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TRANSCRIPT OF PROCEEDINGS

SECRETARY SERIES | MICHAEL PEZZULLO

NATIONAL PORTRAIT GALLERY
PARKES, CANBERRA
30 OCTOBER 2018

Michael Pezzullo:

I should like to address the role played by the public services, as one of the central national institutions of our democratic Commonwealth. I need to begin with the act of British settlement in 1798. British institutions were the platform for the building of the distinctly Australian system of national governance. With the assertion of British sovereignty in 1788, the foundations of that system were laid. On that January summer's Day, the common law with its ancient rites, that political philosophy of Hobbes and Locke, the primacy of parliament either absolute monarchy, and so much more, came ashore. From settlement to federation in 1901 and extending to today, we've built the net national institutions of governance which constitute the anchor point without democracy representative for parliamentary democracy, responsible as it's called or ministerial government, the rule of law and the machinery of the executive government, including the public service, of course.

However, it should not be thought that our colonial forebears were passive recipients of British political and legal wisdom. Nor should it be thought that British constitutionalism arrived fully formed in 1788. At colonial forebears, took the opportunity presented by political reform and increased self-government in the 19th century to build a local mode of democratic practise, not laced with the expansion of the electoral suffrage, especially for women. On the first of January 1901, a new body politic, the Commonwealth of Australia came into being and our constitution became the fundamental law of Australia. Following British colonial practise, chapters one, two, and three respectively of the constitution confers separate powers to the legislature, the executive and the judiciary.

Most relevantly for, for today's address executive power as confirmed in chapter two is, is the power to administer laws and to carry out the business of government. As far as public servants were present at the creation of the Commonwealth of Australia, when the governor general created through the Executive Council, the first departments of state under section 64 of the constitution, namely; Attorney General's defence, external face, home affairs, postmaster generals tried and customs at the Treasury.

In the official history of the Australian public service, published in 2001 under the auspices of the centenary of federation. There is an image on page three of that publication of the first administrative arrangements order written in prime. Minister battens are in hand sitting at the ministry list, the first three of which were button himself as the Prime Minister and Minister for external affairs, along with the attorney general and the Minister of Home Affairs. And so, we laid the legal and administrative foundations of the Commonwealth. We're also a bit quicker than other inheritance at this time. In the latter half of the 19th century, the British civil service underwent significant reform in the wake of the Northcote Trevelyan report of early 1854, reforms which laid the platform for merit based, professional and impartial civil service in the United Kingdom, shown of the corruption and patronage of earlier times.

Thankfully, again, we fall at British practise whereby those reforms influenced the development of the colonial centre services and then the public service of the new Commonwealth. Why is this history important? Is the past not dead, isn't not a creative side of memory and ideology by which we sanctify our

culture, buttress our institutions legitimate power and invest our societies with a destiny which conveniently validates the present. Whether or not history serves these purposes or others, I shall leave to another day. For my purposes today, suffice it to say that history and memory are essential to self-knowledge. They foster identity continuity and community. A nation state is not an arbitrary geographical construct that happens to be inhabited at any one time by randomly selected individuals, who lack any prior connections or common history. It is not a blank slate to be made and remade with every generation.

The very idea of Australia implies continuity in terms of identity and institutions. A nation is of course an imagined community. Citizens that are essentially strangers to one another, in that we'll never know more than a handful of our fellow country men and women, meet them or even hear of them, even with the spread of social media. But a nation is not an imaginary concept or community, it is a real phenomenon. The Nation State is a concept which politically and socially binds people time and space, and that it links out predecessors are contemporaries and our descendants are descendants within a boarded space.

Through the nation state we're bound together by a social contract, which is the basis on which rules are set and interests harmonised. The social contract founds the political community, shapes its institutions, confers authority and ensures that power is distributed and balanced. The latter ensures that government can be affected with legitimacy without any citizen having to seek recourse through extra constitutional action. Consider the prices of conferring citizenship with every pledge of allegiance on the part of US citizens. And every affirmation of allegiance on the part of existing citizens, and mutual bonds of national association are invoked, as are the undertakings that we have made to one another to our forebears end to our descendants through the social contract that is otherwise known as Australia, that it's why our citizenship, pledge and affirmation, invoke allegiance to Australia and its people, to our shared democratic beliefs, rights and liberties, and they bind us to the observance of our laws.

