

National Committee of Review

REPORT
AUGUST 2002



The Hon. Bob Hawke AC
The Hon. Neville Wran AC QC



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The Report in Context	3
Background to the Review	6
The Consultation Process	7
What You Said	8
The Challenge for Labor	9
A Modern Role for Members	10
An Enduring Partnership: Labor and the Union Movement	17
Restating and Implementing Our Values	20
Getting the Best Candidates	23
Maintaining Community Relationships	27
Conclusion	28
Summary of Recommendations	29

Contents

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The **Report** in Context



The Hon.
Bob Hawke AC



The Hon.
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We deliver this report to you in a world—and an Australia—which, in many ways, is unrecognisably different from when we joined the ALP more than fifty years ago. The rate of change has been exponential and indeed the Australia of today and the international environment around us is profoundly different from the 1980s when we led Labor Governments at the Federal and State levels. The way we produce goods, provide services, communicate, organise structures of work and leisure, the expectations of occupational continuity and employment security—all these have changed dramatically and are still changing.

We do not offer value judgements about these facts. We simply make the point that when, all around us, individuals and organisations have had to make adjustments to cope with these new realities, it is futile for our Party to believe that it too does not need to adapt itself so

as to maximise its relevance and attractiveness, in this significantly changed environment.

The keys to making that adjustment most effectively are, first, to identify the essential, unchanging and unchangeable elements of Labor philosophy that distinguish us from our conservative opponents; second, having done that, to amend our practices and procedures in a way which will best equip the Party to attract genuinely committed members and to win government with policies co-operatively developed on the basis of those fundamental Labor principles. That is, we must establish principles, practices, procedures and policies which resonate with the attitudes and aspirations of the Australian people at the beginning of the twenty-first century.

We do not offer a detailed prescription of what we believe those core elements are, but believe they certainly include:

- The right of individuals to use their talents for self advancement balanced by the collective responsibility of society to provide reasonable standards for those unable to fend adequately for themselves;
- The creation of equal opportunities for individuals to develop those talents through education, training and retraining;
- An unqualified opposition to discrimination based on race, colour, creed or gender;
- Recognition of the prior ownership of this continent by the aboriginal people and of the fact that, as the most disadvantaged group in our community, they are deserving of special assistance in the areas of health, education, employment, training and retraining;
- Belief in and commitment to a growing economy as a basis for improved standards and quality of life and as a source



of revenue to finance services relevant to those standards and qualities that only governments can provide;

- Belief in and assistance for an enlarged Australian population, through appropriate family support and further migration, including a substantial intake of genuine refugees;
- Commitment to the defence and security of Australia, remembering that it was Labor to whom the nation turned at the time of its greatest crisis after the outbreak of the Second World War;
- The pursuit of an independent foreign policy calculated to advance Australia's best interests within a framework of respect for the aspirations of other nations and our responsibility as a developed economy to play, with other such economies, a constructive role in assisting the tragically large proportion of the world's population living in poverty;
- Protection of the natural environment, including the improvement and more efficient use of our water resources; and
- The right of workers to organise and bargain collectively.

We mention the right to organise and bargain collectively last, not because we regard it as the least important of Labor's core beliefs but rather to lead

into some more comprehensive comments we wish to make on this subject.

We begin with the historical truth that the Australian Labor Party grew out of the defeats of industrial labour in the late nineteenth century. It is a matter of pride to us, and it has been of signal benefit to this nation, that the connection of the trade unions with the ALP has been a continuing feature of this, the most enduring social democratic party in the world.

The single most significant decision of the past which has shaped, for the better, the Australia of today was that taken in the darkest days of World War II by the Curtin Labor Government to initiate the vast post-war immigration program—the program which has made us the economically strengthened and culturally enriched nation we are today. Against considerable opposition within their ranks from those who remembered only a history of high levels of unemployment, the trade union leadership threw its support behind the program—a support which was vital to its success and which was generously recognised by the conservative leaders, Robert Menzies and Harold Holt.

This is the trade union movement now so disgracefully reviled by certain conservative troglodytes whose constructive contribution to the well-being of Australians is zero by way of comparison. The wages and conditions of employment of the overwhelming majority of

Australians have, to a very considerable extent, been determined by the commitment, hard work and financial contributions of the organised trade union movement. And, therefore, far from recommending that our Party should walk away from the trade unions, we acknowledge both their historical contribution and the way in which they are themselves currently undertaking significant adaptation to a changing environment. As in every developed country, changes in economic structure and work patterns have led in Australia to declining numbers and proportions of workers in unions. As a result, however, of their own restructuring, education and recruitment programs, that trend has been reversed in the past two years. Community attitudes to trade unions have improved markedly, reflecting, in part, the fact that on average, union members earn approximately 15 percent more than non-unionists.

Nearly two million Australians are members of trade unions and it is appropriate that through their organisations, and we hope to a greater extent, individually, their voices be heard in the councils of our Party. Our recommendation that where the 60/40 rule operates it should be brought back to the 50/50 rule applying in South Australia, Tasmania, ACT and NT is not inconsistent with this. We make recommendations that will ensure more effective lines of communication between trade unions and the Party at all levels. We do this at the same time that



we suggest the formalisation of processes for effective consultation with business and community welfare organisations.

Turning next to Party procedures and practices, our recommendations are based on one simple premise—an attempt to make the operation of our Party as attractive, inclusive and participatory as possible. Members—and we are certain, prospective members—want something more than the often stultifying experience of branch meetings. They, and we, also recognise that in all political parties there will be a tendency towards some form of association between individuals who share the same orientation on policy matters. But there is a widespread, genuine dissatisfaction with the deadening impact of factionalism and the associated phenomenon of branch stacking. We make a number of recommendations directed to these issues and calculated to broaden the basis of membership activity, capacity for involvement in policy formulation and the election of parliamentary and conference representatives.

Finally, on policy, while we know that a general review is being

undertaken in this area under the leadership of Jenny Macklin, we feel that the brief we have been given—which can essentially be reduced to how to make our Party more attractive to its members and to the public—would be incomplete without going to one contemporary issue.

No policy issue arose more frequently in our listening to and reading submissions from Party members than that of boat people and refugees. We suggest what we believe is the correct and humane policy in this area. We clearly assert Labor's belief that Australia has the right to determine the size of its population intake, who remains in Australia and who becomes an Australian citizen. Boat people and refugees should be located in reasonable accommodation and with humane treatment in the natural holding area of Christmas Island and, on completion of the new facility, John Howard's diaspora of the desperate around the Pacific should be located there. The unacceptable detention centres on the Australian mainland, like Woomera, can then be closed. Increased resources would be applied to processing these

people as rapidly as possible and those judged to be genuine refugees would be admitted to Australia under an enhanced refugee program. Through negotiations with our neighbours and a strengthened coastguard service everything possible would be done to stem the illegal and inhumane trade in boat people. We would negotiate with the appropriate national and international authorities to secure the return to their homelands of those judged not to be genuine refugees.

Australia needs to rid itself of a conservative government that is divisive at home and subservient abroad. All of us should put that challenge, the challenge of equipping Labor under Simon Crean to win the next election and to govern in the interests of all Australians, above any perception of personal and factional advantage. We believe that with this commitment our recommendations, if acted upon, can produce such an outcome.

Bob Hawke
Neville Wran

AUGUST 2002



Background to the **Review**

After the November 2001 Federal election the Leader of the Federal Parliamentary Labor Party, Simon Crean, announced a comprehensive review of the ALP's organisation, structures and internal processes. To this end, the ALP National Executive resolved at its meeting of 13 December 2001 to establish a National Committee of Review to examine and report on the following matters:

- 1 Procedures to ensure the ALP attracts and preselects the best possible candidates to contest Federal seats;
- 2 Mechanisms to secure the best input to the Party's policy review and development processes;
- 3 Relationships between the ALP and the trade unions and other significant community and interest groups;
- 4 Strategies to increase the ALP's primary vote at Federal elections;
- 5 Measures to broaden and increase the membership of the Party and the involvement of the members in Party activity; and
- 6 Examination of internal processes within the ALP.

The Review was conducted jointly by the Hon. Bob Hawke AC and the Hon. Neville Wran AC QC. The National Executive Committee together with Helen Creed, Judith Downey and Marsha Thomson formed a reference body and resource for the Review. The Secretary to the Review was the Assistant National Secretary, Tim Gartrell. Jim Chalmers provided research support and Sandy Rippingale was responsible for the logistics of the consultation program.



