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TRANSCRIPT OF EVENT

WHO WANTS TO BE THE NEXT OMBUDSMAN?
HINTS FOR POTENTIAL APPLICANTS

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CAROLINE WALSH: Welcome to today's event, the valedictory address with Michael Manthorpe, PSM, who wants to be the next Ombudsman. Hints for potential applicants. My name's Caroline Walsh and I'm the CEO of IPAA ACT. I'm going to open today's event. Then I will hand over to our chair, Dr Steven Kennedy.

Before we begin today's event, I'd like to acknowledge the Traditional Owners of the lands that we are meeting today, the Ngunnawal people, the Traditional Custodians. We acknowledge and respect their continuing culture and the contribution that they make to the life of this city and our region. I'd like to acknowledge and welcome Aboriginal and Torres Strait Islander people who are joining us in the room today and also on our recording.

For those who might be unfamiliar with IPAA ACT we were established in 1953, and we are the professional body focused on the promotion of excellence and professionalism in public administration. We're a nonprofit and nonpartisan organisation, and we provide a platform for debate and discussion about improving public administration and excellence in public service in Australia. So I would now like to introduce our chair, Dr Steven Kennedy, who is the Secretary of The Treasury, and also IPAA ACT President. Dr Kennedy was appointed as the Secretary of the Treasury in September 2019. And prior to this held a number of senior positions as Secretary and Deputy Secretary in a variety of departments. He's also our current President. Please join me in welcoming Dr Kennedy to the stage.

STEVEN KENNEDY: Good morning, everyone. Welcome to today's valedictory address with Michael Manthorpe, which I'm really looking forward to. We have had to postpone this a couple of times. I understand it's been written rewritten a couple of times, Michael, which means it's going to be all that more exciting as Michael's distance from public service has increased. I just want to begin with joining with Caroline's acknowledgement of the Traditional Owners and welcome all of you here today. Let me just introduce the two speakers, or say a little bit more about them. Alison Larkins who's hosting, and of course, Michael Manthorpe. Alison was appointed as the Commonwealth Coordinator General for Migrant Services in late 2019. Alison has had extensive experience working across social policy portfolios at the Commonwealth level with previous roles, including Deputy Secretary Social Policy at PM&C, acting Commonwealth Ombudsman, and the Head of the Refugee Humanitarian and International Division in the Department of Immigration and Citizenship.

As the Coordinator General for Migrant Services, Alison is working closely within the Commonwealth and with state and territory governments, industry and the community sector to drive improvements to employment, English language and broader settlement outcomes, and promotes the contribution migrants, refugees, and humanitarian entrants make to our nation. I couldn't think of a more important job and welcome, Alison, it's great to see you today in person.

To our guest Michael Manthorpe, Michael was appointed by the Australian government to the role of Commonwealth Ombudsman for a five year term commencing in May, 2017. He was the 10th Commonwealth Ombudsman since

the Office's inception in 1977. Prior to this, he was a career public servant serving for 25 years in the Department of Education, Employment, and Workplace Relations in various positions. And then in the then Department of Immigration and Border Protection as Deputy Secretary. Michael was a recipient of the Public Service Medal in 2010 for his work to address problems, which arose in the collapse of Australia's then largest childcare provider, ABC Learning, which was a really a most remarkable period and incredibly well handled set of circumstances.

He was awarded the Wolfson Scholarship in 2016 to extend his public policy and leadership skills at the Harvard Kennedy School—nothing to do with me—in the United States. And of course there were a variety other of achievements.

Just a couple of quick personal remarks. Michael's also the Deputy President of IPAA ACT, and he's played a most remarkable role through COVID because his President—who happens to be me—has been absent for most of that period. And I'm really proud of what IPAA ACT has done through that period, the way it's pivoted to digital delivery and a range of other services, and it's supported the service and the profession, I think very well.

And Michael frankly, obviously huge amount of credit goes to the institution itself, led by Caroline, but Michael has played a very important role through and the same role I think that many of he would've played throughout his public service career, of thoughtfulness, of humility, but of real leadership and a real sense of direction, strategy and a real focus on outcomes while focusing on those people who are around him. I'm very much looking forward to Michael's remarks today. I understand it will be very humorous. That's why we brought the Canberra Times along. It'll be written up Michael. And I'll make a few remarks at the end, but please welcome Alison and Michael to the stage.

MICHAEL MANTHORPE: Thank you, President Kennedy, for those very kind opening remarks. (I've been wanting to do that for ages.) I too will start by acknowledging the Traditional Owners of the land on which we meet today, the Ngunnawal and Ngambri people and pay my respects to Aboriginal and Torres Strait Islander people who may be present or watching online. So I acknowledge Steven, other distinguished guests, Secretaries, Michele and David, Gordon, National President of IPAA. So many eminent people. Chris, Rebecca, David, thanks for coming, Kathy, Vivienne just it's great cast here. That's just the front row. And so thank you so much for coming out. I acknowledge everyone who's involved in IPAA Board, IPAA Council, people who work on the committees, the IPAA staff, Caroline, and the great team that make IPAA happen. Also acknowledge a bunch of Ombudsman people. Thanks for coming folks. And thanks for all you've done.