National Governance is expression and indeed enabler of sovereignty. A Nation State has to be able to make laws and enforce them, carry out its policies and implement public programmes and it has to be able to do so with insecure borders. All key public goods are organised and effected on National Lines, the operation of the Lord Self Defence, immigration, border protection, taxation, welfare, public safety, education, health, labour markets and so on. Even where international agreements and treaties have a bearing and they do, their impact is mediated through sovereign law-making and executive action. There is no would contend a nation would power or the constitutional capacity in other words, which can be deduced from the existence and character of the national body politic.

Now, the extent of the powers and capacities of executive government can of course be inferred from the powers which are confirmed by statute or which reside as prerogatives of what used to be known as the Crayon, including those which are referable in section 61 of the constitution or are a consequence of the

nature of the legal personality of the Commonwealth. This array of powers and capacities is not of course unlimited, and he's checked by the constitution and the law, but within those constraints is as broad and as deep as the nation requires. At any particular point, these powers and capacities enabled the proper conduct of government for the benefit of the nation. They underpin enterprises and activities which are peculiarly associated with the execution and maintenance of the constitution with government for the common good and with the peace and order of the polity and which cannot be carried out otherwise or by any other entity.

This focus on nationhood does not mean isolation from the world. It means that we are as a people sovereign within our state and have to have the ability to protect that sovereignty. Our coming together as a nation in 1901, was a manifestation of sovereign will, rather than representing a dead past that sovereign act of founding a body politic remains the leading force, which is reflected in the continuity of commonwealth laws, the chain of executive action that can be traced back to federation, and the body of judicial authority, which is reflected in the jurisprudence of the land. These threads do not themselves when viewed backwards in time actually terminate on the first of January 1901.

The legislative, executive and judicial powers of the Commonwealth extend themselves back in time in terms of inherited legislative, administrative and jurisprudential traditions, which were incorporated in the body politic of the Commonwealth at its founding. Taking such a long duration view of national institutions matters and never more so, than when geo political and social trends that are leading us. To think that with the advent of new technologies of connectivity and global interconnectedness and the rise of global networks of influence, we might perhaps be able to put musty old concepts behind us, especially those which have their antecedents in imperial eras, [inaudible] of the country.

Institutions anchor our polity and ensure that power is legitimated and wielded with consent. I'm especially interested today of course in national and international institutions which constitute the British form of constitutionalism, which we inherited through settlement. Our particular social contract cannot be understood without reference to that tradition and the subsequent evolution of our system of national governance. The British constitutionalism consists of institutional practises which are concerned with a particular mode of distributing the power of the state, not of course as the Westminster system. It reflects historical norms, rules and conventions, some of which you codify, but most of which are not in the system parents divided such that no single person or group of people can affect arbitrary rule orientated dictatorship without being checked.

The rule of law is the most fundamental value which underpins our system of national governance, a value which holds the power, is not to be exercised arbitrarily or oppressively or absent due process. The most relevant idea, of course, in the Westminster System for public service, is that a ministerial responsibility. The responsibility of the minister to the electorate through the parliament, which flows from section 64 of our constitution, is the key feature of

our system for affecting popular control over the direction of government. The end of responsible government is at the will of the people prevails and for that reason, ministers are expected to explain their actions and policies to the parliament and to keep it informed.

Ministers are responsible to the parliament for their conduct as ministers and for that of their departments and agencies. And of course, under the rule of law ministers, their departments and agencies are all signed under judicial scrutiny, not least in light of the original jurisdiction of the high court upon which the constitution confers the power to issue constitutional rights at section 75. The constitutional tradition also ... this constitutional tradition rather also relevantly has as its centre, the cabinet system and the idea of cabinet collective responsibility in solidarity. The cabinet is not even mentioned in the constitution. More over the constitution does not specify the role of office of Prime Minister, nor does it set out the procedure by which a government is formed, which of course falls to the political force, which is able to command a majority in the floor of the House of Representatives in Sapphiria as confidence and supply are concerned.

The constitution does not require the formation of an opposition led by the leader of the opposition, nor does it require that there be a type convention, where by a government, does not once an election is called take significant decisions, absent consultation with the opposition. Now, perhaps when the public service takes these issues to be simply the natural order of things and we're not moved to look behind that order of things. At one level, at constitution laws and regulations and the policies and programmes of the executive, seem to constitute our entire realm of consciousness and action. What more is there to con to contemplate or comprehend? I would suggest much for one thing. I'm becoming concerned and increasingly so at the paucity of the knowledge of these traditions and understandings amongst public servants, even relatively senior ones.