The Consultation Process

The Committee of Review consulted extensively with Party members and interested groups around Australia. Party members' forums were conducted in every State and Territory, in centres including Sydney, Melbourne, Ballarat, Adelaide, Mount Gambier, Port Augusta, Perth, Darwin, Hobart, Launceston, Bunbury, Cairns, Townsville and Brisbane. Community leaders, Premiers and Chief Ministers, past and present members of parliament, national union leaders, women's groups and academics were also consulted in meetings around

the country. As a result, more than 2000 Party members and other interested people had a direct input into the Committee of Review.

This Report also takes into account the views expressed to the New South Wales and South Australian committees of review which we headed up individually (Wran, NSW; Hawke, South Australia). The NSW Committee has released its recommendations. The South Australian Review has been incorporated in this Report.

Written submissions were called for and accepted until 31 May 2002. These were lodged by post, fax and email. The Committee received 669 submissions—399 by email and 270 by mail and fax. The submissions were high quality, constructive and offered valuable suggestions for the future of our Party. The time taken to prepare many submissions was substantial, demonstrating the strength of commitment to the Labor cause amongst many of our members. All submissions were acknowledged, read, considered and analysed in the preparation of this Report.



What You Said

Clear themes arose out of the Committee of Review consultation process. Uppermost was the desire of rank and file members to be given opportunities for a greater say in the operations and policy development of the Party. Currently, many feel detached from decision-making and are disillusioned with what they believe is the marginalisation of the membership through the dominance of the factions, Party officials and parliamentary representatives. Members called for the Party and its leaders to give them 'something to believe in', a set of principles which unites the ALP and demonstrates our difference from the Coalition. From the hundreds of submissions the priority that Party members place on issues can be ascertained. The greatest concern among the rank and file is the level and nature of factionalism in the Party, and the detrimental effect this has on internal democratic processes.

Nonetheless, factions are part and parcel of a Party that operates on democratic

principles. Like-minded people inevitably organise in order to support each other and propose and support particular policies. Factions can, and do, perform a positive role within the ALP if they nurture talent and serve as sources of policy ideas. They can and do contribute to the orderly resolution of conflict.

In the view of many, however, the factions now hold too central and too strong a grip on policy and candidate selection. Worse still, they are sometimes seen as forces which invite and institutionalise conflict.

The issues around which factions originally coalesced are no longer so divisive within the Party. In place of a battle of ideas we see too much conflict based around personalities and positions.

No better example can be offered than preselections for public office. Local branch members complain they have insufficient say in determining their parliamentary representatives.

Of course, this is closely related to a third, often-raised concern

over branch stacking, and the cancerous effect this activity has on the democratic traditions that have been the strength of our Party.

A perceived lack of policy differentiation from our conservative opponents is next on the list of concerns, closely followed by a desire for more opportunities for policy input. Some members pointed out that branch meetings and other organisational structures were irrelevant to their busy lives. Other issues raised in a significant number of submissions included: dwindling branch membership; Affirmative Action and the need to continue to increase women's participation at all levels; proposals to link individual Party and union membership; concerns over communication from parliamentarians and Party offices; more effective use of the Internet to spread the Party's message and keep members informed; issue, workplace and online branches; and greater educational opportunities, Party training and internships.



The Challenge for Labor

The 2001 election saw only 37.8 percent of voters casting a first preference for Labor—lower than in any of the big defeats of 1975, 1977 and 1996 and the lowest primary vote for the Party since 1906. The decline in the primary vote has increased Labor's dependence on being the second choice of minor party voters.

This is partly attributable to the decline in 'party identification' experienced in comparable democracies elsewhere, and is evidence of what has been called a pattern of 'partisan dealignment'. 'Dealignment' has been attributed to rising educational levels, more accessible political information, and dissatisfaction with politics and the democratic process. This trend is most concentrated among the young.

The 2001 Australian Election Survey showed that major party identification in this country—those who indicate they identify with one of the major parties—reached a low of 77 percent in 2001. Australia's major political parties can no longer rely on a large base of loyal electors: support must be gained and carefully maintained, and no one can be taken for granted. For Labor, this invites some serious consideration of the best strategies to maintain a support base from which to reach out to swinging voters.

Many submissions received by the Committee of Review argued the ALP is failing to differentiate itself sufficiently from the Coalition. Some suggested Labor had lost touch with its traditional blue-collar base, while others argued not

enough was done to win the support of the 'aspirational' voter, however defined. All agreed that Labor must act to gain the long term support of new voters, cement the backing of swinging voters and prevent previously loyal ALP voters drifting away to the other parties.

The process of rebuilding Labor's voter base must begin with a thorough restatement of the Party's values, and consideration of the most appropriate ways to transform these values into policy. We must also consider our processes for preselecting quality candidates and maintaining effective community relationships. These measures are important first steps on the path to improving our primary vote.



A Modern Role for Members

Rank and file members who participated in the Review repeatedly expressed the feeling that the Party no longer responds as well as it might to their concerns. Party membership must be seen as meaningful, constructive and attractive to potential members. Avoidable barriers to joining should be removed and membership structures need reform. We conclude that the conduct of branch meetings, voting and eligibility rights, addressing branch stacking, discounted Party dues for union memberships, the composition and operation of National Conference, and the establishment of a National Appeals Tribunal should be regarded as priorities. We have also made a number of recommendations about the need for greater representation of women at all levels of the Party. These recommendations are included on pages 24–25 of the Report which deal with Affirmative Action and candidate selection.

National Conference

Many Party members view National Conference as a stage-managed affair run by factional leaders, devoid of real policy

debate, and inaccessible to the rank and file. They believe participation from the grass roots of the Party is stifled. We share the concern of many members that vigorous debate on controversial issues is being avoided for the sake of a purely cosmetic unity. For a Party like ours, this is bound to be ultimately counterproductive.

Alternative processes must be sought to promote input from more sectors of the Party by enlarging both State and National Conferences. Increased participation could be encouraged through the direct election of a component of a larger National Conference. Such a Conference would provide for greater rank and file input into the premier ALP forum, and would likely offer a range of views, rather than representing only the interests of an exclusive group of factional players. Proposals for reform of the way the Party selects National Conference delegates ranged from state-wide ballots for delegations to a system where rank and file members are elected from their Federal Party units. We believe the best way to directly elect delegates is through a state wide ballot of members with more than two

years membership. Quotas would need to be implemented to ensure that large metropolitan electorates with high numbers of members did not exclude members from rural and regional areas. In order to maximise the involvement of rank and file members, Federal Members of Parliament, their staff and Party officials would not be able to nominate for these positions. All Federal MPs would be given moving and speaking rights to ensure their continued involvement. The Party would need to ensure this direct election of delegates would not diminish the involvement of unions at National Conference nor should it lead to prohibitive costs. Regardless, the principle of a larger, more representative Conference must be central to any final model.

RECOMMENDATION 1
We recommend that the Special National Conference adopt the following principles for the structure of the National Conference, that:

1. The size of the National Conference be significantly increased;
2. The increased participation of rank and file members be encouraged through the



direct election of a component of the National Conference;

3. The number of delegates representing unions at the National Conference shall be consistent with the equal partnership reflected in this Report and in the result shall be consistent with changes to the ratio of delegates that we have recommended for State Conferences;
4. Federal Members of Parliament, their staff, and paid Party officials shall not be eligible for election to the Conference in the direct rank and file component of the Conference. Federal Members shall be entitled to attend the National Conference with the right to move and speak to a relevant motion; and
5. In addition, the Federal Leader and Deputy Leader in both of the Federal Houses of Parliament and each of the State and Territory Leaders shall be delegates to the National Conference.

This expanded National Conference would also be enhanced by enlarged State Conferences with greater rank and file involvement. We recommend States implement this principle.

The detail of this expanded National Conference will need to be resolved in the lead up to the Special National Rules Conference.

Another component of National Conference reform involves improving the policy development process leading up to the event. To some extent this will be covered in our recommendation to revamp and revitalise the State Policy Committees and empower them to consider Federal policy. Meanwhile, the National Conference Taskforce is dealing with this and other related issues.

The Branch Member Experience

Branch meetings are no longer seen as stimulating enough to entice members to attend after a day at work. They are usually held on weeknights, making it inconvenient for the elderly and those with families. Meetings are perceived as excessively formal, procedure-driven and rigid. There is no structured orientation program for new members, so they often fail to attend more than once or twice, or renew their membership.