I acknowledge Suzi. Thanks for coming out. And I also acknowledge my beautiful daughters, Eve and Celia, who aren't here, but hopefully they're going to watch online. And I'm so proud of them.

Now what an honor it is to be asked to do a valedictory address to your

colleagues to your peers here at IPAA. I must admit that when I was invited by Steven and Caroline to do this now quite some many months ago, my mind immediately turned to two questions. First, whether anyone would come. And second, whether I had anything to say that might be useful or into interesting.

Happily, looking around the room, first box is ticked. So many great people here whose careers and mine have intersected here or there over the years. In fact, right back to the beginning, Meryl Stanton, my first branch head in Canberra is here. So I can't spin anything today.

So that box is ticked. When I started drafting, it struck me that with 37 years of material to draw on, if I couldn't think of anything interesting to say, then at least that would prove what a good thing it was that I left. And you can all go back to work. So let's see how we go.

Today's speech is in two parts. The first part is about being the Commonwealth Ombudsman. The second part will comprise reflections informed by those 37 years. This is not a speech of sweeping policy vision. It's about the trade, the hard lessons of public service from a practitioner, not an academic, principally for the wonderful people in the next generation. I think there's about three of you here too. So it's good.

If it's one thing, it's a reflection on how I, blessed with some ability and some luck, a capacity for hard work and an ever changing cast of colleagues could optimise my effect motivated by doing good for the country and by a desire to as much as possible work collaboratively with and through others while learning all the way to the end.

In any event, five years ago, it had never occurred to me that I would be the 10th Commonwealth Ombudsman. I knew the Office inspected immigration detention facilities and investigated complaints about service provision, had a role in the complex world of the Public Interest Disclosure Act, but that was about it.

When I was contacted in December 2016, to suggest that I might be a good applicant for the job, my initial reaction was, “Why would I do that?” But when I read things—annual reports, investigation reports, and the administrative law history—my interest grew. I worked out that actually, yes, being the Ombudsman might be an intriguing possibility, a chance to work on the system after 33 years of working down in the system.

And after eight years as a Dep Sec, the chance to run my own show. So I applied and in May 2017, I got the job.

Now, the first thing an aspiring Ombudsman one has to work out is this, what is an Ombudsman or more particularly, what is the Commonwealth, vet student loans, overseas student, defense force, immigration, law enforcement, postal industry, private health insurance, and ACT Ombudsman? Because that's the available vacancy.

Now I'm not the only person to have thought about this existential question. Some months ago when the job for my successor was advertised, The Australian newspaper said of my role that, and I quote, "It isn't sexy, but it's handsomely paid." There's a few of us in the room, right? And The Mandarin said it sounded like an exercise in biting off more than you can chew.

Now from a simple reading of the Ombudsman Act 1976, you can find the Ombudsman's statutory powers. You can discern that the Office is at least on paper independent, but until you walk into the spacious Office, overlooking the grounds of the ANU, behold the distant Brindabellas, look into the eyes of the cockatoos that regularly roost on the ledge outside your window, and from which vantage point you can luxuriate in contemplation about the vast expanses of public administration. Until you are there, you can't really appreciate two things.

First, you have discretion. You have time. Within the confines of a variety of legislative parameters, you can choose your own adventure. During my time, no minister, nor Departmental Secretary, nor Parliamentarian sought to tell me what to do.

No one rings on a Saturday seeking an urgent briefing on Sunday morning. At first, I thought my phone was broken, but it's just not that sort of job. I was so excited by these realities that at the end of week one, I took the Ombudsman Act home to look up what I would have to do to get sacked. That's true. Suzi can attest to that. To paraphrase Section 28, I found that I could only be removed by the Governor General and only if both houses of the Parliament, and I quote, "prayed" for this to occur on the ground of misbehavior or physical or mental incapacity, a process I'm pleased to say I did not provoke.

The first tip for potential applicants is this. Here's a job with a handsome salary and an Office budget in the order of $45 million per annum, where no one can tell you what to do. And you are really hard to sack. Happy days.

It didn't take long, however, to discover the second learning.

With independence, with discretion, comes responsibility and indeed a certain rather relentless weight. My oldest brother, in Kingaroy, Queensland upon hearing of my appointment, texted me with the pity message. "Geez, Michael, you'll have the whole country winging at you."

And while blokes from Kingaroy aren't always known for their tendency to capture fine nuance, there is an element of truth in what Gerry said.