We need to do more to teach and inculcate this world view. A night political public service is itself one of the key institutions now, Westminster system. It is the repository of knowledge and practise in relation to key Westminster understandings, such as the cabinet system and the caretaker convention, both of which are documented by way of administrative guidelines which are maintained by the Department of the Prime Minister and Cabinet under the authority of the Prime Minister. Moreover, the public service is the custodian of continuity in administration and the repository of knowledge, managerial and administrative skills, strategic policy capability and service delivery competency.

It increases the nation's democratic efficiency. That is, that ensures that elected governments are able to rely upon a ready-made, administrative and policy machine which is able to implement its policies and programmes as directed. It is my contention that only the public service can bring the widest lens to bear on any given issue, given its broad and deep access to intelligence and data, and its unique capabilities many of which are not entrusted to the private sector or to non-government groups. Now, what the policy space is crowded and contested as it should be in a democracy. The public services are privileged position due to

these capabilities and to his trusted role as the premier and sometimes sole advisor to government.

Deep long-term policy thinking and strategic imagination on the part of the public service and a mutual commitment to policy partnership are at the heart of the ministerial departmental relationship. As this joins the political and the administrative elements of the executive, it's most important function. Focusing on the advancement of the nation and the common wealth, by which I mean the common good or common well-being. Of course, ministers must decide all major issues. A democratic order permits no other approach. However, a public service which does not see it sort of conjoined to this endeavour has lost its way.

All the public service exists primarily to serve the government of the day, of course, it also maintains a jealous watch on the papers and records of earlier governments, while also maintaining an underlying capability to serve future governments, including by way of an ability and a disposition to switch its loyalty to a newly elected government at the appropriate moment. Elected governments have fully entitled to expect loyalty and dedicated service from its officials. In my experience, ministers recognise also that this means that former governments are entitled to expect the ongoing discretion in our system of the officials who have served them, and that discretion around is a crucial ingredient, so their system of governance.

The fact that we have a career-based service enhances the effectiveness and efficiency and cohesion of our democracy, precisely due to the capability to attend to the interests of past and future governments, while only ever serving the commissioned government of the day. In my experience, ministers and seasoned staff overwhelmingly appreciate this and indeed fully expect that public service to act accordingly. For all of that, it will be mortally dangerous to our system of government for the public service to come to possess an aggrandized conception of its role in the proper processes of government, as the ultimate guardian, perhaps of the public interest located outside of the political process. There is no legitimate basis for contending that unelected officials have any purportedly super national responsibility as custodians of the public interest, somehow separately identified from the domain that is termed all too often to be that of politics.

As I touched on earlier, very object of executive government is to utilise all the powers and capacities which are intrinsic to nationhood in order to advance the public interest. This consists of substantive and purposive activity, where ends meet, and ways have to be brought together, first in policy and then in action. Only the elected executive can determine these questions, while we in the public services are all expected to act in the public interest, which goes to procedural questions of acting reasonably in partially honestly, lawfully with integrity and avoiding conflicts of interest properly accounting for public funds and so on. Only elected members of the executive can determine in advance the public interest, for only they can do so, under the supervision of the people through their elected representatives.

Now, the requirement for the public service to be politically neutral does not and cannot mean that the public services uninvolved in quote politics on quite such governing is intrinsically concerned with politics in that it entitles the public context rather values ideas and policies. In this sense, the implementation of policy is a part of the political process of the nation. This does not mean that the public service is itself politicised. There is absolutely no inconsistency in the APS being both responsive to government on the one hand, and simultaneously existing as a political career service to enhance effectiveness and cohesion of Australia's democracy.

Almost 50 years ago in November of 1968, support has like the Garran Oration to this very body. He looked the time serving as the minister for external affairs and would go onto serve as governor general. The title of his obvious oration says it all, 'the public servant and politics,' was his topic. So, Paul said in his oration, "That politics is as comprehensive and as complex as the whole process of decision making in government. The public service cannot avoid politics any more than fish can avoid the water in which they swim." He advised public servants to be jealous of their honour and not to seek to please the minister, but rather to inform and advise in good conscience, according to one's knowledge and judgement.

The public servant cannot be unaware of political happenings. They are all around us. What is important for the public servant is that one must absent oneself from any patters and discussions and avoid exposure to raw politics, especially as a might relate to electoral considerations or criticisms of the opposition. Secretaries of departments have a particular obligation to protect the boundary between the political and the administrative, especially in relation to the law as it relates to the two non-interferences in public service appointments. The integrity of departmental advice as provided which must never be withdrawn or modified at the request of the minister will ministerial staff. It can be added to but never withdrawn or modified and generally upholding the impartiality of the public service.