Part of the solution lies in a commitment to branch reform from the Party and from current members and branch leaders. The Party needs to provide flexibility to cultivate innovation and creativity at the branch level, while rank and file members must show leadership and commitment at the local level to ensure new members are nurtured and encouraged and branch meetings are more appealing. The onus is on the Party to bring imagination and flexibility to branch structures.

We have to hear and respond to a generation of Australians that wants options about how it participates.

More could be done for members in recognition of their commitment and contribution. This could include a dedicated section of the ALP web site, for members only, to encourage local activism. An expanded practice of emailing Party members (currently used effectively in New South Wales and the ACT, for example) with regular updates, news and events should also be encouraged. These options would add to the membership experience and would help rebuild and maintain local ALP communities.

Historically, branches have been organised geographically and with links to local electorate bodies and Party units. Issue-based branches, the argument goes, might be formed around environment, civil rights, refugee or other policy areas. Those with an interest would then meet as a branch to discuss the specifics of that policy. The Committee acknowledges issue branches might artificially limit the scope of branch activity, and there is some concern over the potential for them to be used by single-issue lobbies.

Nevertheless, we believe that a trial of issue or policy branches is worthwhile. A revamped and improved policy committee system (*see below*) can also provide opportunities for detailed policy discussion.



RECOMMENDATION 2
Policy branches be instituted on a trial basis and be linked to an expanded and improved system of Policy Committees.

Some submissions pointed out that members' work and family commitments often made it difficult for them to attend branch meetings regularly. By establishing branches where people work, the Party could offer opportunities for broader and more flexible participation. If our goal is to boost ALP membership we must make it easier to join and participate. Workplace branches would contribute to this goal.

RECOMMENDATION 3
State branches should develop different forms of branch organisation such as occupation, workplace and employment related branches. Attendance-based preselection voting requirements would not accrue through attendance at these branches.

An additional component of branch reform is to address the concerns of those whose traditional, geographically based branches are dwindling in size. The answer to this problem, at least until the benefits of the other reforms proposed here are realised, is to consolidate small branches in metropolitan areas. Regional areas would be excluded from branch consolidation because of the difficulties associated with distance and access.

RECOMMENDATION 4
In metropolitan areas the number of branches be consolidated to provide for larger meetings and better branch organisation.

Finally, more could be done to nourish activism and train and educate our rank and file members. Party internships, a system of mentoring, education forums, on-line civics and Party courses, campaign and branch manuals and other communication strategies should be considered in order to enhance the branch member experience and the quality of their contribution.

The ALP and the Internet

In 1995, the ALP was the first political party in Australia to have a political website. In 2002, virtually all political parties have a web presence, and it usually accompanies the birth of new political parties.

However, it is currently only during election campaigns that either the public, or the Party for that matter, pays the most attention to this particular 'public face' of the Party.

In successive Federal campaigns, since 1996, the ALP has been judged to have the best political website, and, according to *Hitwise* statistics, it continues to be the number one ranked political website in terms of visits. However, despite this progressive approach to using the Internet and the success of the ALP Web, it is still unclear

how best to use this new medium to promote the aims of the party.

The ALP must continue to explore the Internet, in all its forms, for ways to further its aims and maintain its pre-eminent position as a user of new technology to facilitate policy development and social change. Currently, the federated nature of the ALP makes it difficult to provide a single online presence for people wanting to join the ALP. Online branches may be a good first step to providing a one-stop shop for people.

In some State branches it is possible to join a central list. Such a member is encouraged to join a 'proper' branch in order to enjoy full membership privileges. However, being a central branch member is sufficient for many people.

It may be possible to extend this concept to online branches, which are run nationally, and which encourage people to join the appropriate State branch. With such a scheme, it would be possible to offer online members the opportunity to belong to, and participate in, online policy forums. Again, it is not clear what the best way to do this is, and one of the first tasks of online branches would be to determine the rules for engagement and mechanisms to avoid online discussions becoming dominated by particular individuals.

However, it is clear that most people with ready online access see this as a way for them to



become more involved in policy development. The responsibility then lies with the ALP to allow online branches their own legitimacy in the policy development process.

There are technological challenges in providing secure and reliable online branches in addition to the more significant challenges of integrating such branches into the current membership and policy development processes. However, we recommend the establishment of online branches to broaden the avenues for member involvement.

RECOMMENDATION 5
Online branches should be established to provide broader and more modern avenues for rank and file participation.

Youth Involvement

Throughout the Review we were impressed by the quality of submissions and the depth of enthusiasm among young members. They called for greater representation in the Party and wider avenues for participation. One suggestion which received widespread support and was greeted with enthusiasm by many young members was the formation of ALP branches on university and TAFE campuses. The principles of access, participation and representation in the Labor Party are best satisfied by instituting branches where young people work and study, and by providing for a Young Labor presence in the decision-making forums of the Party.

RECOMMENDATION 6
State branch rules should be amended to allow for and encourage the establishment of official ALP branches on university and TAFE campuses.

RECOMMENDATION 7
Every State and Territory Administrative Committee or Executive should consider co-opting a non-voting member or members of Young Labor.

Other Avenues For Involvement

While full membership should always be encouraged and promoted, some people, for whatever reason, are reluctant to join the Party but are willing to contribute to it as active supporters. A supporters club can contribute vital social, fundraising and other benefits while not exclusively confined to paid-up Party members.

The ALP should encourage the existence of supporters' clubs. An extension of this could be the development of an associate class of membership. Eventually associate members would be encouraged to take out full Party membership.

RECOMMENDATION 8
The Party should encourage the formation of supporters clubs and explore the possibility of the creation of an associate class of membership as a way of broadening involvement in the Party.

Preventing Branch Stacking

Branch stacking is high on the list of branch member concerns and remains one of the Party's most difficult challenges. When membership lists are artificially inflated with large numbers of 'members' lacking commitment to the Party, internal democratic processes are distorted. The dilemma for the Party is how to guarantee only genuine, interested Party members participate in ballots without imposing excessive limitations. This goes to the heart of any effective reforms to tackle branch stacking, and informs our recommendations here.

The Review Committee considered a range of eligibility requirements for full membership rights, which allow members to vote in preselections and other Party ballots. The Committee believes the optimal balance between the two extremes is achieved when members are accorded full voting rights after two years' membership and after meeting basic attendance requirements.

RECOMMENDATION 9
That after two years' membership all members be eligible to vote in a preselection for a Federal candidate subject to attendance requirements in their State. We also encourage State branches to relax the attendance requirements for eligibility.

Any attempt to stamp out branch stacking presents a



significant dilemma for the Party. The challenge is to provide frameworks which encourage participation without making it easy for branch stackers to profit from malleable rules. We have made our recommendations with the aim of expanding avenues for participation in the ALP, but we must also eliminate opportunities for branch stacking and other anti-democratic practices.

The next step in the Party's bid to tackle branch stacking is to ensure any member who wants to participate in a preselection ballot is enrolled with the Australian Electoral Commission to vote in that area. This would ensure that those who help select the Party's candidates are also eligible to vote in the general election and would protect the integrity of our plebiscite lists. It also means that non-citizens can still be involved in Party activities. Some consideration also needs to be given to the most effective way of ensuring members under 18 are not disenfranchised by a rule change of this nature. Given members should be eligible to vote in preselections only after two years' continuous membership, and because voters may provisionally enrol before their 18th birthday, this might prove a minor issue. Nonetheless, the small time window that can exist between satisfying other preselection eligibility requirements and the age of 18, leads us to recommend that special consideration be given to those in this situation.

RECOMMENDATION 10
To ensure the integrity of preselection ballots, no member shall receive a vote in any preselection unless that member is correctly enrolled with the Australian Electoral Commission to vote in a Federal election. The member's address for the purposes of preselection shall be their enrolled address.

An additional concern is the large proportion of our membership whose fees are paid at the concessional rate. Our fee structure is set up so that the unemployed, students, low wage earners and retirees are not disadvantaged by high membership dues. However, this system can be abused by branch stackers who pay large numbers of memberships for factional or personal advantage.

Unfortunately, this means the Party must consider toughening the process of qualifying for the concessional rate. The most appropriate, practical way of doing this is to require potential concessional rate members to sign a declaration. This measure would be included in a range of reforms to the joining and renewal processes directed towards combating branch stacking.