You don't have an Ombudsman unless you have complaints. That's really the starting under the job. The Office gets tens of thousands of them every year about everything from debts incurred by students or problems with income support, or lost bottles of wine at Australia Post or misunderstandings about out of pocket costs for hip replacements or the use of force in immigration detention or the way in which the parole system works at Canberra jail or the intricate workings of the NDIS, or reports of serious physical and sexual abuse in the

Defence Force, or that a regulator wrongly pursued an innocent and on and on it goes.

And over the years as Parliaments or Governments have sought more assurance about this function or that, the role of the Office has grown as it's taken on all sorts of matters, where there's no complaints at all.

For example, how law enforcement agencies used covert and intrusive powers in pursuit of crime. Or how reportable conduct allegations about harm to children are handled in the ACT. And lots of other serious things.

The work is diverse and the array of calls for help or issues that might be examined is almost limitless. And of course, by the time people approach the Ombudsman, more often than not, they've been to the agency they're complaining about or elsewhere and got nowhere. They're already unhappy or angry, or even fixated with their grievance. They want action.

Yet on the other side of the coin, the Office can't possibly investigate everything. And even where it does it's leverage is limited. The Ombudsman can't change policy or legislation, the Office's lane is in administration, not policy. And even where an agency should plainly be doing something differently to help the hapless complainant or countless others, the Ombudsman can't make them do so.

The Ombudsman sits in the realm of influence. The best it can do is identify areas of administration that might be improved and to influence agencies to make such improvements. Not because they have to, but because the Ombudsman recommends that they should. And because the citizenry might be better served.

And to achieve that from time to time, you have to get past the reality that agencies you oversee can tend to be defensive or resist criticism or change or drag their feet, or categorise people who complain as mere irritants, who don't understand government policy. Now, to be clear, I'm not saying that agencies always operate like that. And sometimes they're right to push back, but from time to time, they can. I'll go further. When I worked in line agencies…from time to time, I did.

So once you come to terms with all of that, various other questions arise, given you can't investigate everything, what do you choose to investigate?

And what do you do with the people who complain that you can't help? And how do you spot a broader systemic issue amongst the sea of individual complaints? If you spot one, what do you do with it?

If you write a report or make a finding that is critical of an agency, when do you choose to publish such a report or not? I don't have time today to answer all of those questions. Better I think to tell you how I worked on this one, what does success look like for the modern Commonwealth Ombudsman?

I put a lot of time with my team into answering this question during my term. For me, it came down to three groups. The people, the agencies you oversee, and the Parliament.

The Office needs to do the best it can for the people who come to it for help, reasonably and independently seeking to address their concerns where possible. Sometimes the Office can assist in career directing a serious administrative error that has major financial or other consequences. But even if you can't, you can still help explain how the legislation or systems work or expedite a process or refer someone to an entity that might help them or secure an apology for a mistake. So helping the people who seek help wherever you can is the first thing.

Second, the Ombudsman needs to be able to influence the agencies it oversees. And partly that comes down to judicious and strategic use of its powers and its strength of argument and analysis. But partly it also comes down to its standing, indeed its relationships with agencies. Again, you want them to recognise and respect your independence, but also to a engage with you to productive effect. You want to make recommendations to them that will make a difference, but preferably which they can actually implement. And with that in mind, during my term, we initiated a process of going to check that agencies have in fact done what they said they would do a couple of years after they said they would.

And third, importantly, the Ombudsman needs to be seen as useful to the Parliament, which has bestowed its very existence and the various statutory functions it performs upon it. Even though the Commonwealth Ombudsman, unlike the Auditor General, is not an Officer of the Federal Parliament, I wanted Parliamentarians in areas of administration where the Office plays an active role to find it useful to ask, "I wonder what the Ombudsman thinks about this issue."

So during my term, we set about measuring those things.

We surveyed the people who came to us to complain. And despite the fact that they were invariably unhappy before they turned up and we can't always solve their problems, most of them reported positively about how we engaged with them and sought to help.

We surveyed the 20 or so agencies with which we have the most dealings and here too, the results were encouraging. While agencies suggested improvements of one kind or another about how we went about things, the unifying theme of their responses was that they respected our independence, but could also recognise that we were seeking to make a constructive contribution.

And although we didn't attempt to survey the Parliament, over the course of my term, we made a deliberate effort, which I know continues, thanks to Penny, a deliberate effort, to make more submissions to committees, to take up requests, to appear and give evidence and several committees, both in the Federal

Parliament and the ACT Assembly have taken the opportunity to seek out our views on more issues than I think was hitherto to the case. Sometimes publicly, sometimes privately.

As my former staff heard me say many times I wanted us to be active, relevant, and useful. I wanted us to be a force for continuous improvement, which as an aside is why it seemed so logical to get personally active in IPAA while I was the Ombudsman.