Ensuring that everyone stays on the correct side of the line is not always straightforward and there are grey areas. In my experience, ministers and CSUN staff will understand this and adjust as clean to ensure that the administrative does not stray into the political. Of course, there's already observed in our Westminster System, ministers are duty bound to make the final decisions on all matters of policy, but in my experience, ministers are equally in the main inclined to take advice in relation to matters such as legal risk, expense, conflict with Kevin Authority implementation challenges, international complexities, and so on.

I would contend indeed that constitutionally the elected and unelected executive is a single integrated scheme. This is best seen in the partnership between the minister and a secretary. A partnership with joined which joins the political and administrative in an association for the common good and specifically for the employment of all the national powers and capacities of the state for the advancement of the public interest. There is no doubt that the minister is in charge as the senior partner in our constitutional system. While the

Secretary I law runs the department quite under the minister. I deliberately, here I'm using the term partnership. It is a time limited association which does not extend, for instance, beyond elections where a government is defeated.

If you're looking for a reference here to teams in this context, you will be listening to a lecture on the operation of political parties, as in any partnership. The relation has to be built on close trust and evident confidence for the sake of the proper conduct of the administration at the Commonwealth. No one likes some other aspects of our version of the Westminster system. The underlying convention to the public service as an institution have been codified in law, in the form of Australian public service values and the associated code of conduct which are enshrined of course in the act of 1999. Relevant relevantly the act requires APS offices to be committed to service which amongst other things requires us to be responsive to ministers and to understand the governance objectives in the environment in which it operates.

That requires us to be accountable to the Australian community under the law, within the framework of ministerial responsibility. It requires us to be impartial in a political, providing the government with advice that is frank, honest, and timely, and is based on the best available evidence. The Australian Public Service Commissioner has issued directions which spell out the expectations of ops officers with regard to impartiality. In summary, we're expected to serve irrespective of which political party is in power, either of their own personal political beliefs, and the elections must not provide grounds for a reasonable person to conclude that we could not serve a government of another political persuasion. Well, either public service employment is taken to go beyond the implied contractual duty that is owed to any employer. We are officers who were charged to carry out the business of the Commonwealth holders have special positions which serve public and constitutional purposes.

To the end of maintaining public confidence, we are required to act in the public interest and to observe title strictures and limitations in terms of integrity and professional standards that are typically found in most other areas of employment. Taken together therefore, the law and our own professional app look means this; A vocational calling is to assist the government to be better than they otherwise would be, but not to seek the mate to make them different governments, which perhaps might conform to our preferences and looks. If we have a different interpretation of the public interest and feel strongly enough about it, we should resign our positions as public servants and run for elected office, as of ourselves.

It is sometimes said that we're living in a post truth world, which is characterised by cycled fake news and disinformation as well as the ascendancy of opinion, belief in emotion over facts and the truth. The modern media has an appearance of immediacy, things go viral and connectedness with its trending, its hashtags and it influences whoever they are. Whereby it is thought that power is able to be attained through being connected to networks of influence as distinct from traditional institutions of authority, which tend to be predicated on mediated and therefore indirect power. Some would thereby contend that the very nature of Paris has been transformed as it is ... in that it's been deconstructed in

dispersed through global networks which render archaic ideas such as the border, the states, and the nation.

In this midyear, confidences in institutions is eroding and the truth capitalised hasn't seemed to become a battlefield, and not simply due to the increased volume of opinion and comment, the mobilisation of sentiment, the rise of identity politics, and the polarisation of civic discourse. The idea of truth is also it seems been deconstructed by the deliberate interference and manipulation of opinion, with the objective being of sowing confusion and discord in democracies, so as to undercut their deliberative capacities, sap national will and corrode strategic confidence. In this world connectedness has not proven to be a catalyst for democratic renewal and transformation. It is perhaps ironic that his information is approaching limitlessness. We are narrowing our horizons of interest, as our search preferences and their underlying unseen algorithms curate and limit our discursive fields.

We should not delude ourselves. In the digital age the truth so called, is still mediated by algorithms, foreign interference, market research, disinformation and so much more. We are not saying, are we contend as the digital industrial complex would have it, the unmediated expression of the popular will free of the taint of power. Rather as shared sense of what is true is being undermined and power is being reframed under a veneer of freedom. But without the apparatus of representation and the mediation of power which allows the lessons to be held to account, so what is to be done? Our system of representative democracy and reverse and responsible government and impartial public service and the rule of law, our foundations which hold us secure in the face of the storm, surge of post truth or falsehood, disinformation.