We also heard evidence of branch stackers recruiting members or renewing other people's membership, sometimes without their knowledge or consent.

The 2000 National Conference adopted National Rule 16, which outlawed such behaviour

and required individuals to sign their application for membership.

State branches have taken action to prevent the renewal of membership en masse. For example, the NSW Administrative Committee has adopted a set of guidelines that require individual receipting of membership renewal, signed individual renewals or the completion of a declaration certifying the authenticity of renewals, and limits on renewal by phone or mail.

The measures recommended below will strengthen these initiatives and ensure that membership recruitment and renewal is genuine.

RECOMMENDATION 11
In order to further strengthen efforts to control branch stacking the following measures be adopted:

- The practice of 'bulk renewals' (where members are renewed en masse by another person) not be permitted under the rules;
- A standard renewal form be developed which requires an individual's signature authorising renewal, and containing a declaration from members who seek the concessional rate;
- A number of members can petition a State Executive or Administrative Committee to investigate stacking in a Federal seat;
- The National Executive should continue to take an active role



in monitoring branch stacking and other forms of membership manipulation; and

- Consideration be given to strengthening State rules that limit the number of people who can join a local branch at any one time.

State branches should be asked to implement these measures and report back to the National Executive by 1 July 2003.

Union Membership

Given the importance of the union movement to the Party, the ALP should make every effort to ensure people recruited to the Party are members of their appropriate union. Part of this effort might involve a discounted Party membership rate for unionists (see *Recommendation 20, below*). Another consideration is the most appropriate method of encouraging ALP members who are employers to hire union labour.

RECOMMENDATION 12 Party members are encouraged to be members of a union or to employ union labour. Rules relating to members who are employers should be framed to comply with the law.

National Appeals Tribunal

As a Party centred on democratic principles the ALP will inevitably experience disputes about internal

processes. It is essential, though, to ensure we have mechanisms in place that resolve disputes justly and effectively.

The recent decision in the South Australian Supreme Court in *Clarke v the ALP* demonstrates that the Courts are now willing to intervene in the internal affairs of political parties.

It is inevitable that the Courts will do so if Party internal tribunals deny members due process or natural justice in arriving at their decisions. Moreover, it is clear that the Courts will be prepared to go behind the record to investigate the regularity of internal tribunal proceedings.

The 2000 National Conference adopted important rule amendments which require all State and Territory branches of the ALP, where necessary, to amend their rules to reflect National Rule 16(h) which states that:

“All State and Territory branch rules must, where necessary, establish a tribunal to effectively resolve disputes concerning membership. All state dispute tribunals will operate according to due process and according to the national membership principles and rules”.

As part of the 2001 reform process in Queensland both the Queensland Administrative Committee and the National Executive supported the establishment of a three-person

advisory panel to deal with admissions of electoral fraud made by Party members at the Shepherdson Inquiry.

The Advisory Panel consisted of three eminent Australians with legal experience and a history of involvement in the labour movement. The Panel was chaired by the Hon. Len King (former Chief Justice of the Supreme Court of South Australia), the Hon. Joe Riordan (former Senior Deputy President of the Australian Industrial Relations Commission) and the Hon. Jeff Shaw (former Attorney General of NSW).

The Panel's role was clearly an advisory one. On all matters the final decision lay with the Queensland Administrative Committee.

As the panel proceeded it became apparent that the collective legal and Party experience of its members provided a valuable way of applying natural justice and procedural fairness to disciplinary proceedings during a very difficult time for the Queensland Branch.

It is our view that it is time for the Party to establish a National Appeals Tribunal. This Tribunal would be comprised of highly-regarded members with no operational or continuing parliamentary role. Members of the Tribunal would be appointed by the National Executive. Current Members of Parliament, members of State Executives and Administrative Committees, and



Party officials would be excluded from such a Tribunal.

RECOMMENDATION 13

That a National Appeals Tribunal be established to ensure the Party provides proper appeal mechanisms for its members. In developing such a body the following requirements must be satisfied:

1. That members of the Tribunal are not involved in the day to day affairs of the Party, are not appointed to the body to represent factional interests and are held in high regard by Party members;
2. That the body has an advisory role, with final decisions to be made by the National Executive;
3. That all avenues of appeal have been exhausted at the State level;
4. That guidelines for the scope of appeals and the granting of leave to hear appeals be developed;
5. That processes for appellants ensure procedural fairness and the efficient running of the Tribunal; and
6. That approaches taken by the Tribunal are consistent with legal definitions of natural justice and procedural fairness.

Members of the Tribunal shall be appointed by a two-thirds majority of the National Executive.



An Enduring Partnership: Labor and the Union Movement

In our introduction to this Report we reaffirmed the Party's partnership with the union movement. The link is foundational as a matter of history and fundamental to any assessment of the Party's future. We repeat what both of us have said at Party conferences: it is possible to have a party of social democracy without the unions; it is not possible to have a *Labor* Party without the unions. The way ahead is not to sever the union connection but to renew and reinvigorate the partnership.

The Labor Party and the Australian trade union movement have, for more than a century, represented the same core constituency comprising workers and their families. Both wings of the labour movement have fought for a better standard of living for this group. Though the Party also represents a broader constituency, the representation of working families is a fundamental task shared by both Labor and the unions.

As well as sharing constituencies, the ALP and the union movement have drawn upon a common set of principles. These are what the ALP Platform refers to as 'constant

values in a time of change'. The union movement makes an important contribution to the maintenance of these principles. As the ACTU has noted, 'they keep the ALP directly and structurally engaged with the concerns and aspirations of working families'. These concerns—a rewarding job, education for their children, and accessible health services—provide the Party and the union movement with a shared purpose, and a set of goals for which we strive for the benefit of our shared constituency.

In this context, the focus of the partnership should continue to revolve around the following principles:

- A fair industrial relations system underpinned by collective bargaining rights for workers, a strong independent umpire, and organising rights for unions;
- Strong health and safety laws;
- A commitment to Australian jobs;
- A decent and effective system of award minimum wages and conditions;
- A commitment to equal pay;
- A commitment to improve the rights of casual workers;

- A commitment to making the workplace more family friendly including universal access to paid maternity leave;
- A plan for strong public services based on principles of equity and care; and
- A commitment to a strong role for government and industry policy and a commitment to decent, secure employment.

We heard from many rank and file unionists as well as their national representatives. Many expressed concern that some in the ALP had sought, at least by inference, to shift blame for the Federal election loss onto the union movement.

There was no evidence that the union movement was a liability for the ALP at the 2001 election. In fact, to the contrary, all the evidence pointed to the Howard Government's reactionary and anachronistic industrial agenda as a source of increased support for the role of unions.

Consideration of the 60/40 rule for State Conferences was only one aspect of our examination of ways to renew and strengthen the partnership. We believe that



the Party-union relationship is most effective when there are open channels for consultation between the political and industrial wings of the labour movement.

The Australian Labor Advisory Council is one obvious avenue for dialogue. However, the value to be drawn from ALAC has not been maximised over the past decade. The Committee feels it should be revitalised as part of concerted attempts to improve the exchange of views. The importance and mutual benefit from such a continuing exchange, especially when Labor is in government, cannot be overestimated.

Mechanisms should also be examined that would allow a round table meeting of State Labor leaders with their Federal counterparts and the ACTU in order to coordinate industrial reform and provide a uniform response to the conservatives' industrial agenda.

RECOMMENDATION 14
The Australian Labor Advisory Council (ALAC) be revitalised as the key consultative mechanism in the open and constructive relationship needed between the union movement and the Party. Issues such as the adequate resourcing of regular meetings need to be addressed to guarantee the potency of such a body. ALAC should meet at least twice a year, and its role written into the National Rules. ALAC should also be informed of, and participate in, the activities of the new National Policy Committee.

RECOMMENDATION 15
State and Territory Labor advisory councils should also be established where they currently do not exist.

Parallel with a reviewed ALAC, consultation and dialogue should be developed at the local level. Some union activists indicated they could see no point in joining the ALP and becoming involved in local branch activities as presently conducted. While that is disappointing, the Party should be making the effort to connect with them. Labor MPs should respond directly to local unionists' priorities and support the role of local union activists. This would reflect the modernisation agenda that many unions are carrying out within their own organisations, where the local activist becomes the focal point of union organisation.