Having said all that, it's a challenge to keep these measures heading in the right direction. You must publish reports that are critical of agencies you oversee in order to hold them to account. You can't always help the complainants. The Parliament is at times a challenging environment. Good analysis, sticking to the facts, due process and a firm, but not shrill tone, all help.

It's a tightrope, but in the end you just have to make judgment calls about what you decide is ... It's old fashioned. What you decide is the right thing to do. You're it. It's a weighty privilege, but a privilege all the same.

I thank everyone there for their support and wish Penny and my substantive successor every success with the next phase of stewardship.

So that the last four years, what about the previous 33?

Well, I started as a green and eager base grade clerk. That's an APS1 in today's money. I had an Arts degree. I still hadn't turned 21, yet I made it to a senior Statutory Office and along the way, had the opportunity to work on a fascinating array of things. Some of which were winners, others less so.

My first job, February 1984, in the Brisbane Office of the Public Service Board involved helping people with disability get jobs in APS agencies. So here was I a boy from Bjelke-Petersen's Kingaroy, implementing the new Hawke government's equal opportunity policies. I was hooked. I couldn't quite believe someone would pay me to do such worthwhile work.

Someone in head Office spotted this naive lad and said, "Come to Canberra." And so I did, I came down here for a little bit. I worked with Meryl on industrial democracy and on the pioneering banning of smoking in the APS workplace in 1985. And you wonder how many lives that saved?

I worked on the first iteration of performance pay for the SES. I was on a task force, junior kid on a task force that devised the first iteration of enterprise bargaining in the APS. I worked on the waterfront dispute in 1998. I led a task force that responded to the issue of lost employee entitlements arising from the insolvency of a Hunter Valley textile company, whose chair was John Howard's brother in 2000. And another task force on the insolvency of ABC Learning in 2008, and another task force charged with helping unemployed people and employment providers connect better with the labor market. There were labor market reforms, welfare reforms, reforms to achieve long term quality

improvements in early childhood education and care. I helped hundreds of staff while building morale as a coup in a large department. For a while, I ran the building education revolution program.

I ran yet another task force to bring together Customs and Immigration and formed the Border Force. And I ran a team of 5,000 people to deliver visa, citizenship and refugee programs.

I found myself asking as I was drafting after this speech, what was it about me that got the chance to do, or at least contribute to all of that? Plus some other things.

I think it starts with curiosity and there should be more of it.

The curious division head when signing off a sensitive brief to a minister tests and questions, whether both risks and benefits of a course of action are thought through before putting signature to paper, they then ask, "Have we missed anything here?" The curious public servant wants to know what external stakeholders think, what drives them. They seek to walk a mile in other people's shoes.

Because they understand that the public service is not just about us. They place stakeholder engagement high on their to-do list and prefer not to contract it out.

The curious public servant has a bias for action, (as Peter Shergold used to say), they don’t just admire problems, but seek to contribute, to speak up, to try new things, because they want to make a difference in the public interest and for the government of the day, they constantly ask “could we be doing this better?” or “are we sure we know what we are trying to achieve?”.

The curious project leader assembles a team with a range of skilled people, but rather than patting themselves on the back, still asks what skills or insights do we need, but don't have? I realised deeply that I wasn't always the smartest guy in the room and I therefore needed to open the space for other skills and insights to thrive and then distill those diverse insights into coherent action.

That's not just curiosity. That's leadership. Most young grads are curious. I reckon I was every day, but some mid-career bureaucrats at just about every level lose it. "That's been tried before and didn't work. We know what we are doing. Those central agency people, those lawyers, those 23 year old ministerial staffers, those advocates, those rent seekers, those damn people just don't understand." These sentiments represent dangerous territory.

Now I've seen a lot of things go well in my career. And sometimes people criticise IPAA events of being too self-congratulatory about success and not honest enough about failure.

So without wishing to embarrass anybody, just let me say this. I think that many of the big bureaucratic stuff ups I've seen in the last 30 years could have been

avoided if people had been a bit more actively curious.

Most big stuff ups are not the result of one poorly form judgment, of an isolated mistake or a moment of incompetence or even deliberate malfeasance.You can nearly always fix those. Most of the stuff ups are the product of multiple instances where problems are manifested in a course of action, in policy design or delivery, but the responsible officials don't, won't, or can't see it, even when people are pointing out the risks.

Most of the stuff ups are because over a period of time, teams, divisions, departments, sometimes ministers get so convinced of the virtue of their project that they're the opposite of curious. They're in group think in a windowless silo. Unfortunately, the finest array of risk management policies, plans, strategies, and documented mitigations won't help you if you aren't thinking.

My hunch is the one stuffed up policy or program does more damage to public trust in our institutions than the good done by 50 good ones. And yet I suspect there are 50 reasonably sound policies and programs that get designed, funded and delivered with limited fanfare and which more or less actually work to one outright dud. I can say that every program I ever had a hand in and there were a lot, had problems, but overwhelmingly they delivered in essence, what was sought of them.