Intrinsic to our scheme of national governments have traits which are the antithesis of past truth. Traits such as moderation, deliberation, scrutiny, check and balance. The epistemological model of Democracy is necessarily empirical. Democrats, Westminster Democrats in particular say, "That the truth, while contestable at a metaphysical level, came for the purposes of informing deliberative action be arrived at, through investigation, experimentation, verifiable data analysis, research and modelling, and reasonable conjecture about the future."

I should especially like to think in this context that traditional public service values might well come into vogue as antidotes to the tone and tempo of the time. Values which favour reason, evidence, due diligence, and dispassionate and disinterested endeavour. Moreover, democratic discourse presumes the resolve ability of difference, the ability to arrive at a view of the public interest and deliberative action by elected officials and those of us who have taken up the vocation of public service. In a representative democracy, we moderate and check the power ... Sorry, we moderate and check power in the ballot box without pencils.

When we're asked to express our preference as to who will represent us and from that group who will govern us, such a simple thing, the putting of a pencil mark on a piece of paper. But from this simple act flows the governance of the

commonwealth. That is why we have to protect that ballot box, a pencil and a piece of paper. Now, beyond this general frame, we should seek to encourage an informed and active citizenry, including through civics, education and digital literacy. The discourse of civics will need to be enhanced or made more accessible and will certainly have to consist of more than a primary school visit to Parliament House.

Impartial and professional journalism will become even more crucial, as we'll be an apparatus and capacity for fact checking. Elections will have to be protected and with each election, new assaults will have to be anticipated and thoughted in an unrelenting struggled. Active thought will need to be given to the protection of the freedom of political communication, which is essential to representative democracy and which has come to be a constitutionally enforceable right.

Our intelligence, security and law enforcement agencies graced with pearls that only parliament can grant and continually supervised in the performance of their functions, will have to wage and unceasing war, especially in the cyber shadows against attacks on democracy that will become more pervasive. Some driven by Nihilism and others by sinister statecraft, born of Geo political motivations. We will have to construct at a standard defence against the dark arts, disinformation and political warfare.

As we look ahead, one thing can be certain, the public services, the continuous component of the state will be at the service of the nation. The past is not dead. Rather than ignoring our institutions or allowing them to corrode through indifference, we should see them as sources of strength and stability, and we should rededicate ourselves to passing on their precious wisdom. And perhaps rather perplexingly, I mentioned dictatorship through this lecture during the course of it.

In this age, it would not be farfetched for us in the West to pause to reflect on the historical lessons of other eras and to draw inspiration from those who have in times past fought to defend democracy. They did so because they carried it in their hearts and their minds, the assumed values and assumptions which constitute the deep corpus of democratic thought and sentiment. In February 1935, Winston Churchill published an article entitled Why Not Dictatorship? In it he argued against those in Europe and in Britain who were at that point inclined to advocate for illiberal dictatorship as a solution for the social and economic ills of the post-depression era.

Churchill would have none of it. He argued that democracies must fight against this loose talk of dictatorships and one manpower, that society must be protected from the malice of such rules. Churchill argued that democracies must guard with the utmost vigilance, and I quote, "The inviolability of even the humblest home, the right and power of the private citizen to appeal to impartial courts against the state and against the ministers of the day, freedom of speech and writing, freedom of the press, freedom of combination and agitation within the limits of long established laws, the right of regular opposition to government, the power to turn out a government and to put another in its place

by lawful constitutional means. And finally, the sense of association with the state.”

Churchill was a great parliamentarian, first and foremost, and from that float, all of his achievements, including his most glorious ones. And the greatest lesson from this greatest of Democrats, that democracy is an outlook before it is an allure, an instinct before it is a rule, and a tradition before it is a procedure. Now, I doubt completely that dictatorship could arise in the hallowed democracies of the West. Except to say that in a world where nothing is true, and everything is possible, who can say for certain. In an era of rage and discord, we have to trust our institutions to bay the stresses and strains of the age.

I should certainly like to think that our institutions and in Australia at least, our culturally ingrained scepticism would safeguard us. Vigilance might nonetheless be in order. Optimistically, I end on this note. Robert Garran called his memoirs Prosper the Commonwealth, published in 1958. If you examined his legacy, you will find someone who was athlete dedicated to public service, to the purpose of sense that I've chosen to emphasise today, in the sense of being embarked on nation building and using the powers and capacities that are intrinsic to our nationhood to advance the Common Wealth, to secure the nation and to protect the constitution, and to unify the people who are respecting their democratic right to defer.