New arrangements could take the form of a regular monthly or quarterly session open to all union activists in the MP's electorate, as well as other meetings with activists that are specific to a particular union or sector or geographic part of the electorate. The details could be worked out locally, but the Party nationally should require each MP to enter into a formal ongoing consultative process with union activists working in their electorate. Senators should also be involved in this process given their pivotal role in dealing with the minor parties over industrial legislation.

RECOMMENDATION 16
Labor MPs be required to establish dialogue with local union activists in their electorates, including frequent meetings with those union activists who work in their area. Senators should be required to attend at least one such forum a year.

These recommendations should be combined with a reassessment of the ALP's relationship with the union movement in its decision-making structures. An effective partnership between affiliated unions and Party members should be a guiding principle.

An analysis of the number of union members affiliated to the Party demonstrates a decline over the past decade. In part, this is because most affiliated unions represent industries that have experienced sharp declines in workforce numbers.

It is an ongoing problem for the ALP that many white collar and service sector unions—those representing areas of growth—remain unaffiliated. This is despite strong relationships at an informal level with such unions. A broader range of affiliated unions should be encouraged.

The institution of workplace branches, recommended earlier in this Report, will facilitate part of this broadening of the range of unionists involved in the activities of the Party. We envisage a situation where workers in a firm or an industry meet as a branch and, through that forum, provide valuable input into the policy



development and other processes of the ALP. This would ensure the representation of a broader range of industries and include workers from unions who do not, for whatever reason, formally affiliate to the Party.

Many submissions from unions claim that a case has not been mounted for changing the 60/40 rule (where it currently applies in New South Wales, Queensland, Victoria and Western Australia). We believe the case for change is clear. It can be summarised as follows:

1. The 50/50 rule already exists in South Australia, Tasmania, and the two Territories and it has not diminished the important role of the union movement;
2. A ratio of 50/50 better reflects an effective partnership between the union movement and the ALP; and
3. 50/50 will give rank and file Party members a greater opportunity to contribute to State Conferences.

The National Committee of Review therefore recommends affiliated unions comprise no more than 50 percent of State Conferences.

RECOMMENDATION 17
That, in order to reflect the equal partnership between the Party organisation and the union movement, a national standard of 50 percent be applied to union delegates represented at State Conferences.

The actual composition of union delegations is another avenue for reform. The Review was told that some union delegates on the floor of many State Conferences had no real connection with the union. To ensure delegates are representative of their union, they should be financial members of that union. The selection process for delegations should, nonetheless, remain the prerogative of affiliated trade unions.

RECOMMENDATION 18
Union delegations to State Conferences should only comprise members of that particular union.

The total membership of affiliated unions determines the size of their delegations to Party conferences. The Committee believes the most appropriate way to ascertain union membership for Party purposes is through a snapshot audit system. The National Executive has recently developed this regime along the lines of the Australian Electoral Commission's model, and it has been adopted by the Queensland branch. This system should be introduced nationally to ensure affiliated unions are appropriately represented at Party forums.

RECOMMENDATION 19
Union affiliation to the Party should be determined by a 'snapshot' audit of members at periodic intervals, in line with the Queensland Branch affiliation regime that was developed by the National

Executive earlier this year. This model would reflect the method adopted by the Australian Electoral Commission when determining union membership.

The next step would be to encourage unionists to become full and active members of the ALP. The Review recognises the concerns raised over the cost of concurrent union and Party membership. To make the Party more attractive to individual unionists we should provide discounted ALP membership for members of affiliated unions.

RECOMMENDATION 20
To further encourage union members to join, the Party should implement significant discounts for affiliated union members. Consideration should also be given to an even lower 'first year members fee' for unionists.

While the dialogue between Labor and the trade union movement is vital, it is only one of the relationships the Party must maintain. Other groups that must be heard include business, social and welfare organisations. The best way to ensure valuable, ongoing dialogue is to write consultation mechanisms into the Party's rules.

RECOMMENDATION 21
We recommend the Federal ALP consult regularly with representatives of the large and small business sectors, social welfare, and community groups.



Restating and **Implementing** Our Values

We believe the ALP must develop a clear and concise statement of its beliefs and principles. We need to reconsider the sentiments expressed throughout our Platform and the way these are presented to the electorate and implemented as policy. What is required is a distilled, recognisable statement that is unmistakably Labor, and clearly expresses our mission.

In the introduction to this Report we have outlined a set of principles which, we suggest, comprise the core objectives of the modern Australian Labor Party. These should be a starting point for the serious thinking that must now take place.

RECOMMENDATION 22
The Party should develop a statement that conveys modern Labor's objectives and aspirations in a form that can be concisely and clearly communicated to our members and the Australian community. This would be complemented by a better policy development process and an enlarged, more democratic National Conference.

Policy Development

A policy review process is currently being conducted by the Deputy Leader, Jenny Macklin. It follows the 2001 Federal election loss and will revise all Party policy with the exception of Labor's opposition to the full privatisation of Telstra.

Already Shadow Ministers have begun a program of extensive consultation at many levels, including Party forums and meetings, and discussions with interested groups and academics around the country. Written submissions will be accepted until 1 December this year.

The policy review aims to develop a creative and engaging policy framework that delivers a strong economy for a fair society. It will also encourage debate and discussion about future policy direction, and counter the general view within the membership that the avenues for grass roots input into policy development have become narrow and strewn with obstacles.

In this review process, the mechanisms of policy discussion

and contribution, including National Conference, Policy Committees, stated Platform objectives, and the operation of the Party's think tank, the Chifley Research Centre, are being examined.

In the past decade the National Policy Committees have become less relevant in formulating the ALP Platform. Consequently, the Federal parliamentary wing of the Party has assumed a far more prominent role in policy development, either through resolutions passed by Caucus or as a result of policy drafts submitted by Shadow Ministers.

Another problem has been the increasing inability of factions to place people on the National Policy Committees who have policy expertise. Overall, this has excluded the wider Party from much of the work that goes into drafting the Platform.

In addition, the National Policy Committees have usually been formed around 12 months before the National Conference. This means there can be a two-year hiatus on Policy Committee activity.



Finally, the five National Policy Committees have been inadequately resourced and coordinated and have therefore failed in their vital task of consulting with the Party membership.

In order to improve access and input into policy development the Review recommends the establishment of one well-resourced National Policy Committee to be responsible for overseeing continuous development of policy options for inclusion in the Platform.

RECOMMENDATION 23
That one permanent National Policy Committee be established to oversee the coordination of Platform development in the lead up to the National Conference. This Committee shall replace the existing system of non-permanent National Policy Committees. This new body shall:

- Be responsible for conducting 'rolling reviews' of the ALP Platform with the purpose of preparing a draft Platform for the National Conference;
- Include Party members with considerable experience in policy development;
- Work closely with the convenors of the State Policy Committees;
- In conjunction with State Policy Committees, conduct regular forums in which rank and file participation is encouraged;

- Review and consider all motions passed by State Policy Committees;
- Be resourced by the National Secretariat;
- Consist of a Chair, Deputy Chair and seven other members appointed by the National Executive;
- Have the power to co-opt non-voting members to the Committee with particular expertise when examining specific policy areas; and
- Play an active role in policy debates and forums at an expanded National Conference.

Another related proposal is to give State Policy Committees a role in national policy formulation. This would mean policy consideration would take place closer to where people live, encouraging greater participation across the country, and providing another avenue for members to contribute to Federal Labor policy. Greater encouragement for non-elected Party members to contribute specialised knowledge is also important.

RECOMMENDATION 24
All Party members should be eligible to attend State Policy Committee meetings to contribute specialised knowledge and expertise on Federal policy issues. Final decisions on policy documents should continue to be taken by elected Committee members. Committees should, where feasible, conduct forums and consultations in provincial centres.

Apart from Party conferences and Policy Committees the other avenue for policy input is the branch system. Much disillusionment with the opportunities for policy development from the rank and file, uncovered during the Review process, was centred on branch level activity. Primary among these concerns was the lack of communication between branches, Party officials and parliamentary representatives. This is most clearly reflected in the failure of State branches and MPs to reply to policy-related correspondence from the branches.

This situation must change. Branch correspondence must be dealt with promptly and competently. In some cases this would involve detailed responses outlining Party policy or directing the branch to another source. In other cases, members suggested, a simple acknowledgement that their correspondence had been read and dealt with was sufficient. As for specific policy motions passed at branch meetings, these should be circulated to relevant Shadow Ministers and Policy Committees.

RECOMMENDATION 25
Branch correspondence to parliamentary representatives and State branches should be responded to promptly so that branch members know their contribution has been considered.