Public service is complex and uncertain. Simon Atkinson's comments at an IPAA event recently in June about building in a planned capacity to adjust the management of highly complex mega projects, as they're designed and delivered was astute guidance. Of course, your job is to advise on and implement government policies and programs. You can't constantly flip flop, but work in such a way that in receipt of meaningful data that points to failure, you can hear it, see it, think about it and as needed course correct. Sometimes that takes courage, but it's better than cowering in the windowless silo.

Of course, there's a myriad of other reasons, things get stuffed up. You can particularly spot from an oversight agency. One of them is around accountability and governance not being clear, lack of clarity about who's responsible for what, particularly when multiple agencies or parts of agencies are involved in delivering a particular effect or lack of clarity of purpose. But there too, constant curiosity among those involved is at least a partial defense.

Then there are those who've been through a few bruising stuff ups and who leave curiosity behind. They even get beyond healthy professional skepticism. They join the band of the cynical, the arms folded, eye rolling band of the cynical. That is not a great place to be.

Better in the enormous band of dedicated people turning up and getting the job done. Now, outsiders, and you all know this, outsiders don't know how hard many public servants, particularly senior public servants work on a myriad of difficult issues at all hours of the day and night. And whether it's national security

or defence or social or economic or industry policy or delivery or oversight or whatever, it's for the people.

[I'm fine…] I pay tribute to every colleague with whom I worked on a weekend or late at night, occasionally overnight, because it mattered. Despite the hard grind and the setbacks, the flaws we might occasionally perceive in our elected representatives or each other, if you can't keep sight of that golden thread of public interest that holds our vast, strange, complex, misunderstood, imperfect, but remarkable APS mosaic together then you may be in the wrong place.

A couple of other observations.

Compared to the APS I joined, the APS today is more responsive, flexible, and more able to collaborate across the boundaries. It achieves extraordinary things—not least throughout the pandemic—but we can lose touch with the citizenry, including, but not only, those who complain there is a Canberra bubble. I also worry that our most capable people are very, very stretched, which limits their space to build long term relationships or do longer term planning and thinking, or even just keep pace with the world.We need to put more effort into building internal capability while also recognising that the dynamism of the modern world demands that we also use external partners to help us achieve the best effect. We could be better at contract definition and management.

And I think having been the Ombudsman that a weather eye needs to be kept directed at systemic integrity, at the institution's laws, structures, and cultures that uphold integrity, and protect against corruption. I'm not today going to wade into the political debate about the shape of a future Commonwealth Integrity Commission. Other than to say that while the vast majority of people I've worked with are in my judgment, honest, I hope that the current debate results in a strong, effective, fair, and enduring integrity system, that builds public trust in institutions.

What else?

Well, there's something about the merit principle. I think it's a wonderful feature of our system that a kid like me from the bush, who went to a pretty ordinary school and whose wonderful parents worked hard, but didn't have much had the opportunity to progress.

I've rejoiced over the years at how many stories there are like mine in the APS, kids from the back blocks who just wanted to make a difference and who with some luck, some support and some hard work, carve out wonderful careers in this system, not because of the school they went to or who their dad was. We mustn't lose the merit principle. Though while I'm on that topic, I freely acknowledge that I was lucky to be a white bloke in this last 37 years. So we need to apply the merit principle in a way that continues the pursuit of genuine workplace diversity.

It's been a great journey, not always easy, but always to my mind worthwhile. The other day, someone asked me if I had my time over again, what job I wouldn't do. When I thought about it, I said, I'd do all of them. I would still recommend a career or part of a career in this system to any bright young person who's interested in the public good. But with this one last cautionary point, things will go wrong. You'll be disappointed not to be promoted. You'll be unhappy about how your great policy idea doesn't get up. You'll put in a subpar performance in front of your minister or a Parliamentary committee. You'll be convinced of the need for more resources only to have them cut. And in response to those, let those sorts of things, I learned this critical lesson. It's what you do next that counts. Reflect, seek advice, learn, adjust, keep going. Work on ways to build your resilience. Keep an eye on your mental health and try to keep things things in perspective.

There's so many people I could thank today, indeed way too many to name. So let me just thank all of you for coming, symbolic as it is that you and I have shared some part of our working lives and reflective in a small way of the thousands of wonderful people I've worked with over the years for Australia. Thank you.

ALISON LARKINS: Michael, that was really moving and a really generous description of the craft that we were all involved in. I think it's quite a talent to be able to express all of the joys and complexity of the work we do. So thank you. That was a very generous and personal account of that work. Let me go on from there to say, when you're leading such a rich working life and you've made such a contribution and you're working in such a rich and challenging system, how do you know? And that's time to say, "That's it?"