It was with more than half an eye cast in his direction that we chose the following purpose statement for the Department of Home Affairs, a departmental title, of course known under Garran, and purpose stipend being prosperous, secure, united. As we face yet another review of the Australian public service, it is to be hoped that a more substantial reform agenda will emerge and one that moves beyond the solace focus of the managerialist frame of some earlier efforts. An ideology that would have been utterly unfamiliar to our forebears who knew only active and purposeful public service, which when properly partnered with the political executive was dedicated to wielding for good the full powers and capacities of the nation. Thank you very much.

Speaker 2:

Thank you. Good morning, I had the pleasure of [inaudible] last week after the [inaudible] Security Conference, and again, I'm very heartened to hear you speaking about this [inaudible]. Yesterday [inaudible] and I think that it would pave me for a career in public service, and I'm very grateful for it. Yesterday's article was talking about the options that graduates are looking now at consulting firms as opportunities for to have more influence. Basically, I'm wondering what that is. I'm interested in your views about the public services capability and when it should be protected as well as I guess future group.

Michael Pezzullo:

That's a great question and of course, I acknowledge my darling wife is in the audience, and we have this discussion appropriately all the time because she, of course, is a consultant. And we have to have discussion about things we can talk about and things we can't talk about. That's why we [inaudible]. Everyone's got a role to play in democracy. Academic researchers, think tanks, consultants, people who are just interested in issues and who choose to use social media to

express views in the appropriate kind of way. And not with that rage and discord that I spoke about in my remarks.

The point I guess I was making in my lecture is that for all of that, power has to be held to account. Where do ideas come from? Where was the evidence for an idea? Particularly when you're dealing with life and death issues. So, the decision to go to war for, as Francis mentioned, I started my career in defence and I've spent half of my career in defence. But even things that perhaps are not so quite profound where life and death is involved, things that deeply impacts society. How we deliver services, how we deliver infrastructure and the like, there has to be accountability.

And the point I made in my speeches that of course, policy should be contestable, and consultants have got a role as do academic researchers, as do think tanks, as do institutes that might be set up, for instance, in universities to influence public policy such as has occurred with the ANU. Everyone in a vibrant democracy not only has a stake and a role and are welcome to contribute but they should. And when you read some of the history of our service, I think the service in the late '60s and early '70s went through quite a significant challenge reflected in the Koon's royal commissioner, the mid'70s when the cycle ... the mandarins is our so called at the time who were permanent heads, that's what they were called.

Permanent heads, could not be dismissed except for misconduct, were quite challenged by the advent of academics who wanted to engage in policy discourse. The appointment of policy advisors, Inter-ministerial officers, which tended to happen with the advent of the Dunston government in South Australia. In the Whitlam Government, at the Commonwealth level. Here's the key differentiator. It's for the public service to openly in a welcome way to embrace all of those threads of knowledge, data, information, the modelling and the like, and to add it to the data, the intelligence, the classified information that the public service properly and uniquely has access to because you want access to that data controlled and supervised.

And it's for the public service never to exclude those other tributaries and sources of insight, absolutely, but to Marshall it and to water it, and to provide ministers with options that are as grounded in both the best quality research that can be made available, whether it's from consultants or universities, as well as the best internally generated advice that might be based on intelligence sources, for instance, that are not available to anyone else. And that's why I think central to our vocation is that position of trust, where often not always a solid advisor or on the national security committee itself.

In the case of France, as nine others, there as the sole advisors. They're not consultants in that environment. In some cases, the matters are so sensitive, and our knowledge sources are so sensitive that everyone else is excluded. but even when we're not the sole advisor, we have to ensure that we're the trusted advisor, including trusted in so far as we haven't censored, excluded or filtered out contested views

Speaker 3: Thank you [inaudible]. As a former public servant and ANU alumni, I'd like to ask a question which builds on from that previous question. I previously recently, had the privilege of speaking to a former Mandarin who is also a fellow alumni, who opined that it is the level of competition in the public service now is so great or rather in the private sector, that we are not ... the Commonwealth is not attracting the best graduates any longer. Would you care to overview on that?

Michael Pezzullo: No, I disagree. I disagree strongly for two reasons. One, it touches on what I just said, the unique work that we do, the unique powers and capacities that are lawfully entrusted only to us, we know it might not create the basis for someone to join us for 30 or 40 years. And I'll come back to that because I'm not sure that that's what we want either, but it does create the basis for people to come and say, "I want to work for you." We know it in our own department. I'm sure Francis experiences assignment in the Department of Foreign Affairs and tried the intelligence agencies. My comments are somewhat skewed to the national security community that I know best I suppose.