RECOMMENDATION 26
Motions passed by Party units should be circulated to the relevant Shadow Ministers and State and National Policy Committees for consideration and response.

To improve the ALP's policy research and development the Party needs to revitalise its relationships with universities, research bodies and think tanks. Some submissions suggested current arrangements fail to take full advantage of the capacity and expertise of these institutions. This does not compare favourably with the

involvement of academics and policy experts in the policy formulation undertaken prior to the election of the Whitlam and Hawke Governments. Nor does it measure up to the experience of left of centre political parties in comparable democracies such as the United States and Britain. In this context, an important step forward would be the maximisation of the Party's relationship with the Chifley Research Centre (established April 2000). We note that the Board of the Centre has just been expanded to include a more diverse range of Directors.

RECOMMENDATION 27
The Chifley Research Centre should continue to be developed as an active and dynamic body which commissions and undertakes policy research and development in conjunction with Shadow Ministers, policy experts and progressive think tanks from around the world. Chifley should also coordinate its activities with other think tanks. This could begin with an annual forum of progressive research centres.



Getting the Best Candidates

Effective Party preselections for public office are vital for the continued health of the ALP and the quality of our parliamentary representatives. Many submissions received by the Committee outlined perceived failings of current procedures to promote the selection of the 'best' candidates. The submissions reflected the frustration of the rank and file who believe they are increasingly left out of the preselection process. This, they claim, has a detrimental effect on the suitability of candidates for their local electorates. While candidate quality is a very subjective issue, some steps can be taken to ensure Labor candidates are representative of the communities they are drawn from and have the ability to make a positive contribution in our State and Federal parliaments.

Central to the concerns of the Party's members is the perception that the factions dominate preselections, effectively 'locking up' the process by excluding non-aligned members. This drastically reduces local input and creates a situation where candidates are rewarded for their service to a faction rather than

for their community links, perceived ability to win the seat, or their potential to make a positive contribution to the parliamentary Party. A significant proportion of submissions highlighted the problems with inter-factional deal making, where a small group of factional leaders decide which grouping within the Party will stand candidates in each seat, effectively ignoring rank and file members and local and electoral considerations.

The issue of preselection revolves around two key dichotomies: local versus central influence; and high profile versus locally connected candidates. The preselection process must provide a framework to balance these considerations. The rules of the State and Territory branches differ in relation to local and central factors, ranging from full rank and file preselection (New South Wales and the Australian Capital Territory branches), to mixed models incorporating input from central electoral colleges and local branch members.

The Committee notes the differing situations and traditions of the State branches and is of the view that it is up to each

State branch to determine its preselection system. No system has done appreciably better or worse than others in this task. On this analysis, it would be difficult to argue for the adoption of one process over another. In the end these matters, like many others in the affairs of the Party, are only likely to be satisfactorily resolved by the responsible exercise of influence by those involved at the State level. Consequently, it is not the intention of this Review to recommend any changes to the existing ratios of local versus central input in the various State branches. However, there are other significant opportunities for reform which relate to the type of candidates we preselect and how we ensure their optimal performance.

The next consideration is the preselection of high profile or 'star' candidates as opposed to those with a record of Party activism, local stranding and community connections. Some submissions argued for scope for the identification and recruitment of high profile candidates by the leader and the National Executive, while others suggested only local candidates with community and Party histories should be put up for



preselection. This question is not easily resolved, though an effective balance can be struck between the two extremes. This would involve clearer guidelines for desirable preselection candidates, including consideration of local involvement and potential success, and the use of candidate forums and the circulation of CVs prior to ballots.

The parliamentary Leader and the National Campaign Director should be consulted prior to the preselection process. Combined with other measures such as performance reviews for MPs and consideration of the life experiences of preselection candidates (*see below*), reform of the preselection system would encourage the selection of representative, talented parliamentary candidates.

Another concern relates to the perception that our candidates are being turned out by a political factory. Media commentary and some of our submissions point to a predominance of young political staffers among the ranks of candidates from all sides of politics. This phenomenon is overstated, with many of our Senators and MPs coming from more diverse backgrounds than is acknowledged. Nonetheless, the Party needs to present a diverse group of candidates to the electorate—a group that represents the broad range of opinions and experiences in our Party and in the nation as a whole. This issue requires further examination.

RECOMMENDATION 28
State and Territory Campaign Directors consult the Leader and the National Campaign Director before the selection of candidates in both target and safe Labor seats to discuss potential quality candidates. This process should begin at least 18 months prior to the next election. It is the responsibility and obligation of Party officers and other influential figures to exert their influence to ensure quality candidates in all seats. The Party must also actively identify and encourage candidates from a wide range of occupations and life experiences.

The Review received high quality submissions from many women members and women's organisations such as Emily's List and the Labor Women's Network (LWN). We also received a copy of the motions carried at the recent National Labor Women's Conference. We thank all these organisations for their efforts and their input. We note that women have expressed views across the whole range of our terms of reference and these views have been taken into account within those sections.

Affirmative Action has a role in encouraging diversity and parliamentary representation that reflects the views of all Australians. It has been eight years since the 35 percent target was set by the 1994 National Conference. This target was achieved before the 2001 election. Currently, 31 percent of Labor members in the House of

Representatives are women. This means that to achieve the 35 percent target, seven women must be selected in the eleven seats needed to win government at the next election.

In addition we note that the deadline set by the 1994 Conference has now passed and the Party will need to consider the future of Affirmative Action measures.

The 1994 Conference also put in place national rules that implemented targets for positions within the Party organisation. We heard from many women that this measure is just as important as the presence of a target. We agree that women can also gain influence and valuable political skills through their participation in the Party organisation and support the continuation of these measures along with the mentoring role now played by women in the Party. Other changes, such as increasing rank and file participation in the Party, will also assist in recruiting more women.

Labor women's forums and other submissions to us have called for the target to be lifted to 50 percent, reflecting the number of women in the Australian community. This is an important aspiration. There were also strong cases put to increase the number of women in the Shadow Cabinet (currently 17 percent). In recognition of the debate carried out during this Review's consultation process, the



Committee feels the progress on this front should be evaluated. We also note that it was the National Conference (1994) that implemented the 35 percent target and believe this is the appropriate body to enact a new rule.

Finally, given its recent successful initiatives and its role as a formal Party forum for women members, the Special National Rules Conference may wish to provide rule changes to clarify the role of the Labor Women's Network. We commend the work underway by the LWN on a national work experience program for women members and Emily's List for its mentoring program.

The Review notes the success of the national Affirmative Action rule 12(c) in achieving 132 Labor women in Australian parliaments, including more than 35 percent at the last Federal election. We also note the success of rule 12(a) in increasing the number of women in key roles in the Party organisation.

We understand that the National Labor Women's Conference, the Labor Women's Network and Emily's List are supportive of a long-term goal of equal representation in parliament of men and women and higher levels of representation of women in organisational roles within the Party.

RECOMMENDATION 29
Given the timetable in National Rule 12 has now passed, a new rule needs to be developed to ensure the level of women in parliament and the Party organisation increases. We recommend that a rule be developed for the October Special National Rules Conference that sets a target of no less than 35 percent, provides a new deadline and an enforcement mechanism, if necessary, by the National Executive. In order to assist this debate the National Secretariat should provide a nationwide snapshot of Affirmative Action outcomes to that Conference.

RECOMMENDATION 30
The National Rules be altered to require State branches to provide an annual Affirmative Action report to their Executives and to the National Executive on the implementation of Affirmative Action measures at both the organisational and parliamentary levels.

In addition to these measures the ALP should do more to promote participation in the Labor Women's Network as a way of supporting Affirmative Action targets. Assistance could take the form of a branch-level contact person who would be responsible for local development of the LWN. Further, the role of the Network should be written clearly into the National Rules.

RECOMMENDATION 31
The Party ask branches to nominate either a women's officer or contact person to assist the development of equitable participation for women in the Party. The role of the Labor Women's Network should be made clear in the National Rules.

Senatorial preselections are currently carried out by State conferences or by smaller electoral colleges. Many submissions suggested this process should be broadened to allow for greater input. We feel the most appropriate way to provide this is to link preselection for Senators to the introduction of larger, more inclusive State Conferences, and to charge these bodies with the task of selecting Senate candidates.