MICHAEL MANTHORPE: Yeah, well, a few things. it's a personal question for every everybody, right? Everybody has to make their own call about that stuff. For me, it was about towards the end of last year. And last year was hard, right? This year's been hard, nothing like a pandemic to complicate matters, but last year was hard. It was hard fulfilling a role of CEO of an entity. And there's a bunch of people in the room who know this, during that time. And towards the end of the year, I was starting to get a sense of I'm not sure I've quite got another 18 months, two years of this in me at my best. That was one thought, second thought was, have I done the things that I want to do in this job? Do I feel like I've got those largely ticked off? Now it's tempting, of course, to always think there's more and want to stay forever, but have you got most of the things finished and done and put in place that you think reflect what you've been trying to achieve?

Have you set up the place for success going forward? And again, that's a never ending journey, but you try to get there. Have you look after the shop and the way forward for the agency, as best you can? If you can tick those boxes, and if you feel like you're starting to get to the end and you want to go ... Before I talked about cynicism, I understand why people might get cynical from time to time, but I just never wanted to get there. And I don't think folks really want to work for other folks who are perceived to be tired, over it, eye rolling. So I wanted to go before that. And then the last bit is I wanted to, if possible, and

again, is known here in this town, you can't always leave on your own terms and I had the opportunity to do so. And I thought, I'll just step that out and off we go.

ALISON LARKINS: What's your advice to people in mid-career who are in that slow of cynicism or have lost their sense of curiosity? Haven't rebounded from failures.

MICHAEL MANTHORPE: Yeah. Well, I mean, the easy thing would be to say, just leave, just give it away. But that's actually not fair because for many people, this is their career. This is their job. This is their calling. And it's not that simple, but it's about, you've got to keep trying to find ways to refresh and whether that's ... And it's the same advice you give people about how to try and build resilience, I think. Take some time out, try a different role. That sort of thing. Funny thing though, is one of the things I learned and really got in spades at the Ombudsman's Office, where you get a view across such a diverse array of staff, is that it's all interesting, and if people can't find that, then you have to do a bit of deep search soul searching. It is all just fascinating. The array of conundrums.

ALISON LARKINS: No boring jobs.

MICHAEL MANTHORPE: No boring jobs. I never found one.

ALISON LARKINS: So what's your advice to the agencies that you oversight, having done that for five years? How should they approach the relationship with the Ombudsman's Office? How should they think about it?

MICHAEL MANTHORPE: Yeah. They should remember that the Office has a legitimate statutory role and a significant and important function to play in upholding integrity in the system. The Office should operate in a way that is equally reflective of that. Sometimes the dynamic between oversight agencies and line agencies get stuck in game playing or gotcha moments or things of that ilk. I think if both sides of being in a line agency or being in an oversight agency try to get beyond that and try to get real about what their functions and activities are, what their powers and purposes are, I think that really matters. I think it's important for people in oversight agencies to understand the pressures and complexities of work in line agencies. And I think it's important for people in line agencies to understand the legitimate purpose and the significance of the oversight and integrity institutions and why they're there.

You just need to get to a mature place. The other thing is, I always really valued it when I was the Ombudsman, when an agency actually just fessed up about something and that happened particularly in the law enforcement space from time to time, we were inspecting and investigating use of covert powers, and we would always give, and I'm thinking particularly an example involving the AFP, we would always give the AFP the benefit in a report. Our report might still say they stuffed something up, but if they've acknowledged it and seen it and actually called it out, then you're on the right path. And that's important too.

ALISON LARKINS: There's a bit of a debate in the oversight community about whether that mixture of line agency, like whether you came to that role as someone who'd never been in an oversight agency who had a lot of line experience. There's some debate

about whether that basically means that you are already captured by the line agencies and you've got no capacity to do your role reasonably. What have you learned about that? What do you think about that? And should some of your future aspirants to the role, should they come from line agencies?

MICHAEL MANTHORPE: Well, I'll leave others to decide who the future occupant of the role is, but there's a trade off there. So I was acutely aware that I came from an agency which I was then tasked with overseeing, and at that point in particular, the immigration portfolio. And so I went to great lengths to ensure that matters that I'd previously worked on, I didn't touch for a period of time, that I sought very deliberately to step back and form real judgements and not pull punches, but equally not be a reform smoker and be too unfair. Finding that balance. So I tried to do that. So I think it can be done. And I think the advantage is you know the people, you can call them, you can talk to them. So I made a comment on my speech about you make these judgements about what you're going to publish and not publish. Some of the most influential things the Ombudsman's Office does, are never published.

They're a phone call to someone and say, "Hey, we've got these complaints about this. Have you've thought about this? We've just spotted this thing." And that can be a very powerful tool for systemic improvement. There's advantages of having knowledge and insight and relationships with the agencies, but there's a risk that you've then got to manage. And similarly, if you're coming in from outside, there's advantages of having completely clean skin and absolutely no skin in any game or existing relationships, but the risk is you'll make recommendations or findings that just don't stick or don't have impact.