We have people breaking down our doors saying, "I might not be here for 30 years, but I want to work here for 5, 10 years, and I want to learn my craft from you. And yes, I might go off to the private sector," and often sometimes they do, but sometimes actually stay. And equally we have people from the private sector saying, "Look, I'd like to go back to the private sector at some point, but I want a piece of this too. The themes that you do, the systems that you have, the ability, the access to information that you have." Again, it tends to be, and perhaps in my view is slightly coloured by the work of the defence intelligence security and law enforcement agencies.

But they are great attractors and we have wonderful patriotic young Australians, men and women joining us. Our graduate programmes are oversubscribed, and we can be rather selfish frankly, in choosing the best. Now, does that mean that the value proposition that we're offering is the value proposition that was implicitly offered to me when I joined defence in ... I went through my interviews in '86 and I joined in '87. No, it wasn't even started, but the assumption was you're here for life because that's what all of our directors had done, our branch heads. The sense of mobility certainly wasn't strongly evident. There was a little bit, but not a lot.

So I think we could have the best of both worlds. We can offer a vocation if you wanted and I'm ... and even allowing for my time in Parliament House. I've always seen public service as a vocation, whichever line ... whichever side of the line you're on. And I wanted to emphasise in my lecture the political and the administrative is a single scheme of governance and there's far too much talk of separation in that regard, but perhaps I can come back to that if someone chooses to ask me about it.

But in terms of a vacation, you can join us for 40 years if you want, or you can join us for 5 years. And that mobility that secretaries and agency heads are engendering actually is the antidote to that problem. Now there's some people who will never come to us because of salary. Yes, quite possibly, but most

people are, and I think on all of our common experience don't just focus on money. Their validation of what they do at work and the fulfilment they get from work. Yes, Raymond's part of that. There's no question about that, but there's always an additive factor, and I think the public service has got a wonderful and unique additive factor.

Sally: I [inaudible] times. You did say that perhaps someone would ask you about the [inaudible] administration. And I noticed, I guess about the context of a lot of things that happening in your time around what you said [inaudible]. I wanted the political session of part of this was a very controversial [inaudible] was created and continues to have interest in politics there. How would you ... do you think you are balancing the separation and sensitisation, or do you think that you can do things differently then?

Michael Pezzullo: Not only do I think that we're balancing what is always a complex challenge very well. But I would, Sally, a contestant, a premise in your question, the politicisation to which you referred to the reporting of the creation, the creation of department is literally done free of journalistic tropes, free of journalistic analysis. When the governor general is presented with the paperwork to sign a new department into being, the development planning phase, which is revived department was one of the first departments of state. Perhaps you didn't ... You might want to pick that up in my speech pattern. Perhaps you did. And the Minister of Foreign Affairs was actually the third ranking minister in the first ministry in 1901, I just thought I'd mentioned that as well.

The debate that is then picked up through the journalistic process, which isn't totally private, excluding some people speaking to journalists. In fact, former attorney general, Brand, has made it clear on the public record. It's something with which he didn't agree, but I contest the idea that that means it's politicised. It just means that someone's got a different view. Once you're off the team working both in the Whitlam government and in the Fraser government was leading the process under ministerial direction to bring together the departments of the Navy, the Army, and the Air Force. We had separate departments and it's hard to believe that in this day and age.

If you go back and look at the journalistic reporting at the time, it was filled with the same kind of tropes, power grab all the centre, domineering public servant, ministers who were playing games about who had more territory, the hallow traditions of having separate departments for the Navy, the Army, and the Air Force. Most moreover statutory boards that random with the minister's milieu member of the board. It was the end of the world. We would now not think about going back to those days. We'll not think about the inefficiency that churn the transactional costs of separating out a department of the Navy, Army and the Air Force.

So my contention, Sally, is that there are things logically done in the public interest in the administrative role, including the creation of new departments and agencies, and then there are the way that they report it.

Speaker 4: Hi, [inaudible], I work for Pays. I found your comments from the last meeting and it's wonderful to hear about you putting all experiences coming from a [inaudible]. I'm interested in a bit more contrary on reform and your [inaudible] department looks like in public service [inaudible] evidence in history. What's the future holding? What's your contemporary view of evolving in public service and reform?