Members also expressed the view that Senators needed to base themselves in communities where there was no strong Labor presence. This can provide an important electoral and organisational benefit, and may assist with the program of 'duty Senators' overseeing non-held seats. The next logical step is to provide Senators with a set of guidelines for providing a Labor campaign presence in the seats we do not hold.

RECOMMENDATION 32
Senators should be elected by larger, more inclusive State Conferences. The Party should



encourage more Senators to base themselves in non-held seats or regional areas. Further, guidelines for coordinating 'duty Senator' campaigns in their duty electorates should be developed.

Once candidates have been selected it is imperative that they receive training to give them the best possible chance of winning their seats. The Committee notes the work that is currently carried out by the National Secretariat prior to campaigns and stresses that candidate training must be made a significant priority in the lead-up to the next election and beyond. We also recognise the New South Wales Review's preference for a National Training Committee to oversee candidate development. The New South Wales Premier, Bob Carr, also expressed this view.

RECOMMENDATION 33
The National Secretariat, in conjunction with State and Territory Secretaries, should conduct a pilot National Public Office Training Program and report to the National Executive by 1 July 2003. The NPOTP

would involve former Labor leaders and ministers and would be responsible for: running training schools for candidates, those who aspire to be candidates, and younger Party members; overseeing mentoring programs; and running skills workshops. Better training and professional development should also be examined for elected members.

Finally, the Party has a responsibility to ensure that all parliamentary representatives are fulfilling their local and parliamentary duties. Some concerns have been raised which suggest a small proportion of our MPs, especially those in safe seats, may not be putting in the level of effort expected by the electorate and the Party rank and file. Submissions to the Review have called for term limits for parliamentary representatives not reaching the front bench after a given time, periodic performance reviews, and other mechanisms to ensure accountability to the preselectors and, ultimately, the electors themselves. While term limits might be too rigid a mechanism

to promote best practice, some review of performance during the preselection process could be considered. In Victoria members can petition the Administrative Committee to reopen an uncontested preselection if 20 percent of members are unhappy with the outcome.

RECOMMENDATION 34
In order to ensure that MPs are fulfilling local responsibilities, consideration be given to:

1. Allowing Party members to petition for the reopening of a preselection ballot if the seat is uncontested;
2. Introducing a system of compulsory candidate forums during preselection processes; and
3. Developing a system of reporting to Federal electorate bodies the activities of their Member of Parliament

Taken together, these recommendations put candidate performance at the centre of attempts to regenerate our parliamentary Party and win back government at the next opportunity.



Maintaining Community Relationships

If we are to maximise community confidence in the Labor Party, we must present ourselves as an open, inclusive, community-based organisation, and build meaningful relationships with local communities and interest groups. The Committee envisages four ways this can be achieved.

First, the Party should promote outward looking, activist branches which connect with their local communities. One excellent example of this is the participation of some branches in ‘Clean Up Australia Day’ and other similar activities. Positive involvement in local communities creates important foundations for the Party, raising our profile as well as making a useful contribution.

RECOMMENDATION 35
The Party should encourage branches to be involved in local community activities, and should provide regular updates and suggestions of events in which members might participate.

Second, ALP branches should actively seek out local community activists and invite them to address and update them on local issues. This would build relationships with local community leaders and inform members about local issues.

Third, a process similar to Community Cabinets should be instituted at the local level, where Labor parliamentary

representatives meet periodically with members of the community to discuss local issues. We know many MPs already engage in extensive community consultation programs and suggest branch members be involved in an expanded and regular community consultation process.

RECOMMENDATION 36
Local branches and MPs should institute, and participate in, regular joint community consultation processes in their electorates to raise the profile of the ALP and provide feedback on policy and Party initiatives.

Donations—Supporting and Strengthening Public Disclosure

Finally, we must seek to build community trust and restore faith in the ALP and the way its election campaigns are funded. The Party should continue to take the fight up to the Coalition on the issue of the disclosure of political donations. Labor has a proud tradition of driving reform in this area, and must continue to close the loopholes which discredit politics and party activity.

The National Committee of Review has drawn on the recommendation of the New South Wales Review, reproduced here: “The perennial problem of fundraising and the need to raise

millions of dollars to campaign effectively should be an issue for all participants in the political process. Labor, unlike the Coalition, adheres to the intent and not just the letter of the law governing the disclosure of donations.

Labor should initiate an open debate on the implementation of spending caps on political campaigns and full transparency of all political donations.

The Australian Electoral Commission needs to have its powers substantially strengthened to allow it to investigate and audit organisations that are directing funds to political parties, but masking the real source of the funds.

Fundraising processes and political expenditure need to be reformed to ensure transparency and integrity.”

RECOMMENDATION 37
The Federal Parliamentary Labor Party is encouraged to continue its strong support for funding and disclosure regimes by developing, in conjunction with the Party organisation, further proposals for reform. This would include the closing down of third party fundraising loopholes. The Committee recommends State Secretaries meet with Federal Parliamentary Labor Party representatives to develop a reform agenda.



Conclusion

The Party faces challenges from many quarters as it prepares to regain Government. We must restate our values, build sound policy, preselect quality candidates, provide avenues for rank and file input and optimise the partnership between Labor and the union movement.

The Australian Labor Party must take the opportunity presented by the Review process to reform itself. We belong to the most enduring political Party in the nation's history. This resilience is based, in part, on the passion, ability and loyalty of our membership, and our capacity for reform. It is these traits that we now call upon to muster the courage and the conviction to renew ourselves from within.

The National Committee of Review strongly believes the recommendations contained in this Report will contribute to a more dynamic, modern and relevant Labor Party. We have been encouraged and inspired by the contribution of the Party's rank and file to the Review process. What is needed now is the political will to implement these reforms. The task is urgent and must be quickly resolved. The Special National Rules Conference announced by Simon Crean will be the vehicle for this resolution.

RECOMMENDATION 38
Recommendations contained in this Report requiring changes to the National Rules should be put to the Special National Rules Conference announced by Simon Crean on July 16 2002.

The Australian Labor Party has a long and proud history of reform in Government. The pillars of Australia's egalitarian society were put in place by reforming Labor Governments, maintained and built upon by Labor successors. We have reformed Australia for the better. We must now have the courage to reform ourselves so that when we next face the electorate, we do so as a reinvigorated force. We cannot shirk our task of modernising Labor. We must not let the Party or the nation down.



Summary of Recommendations

A Modern Role For Members

RECOMMENDATION 1

We recommend that the Special National Conference adopt the following principles for the structure of the National Conference, that:

1. The size of the National Conference be significantly increased;
2. The increased participation of rank and file members be encouraged through the direct election of a component of the National Conference;
3. The number of delegates representing unions at the National Conference shall be consistent with the equal partnership reflected in this Report and in the result shall be consistent with changes to the ratio of delegates that we have recommended for State Conferences;
4. Federal Members of Parliament, their staff, and paid Party officials shall not be eligible for election to the Conference in the direct rank and file component of the Conference. Federal Members shall be entitled to attend the National Conference with the right to move and speak to a relevant motion;

5. In addition, the Federal Leader and Deputy Leader in both of the Federal Houses of Parliament and each of the State and Territory Leaders shall be delegates to the National Conference.

This expanded National Conference would also be enhanced by enlarged State Conferences with greater rank and file involvement. We recommend States implement this principle.

RECOMMENDATION 2

Policy branches be instituted on a trial basis and be linked to an expanded and improved system of Policy Committees.

RECOMMENDATION 3

State branches should develop different forms of branch organisation such as occupation, workplace and employment related branches. Attendance-based preselection voting requirements would not accrue through attendance at these branches.

RECOMMENDATION 4

In metropolitan areas the number of branches be consolidated to provide for larger meetings and better branch organisation.

RECOMMENDATION 5

Online branches should be established to provide broader and more modern avenues for rank and file participation.

RECOMMENDATION 6

State branch rules should be amended to allow for and encourage the establishment of official ALP branches on university and TAFE campuses.

RECOMMENDATION 7

Every State and Territory Administrative Committee or Executive should consider co-opting a non-voting member or members of Young Labor.

RECOMMENDATION 8

The Party should encourage the formation of supporters clubs and explore the possibility of the creation of an associate class of membership as a way of broadening involvement in the Party.

RECOMMENDATION 9

That after two years' membership all members be eligible to vote in a preselection for a Federal candidate subject to attendance requirements in their State. We also encourage State branches to relax the attendance requirements for eligibility.



