the minister or staff.

And don't forget to brief the Opposition as well. Remember, one day that party could be the Government.

In recent times an increasing variety of previous central government departmental functions have been devolved to regional government bodies and to territorial local authorities, as well as to Crown entities and ad hoc bodies. This trend can be expected to continue, as part of moves to bring decision-making closer to the people.

For organisations wishing to make their position known to decision-makers, and their advisers and influencers, it is becoming increasingly important to liaise not only with decision-makers nationally, but also with those at state and regional levels.