Michael Pezzullo: Well, I left that little book at the last paragraph and perhaps seeking invite from Francis in a couple of years' time when we look back post 30 perhaps. Well, policy development, as I said about partway through my speech, policy development, the generation of options, including drawing in the external sources that I spoke about, the answer to the first question is at the heart of the partnership. If anyone thinks that the tradition of our public services is to be the clerk. So just simply record as things are happening around us, like a hand side, then you've completely missed the idea of public service.

There is a not equal partnership because there has to be a superiority in the partnership because the accountability to the people through the power, that's the whole point of the doctrine of ministerial responsibility. There has to be a senior partner because otherwise, there's no one to supervise us other than the minister who has to present to the part, that's the intrinsic genius of the Westminster System. But allowing for that separation of superiority versus the one who supports, it's a joint enterprise thereafter.

And that includes with the generation of innovative ideas, the generation of options, the generation of content based on modelling, research, analysis or the other things that I mentioned, and in the end the minister makes the decision that the secretary or the agency, or depending on the circumstances, or often in combination with portfolio secretary working with his or her agency and colleagues site. In our view, we're not the politicians here and we don't have the ultimate accountability to what community attitudes might be, but we're sensible about those things. Here are the best options we think that are available to you, and depending on your decision, either personally as a minister or through the cabinet, depending on the nature of the decision, we're then ready to implement and here are the implementation challenges. That is at the heart of the machine and sometimes we lose sight of that.

Frances Adamson: Thank you very much indeed Michael. But before you take your seat, I just want to present you with a Cucina from Boston [inaudible] here in Canberra, to add to your collection.

Michael Pezzullo: Thank you.

Frances Adamson: Can we please him everyone. Of course, the word thank you is quite powerful, but on its own, I don't think it does justice to what you've just said, Michael. And I want to, in proposing a vote of thanks, just acknowledge I think the service that you've done to all of us. I mean, if anyone is thinking about a future in the public service and wondering about its relevance or as the importer at significance, or what it all means, I think the case has just been made. Whether we can take out a full-page advertisement in the newspapers with the text of your speech or how

we can link it, I'm sure we'll find a way to do it. But you have overwhelmingly, I think, today I made a fresh and relevant case for public servants and for the public service.

Of course, these speeches reflect actually a lifetime of learning and reflection on your part. But the question in my mind, which there is an obvious answer, is why now? Why would you make this speech a lecture, in fact? I think anything over 30 minutes, it becomes a ... gradually becomes a lecture, and I think you just made a lecture with a capital L underlined. But part of it, of course, is we are at a time in our history where we are inclined to be very seized of the challenges and to look at a future. We've all got an urge almost to embrace a different future in social media and multimedia, and some of the aspects of post truth world that Michael spoke about, are almost challengingly and tantalisingly there.

But if we only look ahead and not look to our past, and not re-appreciate, if you like, rather than reimagining our institutions, then I think we are at serious risk. And you, I think very early on in your lecture, you talked about your moving us to look behind the order of things. And I think you've done that today in a very thoughtful way. You talked about the privileged position of the public service, about us being custodians of continuity of administration, and he talked about the partnership, and of course, you just made it clear, it's not a partnership of absolute equals. We would never imagine that it should be, but it obviously needs to be a very strong partnership.

And what we bring to the partnership is what you've demonstrated in spades today, if I might say so. But it's a deep, long term policy thinking. I think you described, you said strategic imagination. You talked about the importance of reason of evidence, of diligence, of a dispassionate endeavour. And you also talked about a word that we've had cause to discuss amongst ourselves of late, the reasonable conjecture about the future and everyone in this room is capable of reasonable conjecture about the future. And I think Michael and I both have a sense that more and more of that is going to be needed.

So it's not just that we've got a review of the public service going on. I mean, that's obviously significant and it's one of the things that April has embraced and one of the reasons we've brought such interesting groups of people together in the course of this year, and we'll continue to do it next week, including with the HIPAA ACT conference that I'll talk about in a minute. But these things, and active and purposeful public service deeply founded actually in the constitution.

Now, to my knowledge, I might be totally wrong about this. There's no constitutional app, but I would be very surprised if there's anyone else in the room who can quote sections from the constitution, not just as a party trick. Can I say that? Not just as a party trick, but as someone who is deeply steeped in the venue of it, the significance of it, and I suppose the continuing, not just relevance, but it goes to the very fabric of our constitution. As you said, prosper, the Commonwealth, the public service and nationhood. And each one of those words matters. I'll certainly be going back and dusting off my own very heavily fund version of the constitution and maybe indeed, there is an app out there.

But look, thank you Michael. Terrific, terrific lecture.