ALISON LARKINS: I was really taken by your description of your process of getting into a job, that you'd taken home the Act and you'd done a lot of reading and you worked out what it what going to take to get yourself sacked. Is that the normal way? Because obviously it was quite research based. So you were really ...

MICHAEL MANTHORPE: Well, I'd already started the job by then.

ALISON LARKINS: Oh okay. I think you said you were in week one.

MICHAEL MANTHORPE: Week one, yeah.

ALISON LARKINS: But I thought there's something interesting there in the way you worked your way into that role and the way you got an understanding of what that role required of you. Can you talk a bit about how you've done that in your career? You've turned up with a new set of expectations on you. What do you look for? How do you orientate yourself?

MICHAEL MANTHORPE: And it's the stuff about what does success look like? It was acutely obvious to me when I became the Ombudsman that I had to do that. I had to work out what does success look like here? Because no one tells you, right? And indeed, on my first day it was a few people in the room were probably there, on my first day on the job, I did an all staff meeting, in a room like this and introduced myself to folks. And somebody put their hand up and asked this question, "Michael, what

kind of an Ombudsman are you going to be?" And I stopped. And I thought, "It's an interesting question." And I think I said something like, "Well, hopefully a good one."

It. and independent Offices—it's not the only one—but it and the other independent Offices that are like it have this singularity about them. You're it, you have to work out what you're trying to achieve. And so I did put time and effort into that. If you do that well, then that can guide how you structure yourself, organise yourself, prioritise things, what you choose to investigate or not, how you choose to conduct yourself and so on. So that's how I thought about it in that context, and it was particular to that in the sense that it's such an independent role. However, it's just as important a question to ask yourself when you're going into any job.

Sure. You go into a job in a central or line department, and it's pretty clear what the minister's intentions are. And it's pretty clear what the secretary's intentions are about something, but that doesn't mean you don't think about what does success look like with a fresh and independent and curious mind. You have some agency that you should deploy and public service isn't 150,000 robots. Everybody has some discretion and some agency, if they choose to deploy it. I think sometimes that gets lost.

ALISON LARKINS: Thank you. One last question for me, and then we'll open it up to questions from the audience. So you've obviously been attracted to trouble and have led several ... Well, numerous numbers of task forces, addressing tricky issues. Any reflections on taskforce work, lessons from task forces? Avoiding trouble.

MICHAEL MANTHORPE: Well, I love taskforces and for a long time, and people who've been on my journey for a long time, some of you would know this, for a long time I had this label on my head that says, "Oh, he fixes things. This guy, he'll fix things. He runs hard and off he goes. Point him at a problem." That was my brand for a time, I think. And then something really strange happened a bit before I became the Ombudsman, I think, but you'd go along to a forum like this. And someone would introduce you. And instead of saying he fixes things, they'll say, "Oh, here's Michael, he's very experienced." Then once you get that label, no one asks you to fix anything. You just get to contemplate things.

That's a thing. In terms of then how do you make that work, look, most of you know and it still stays with me as a career highlight, most of you know I did the piece of work associated with the insolvency of ABC Learning. It's years and years ago now, but as an exercise in crisis management and an exercise in setting up a taskforce and pointing it in the right direction and getting it to work, it was just gold. And it was gold because the governance was right. Most senior ministers sitting together above a group of very, very senior officials. Lisa Paul was the secretary who ran this thing with other people from the central agencies, a model in line agency, working with central agencies effectively. Then me running this taskforce with the right skills of people around me, we did the very thing I've called out on the speech of we got the best internal lawyer. We had the best comms person. Where's Mary Balzary? Did she come?

We had the best program management guy. Where's Daniel Owen? And Henry Carr. So we had this little A team of people, but we still went, "Hang on, but this is really foreign territory for us. What do we need?" And so we went, "Ah, we need someone with really strong commercial insolvency experience." So we got the best insolvency lawyer in the country and the best insolvency practitioner to provide advice, assembled a team. We had a really clear purpose. Gillard says we can't let 1,043, count them, childcare centers shut. Okay, that's the goal. We're not going to find a way to not let that happen. Then you empower the person who's running the show, but you're also there for them.

I was empowered to run and I, and the great team, the right people, the right governance above, but also the support. And so constant feedback up and knowing that you were empowered, but still had support. Then the other bit that sometimes gets missed in taskforce land is then defining what the taskforce does versus what all the BAU people do and how that fits together and making sure that the taskforce also gets the support from the BAU people, rather than being cut adrift and so on. So that's a few thoughts.

ALISON LARKINS: Good. Thank you. So let's open up to questions from the audience. We've got roving microphones. So just raise your hand if you'd like to ask Michael.

JUDY SCHNEIDER: Hi, Michael. I'm curious to know what were the things that you've achieved as Ombudsman that you feel were your big rocks?