RECOMMENDATION 10

To ensure the integrity of preselection ballots, no member shall receive a vote in any preselection unless that member is correctly enrolled with the Australian Electoral Commission to vote in a Federal election. The member's address for the purposes of preselection shall be their enrolled address.

RECOMMENDATION 11

In order to further strengthen efforts to control branch stacking the following measures be adopted:

- The practice of 'bulk renewals' (where members are renewed en masse by another person) not be permitted under the rules;
- A standard renewal form be developed which requires an individual's signature authorising renewal, and containing a declaration from members who seek the concessional rate;
- A number of members can petition a State Executive or Administrative Committee to investigate stacking in a Federal seat;
- The National Executive should continue to take an active role in monitoring branch stacking and other forms of membership manipulation; and
- Consideration be given to strengthening State rules that limit the number of people who can join a local branch at any one time.

State branches should be asked to implement these measures and report back to the National Executive by 1 July 2003.

RECOMMENDATION 12

Party members are encouraged to be members of a union or to employ union labour. Rules relating to members who are employers should be framed to comply with the law.

RECOMMENDATION 13

That a National Appeals Tribunal be established to ensure the Party provides proper appeal mechanisms for its members. In developing such a body the following requirements must be satisfied:

1. That members of the Tribunal are not involved in the day to day affairs of the Party, are not appointed to the body to represent factional interests and are held in high regard by Party members;
2. That the body has an advisory role, with final decisions to be made by the National Executive;
3. That all avenues of appeal have been exhausted at the State level;
4. That guidelines for the scope of appeals and the granting of leave to hear appeals be developed;
5. That processes for appellants ensure procedural fairness and the efficient running of the Tribunal; and
6. That approaches taken by the Tribunal are consistent with legal definitions of natural justice and procedural fairness.

Members of the Tribunal shall be appointed by a two-thirds majority of the National Executive.

An Enduring Partnership: Labor and the Union Movement

RECOMMENDATION 14

The Australian Labor Advisory Council (ALAC) be revitalised as the key consultative mechanism in the open and constructive relationship needed between the union movement and the Party. Issues such as the adequate resourcing of regular meetings need to be addressed to guarantee the potency of such a body. ALAC should meet at least twice a year, and its role written into the National Rules. ALAC should also be informed of, and participate in, the activities of the new National Policy Committee.

RECOMMENDATION 15

State and Territory Labor advisory councils should also be established where they currently do not exist.

RECOMMENDATION 16

Labor MPs be required to establish dialogue with local union activists in their electorates, including frequent meetings with those union activists who work in their area. Senators should be required to attend at least one such forum a year.

RECOMMENDATION 17

That, in order to reflect the equal partnership between the Party organisation and the union movement, a national standard of 50 percent be applied to union delegates represented at State Conferences.

RECOMMENDATION 18

Union delegations to State Conferences should only comprise members of that particular union.



RECOMMENDATION 19

Union affiliation to the Party should be determined by a 'snapshot' audit of members at periodic intervals, in line with the Queensland Branch affiliation regime that was developed by the National Executive earlier this year. This model would reflect the method adopted by the Australian Electoral Commission when determining union membership.

RECOMMENDATION 20

To further encourage union members to join, the Party should implement significant discounts for affiliated union members. Consideration should also be given to an even lower 'first year members fee' for unionists.

RECOMMENDATION 21

We recommend the Federal ALP consult regularly with representatives of the large and small business sectors, social welfare, and community groups.

Restating and Implementing Our Values

RECOMMENDATION 22

The Party should develop a statement that conveys modern Labor's objectives and aspirations in a form that can be concisely and clearly communicated to our members and the Australian community. This would be complemented by a better policy development process and an enlarged, more democratic National Conference.

RECOMMENDATION 23

That one permanent National Policy Committee be established to oversee the coordination of

Platform development in the lead up to the National Conference. This Committee shall replace the existing system of non-permanent National Policy Committees. This new body shall:

- Be responsible for conducting 'rolling reviews' of the ALP Platform with the purpose of preparing a draft Platform for the National Conference;
- Include Party members with considerable experience in policy development;
- Work closely with the convenors of the State Policy Committees;
- In conjunction with State Policy Committees, conduct regular forums in which rank and file participation is encouraged;
- Review and consider all motions passed by State Policy Committees;
- Be resourced by the National Secretariat;
- Consist of a Chair, Deputy Chair and seven other members appointed by the National Executive;
- Have the power to co-opt non-voting members to the Committee with particular expertise when examining specific policy areas; and
- Play an active role in policy debates and forums at an expanded National Conference.

RECOMMENDATION 24

All Party members should be eligible to attend State Policy Committee meetings to contribute specialised knowledge and expertise on Federal policy issues. Final decisions on policy

documents should continue to be taken by elected Committee members. Committees should, where feasible, conduct forums and consultations in provincial centres.

RECOMMENDATION 25

Branch correspondence to parliamentary representatives and State branches should be responded to promptly so that branch members know their contribution has been considered.

RECOMMENDATION 26

Motions passed by Party units should be circulated to the relevant Shadow Ministers and State and National Policy Committees for consideration and response.

RECOMMENDATION 27

The Chifley Research Centre should continue to be developed as an active and dynamic body which commissions and undertakes policy research and development in conjunction with Shadow Ministers, policy experts and progressive think tanks from around the world. Chifley should also coordinate its activities with other think tanks. This could begin with an annual forum of progressive research centres.

Getting the Best Candidates

RECOMMENDATION 28

State and Territory Campaign Directors consult the Leader and the National Campaign Director before the selection of candidates in both target and safe Labor seats to discuss potential quality candidates. This process should begin at



least 18 months prior to the next election. It is the responsibility and obligation of Party officers and other influential figures to exert their influence to ensure quality candidates in all seats. The Party must also actively identify and encourage candidates from a wide range of occupations and life experiences.

RECOMMENDATION 29

Given the timetable in National Rule 12 has now passed, a new rule needs to be developed to ensure the level of women in parliament and the Party organisation increases. We recommend that a rule be developed for the October Special National Rules Conference that sets a target of no less than 35 percent, provides a new deadline and an enforcement mechanism, if necessary, by the National Executive. In order to assist this debate the National Secretariat should provide a nationwide snapshot of Affirmative Action outcomes to that Conference.

RECOMMENDATION 30

The National Rules be altered to require State branches to provide an annual Affirmative Action report to their Executives and to the National Executive on the implementation of Affirmative Action measures at both the organisational and parliamentary levels.

RECOMMENDATION 31

The Party ask branches to nominate either a women's officer or contact person to assist the development of equitable participation for women in the

Party. The role of the Labor Women's Network should be made clear in the National Rules.

RECOMMENDATION 32

Senators should be elected by larger, more inclusive State Conferences. The Party should encourage more Senators to base themselves in non-held seats or regional areas. Further, guidelines for coordinating 'duty Senator' campaigns in their duty electorates should be developed.

RECOMMENDATION 33

The National Secretariat, in conjunction with State and Territory Secretaries, should conduct a pilot National Public Office Training Program and report to the National Executive by 1 July 2003. The NPOTP would involve former Labor leaders and ministers and would be responsible for: running training schools for candidates, those who aspire to be candidates, and younger Party members; overseeing mentoring programs; and running skills workshops. Better training and professional development should also be examined for elected members.

RECOMMENDATION 34

In order to ensure that MPs are fulfilling local responsibilities, consideration be given to:

1. Allowing Party members to petition for the reopening of a preselection ballot if the seat is uncontested;
2. Introducing a system of compulsory candidate forums during preselection processes; and

3. Developing a system of reporting to Federal electorate bodies the activities of their Member of Parliament

Maintaining Community Relationships

RECOMMENDATION 35

The Party should encourage branches to be involved in local community activities, and should provide regular updates and suggestions of events in which members might participate.

RECOMMENDATION 36

Local branches and MPs should institute, and participate in, regular joint community consultation processes in their electorates to raise the profile of the ALP and provide feedback on policy and Party initiatives.

RECOMMENDATION 37

The Federal Parliamentary Labor Party is encouraged to continue its strong support for funding and disclosure regimes by developing, in conjunction with the Party organisation, further proposals for reform. This would include the closing down of third party fundraising loopholes. The Committee recommends State Secretaries meet with Federal Parliamentary Labor Party representatives to develop a reform agenda.

Conclusion

RECOMMENDATION 38

Recommendations contained in this Report requiring changes to the National Rules should be put to the Special National Rules Conference announced by Simon Crean on July 16 2002.