MICHAEL MANTHORPE: Yeah, look, there's a few, because it's such a diverse job, a few things that jump to mind. I really liked the fact that we fixed the problem of students who were caught up in the vet fee help scenario. So those of you remember the VET FEE-HELP scheme turned out to be poorly, poorly designed or administered in one way or another. You can read the audit reports about all that, but the result was there's thousands and thousands and thousands of people with debts to the Commonwealth that really they shouldn't have had. And we ran a process in close consultation with Michele's department, of course, to get that sorted and remove the debts for those thousands and thousands of folks. That's one. The stuff we've done in the defense abuse space, I'm very proud of. And very, very hard, very, very delicate work, trauma informed, one case at a time, helping people step through, deal with, and in some cases get financial reparation associated with serious abuse and mistreatment. That's powerful.

I'm proud of the work we've stepped up into in relation to oversight of law enforcement. I think we .. Well, we do play a much ... I should say they, I don't mean ... You know what I mean. The Office plays a bigger role and that's based than it used to. And I think it's taken more seriously and that than it used to be. And I think that's really good. If you look at the website and read all the reports, there's reports about all sorts of interesting things where I think we've made a contribution to sorting out issues. There's a whole bunch of things, but yeah, they're a few. I think we helped a lot of individuals get a better deal from government.

SARAH BASFORD CANALES: Thanks, Michael, for sharing all that with us. I'm Sarah from the Canberra Times, I'm just wondering, why do you think there's such an appetite for a Federal Integrity Commission at this point and in your year five years as Ombudsman, have you seen a shift or trends towards more or less accountability and integrity?

MICHAEL MANTHORPE: Well, I think there's a common interest in building trust for institutions. I mean, there's plenty of published material about the issue of and measures of trust in institutions, not just government institutions, but all sorts of institutions being fragile. And I think that matters for the country. Therefore, I think as I said, in my speech, we need to keep thinking about what is the appropriate integrity framework. As I said in the speech, I don't want to get weighed into the debate about what the shape of that should be. That's up to your, and our political masters, but I just think it's an issue that you just don't leave sitting indefinitely. You need to keep working at it.

HOLLY NOBLE: Good morning, Holly Noble from Department of Finance and the Future Leaders Committee Chair. Michael, thank you. That was just fantastic. Really very insightful. You spoke about a spark for curiosity and a bias for action. What advice would you give future leaders who are looking to get the best cut-through with current leaders when they're speaking up and trying to make a difference?

MICHAEL MANTHORPE: Well, first of all, have a go at it. First thing. Well, it's amazing to me that there are always folks who are afraid to put their hand up. In one sense, I can understand why that might exist in a workplace. If you feel like someone's going to shout at you or not listen to you or something, I can understand at a human level why that's so. But I always sought to practice. Look, if I think something needs to be said and raised, I'm going to try and do it, but in a way that is respectful and in a way that isn't going to embarrass people or isn't seen to be personally critical and stuff like that. I think practice it. And also the other thing is get some runs on the board. If you are perceived to be one of the contributors, people are going to listen to what you've got to say, more than if you're perceived otherwise. So I think that's important too.

ALISON LARKINS: And I think we've got time for one more question over here.

ALISHA HENDERSON: Thank you. Alisha, from Hays Recruitment. Just a question more so on leadership styles. You've spoken a lot about the programs and the projects that you've been working on, but from a people management perspective and a leadership perspective, I guess, flowing on from the leadership question there, what advice have you got for managers coming up through the ranks at the moment and the challenges that they're going to face?

MICHAEL MANTHORPE: Yeah, well, you've got tough jobs. Every leader does. The service operates under a lot of pressure. There's always a lot of competing pressures and so on. That's been obvious during the pandemic and so on. I think finding a style of leadership that is empowering of your people is important, finding a style of leadership that seeks to ... In fact that seeks to make your people look good is

important. So you can't do it all yourself. If your people feel like your advancing their interests, not just your interests, they're more likely to put in the discretionary effort, they're more likely to work together, engage with each other. So I think it's some of that sort of stuff and yeah. We're just about out of time, Iso 'll leave it there.

ALISON LARKINS: Thank you. Thank you, everyone. And Michael, thank you so much for being such a fantastic colleague and curious interlocutor over the years. I'm going to invite Steven back to the stage.

STEVEN KENNEDY: Thank you, Alison. Thank you, Michael. I was just thinking through Michael's remarks, how there are some really important jobs in the public service where a government at some on stage or other has decided that it's going to delegate effectively some of its executive power through a law of some form and the Parliament decides, and then it delegates that power. The Commonwealth Ombudsman is one of those roles. They're incredibly important roles and we're very fortunate, I think, that we've had people of Michael's immense capacities to take on those roles that effectively unelected officials playing roles of delegated executive power. Thank you so much for your remarks, Michael. They were deeply insightful and we very much enjoyed them.