

## THE ROLE OF QUANGOS

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Members of the Society and friends. While wondering what to say my mind went to a cartoon I saw recently in *The Spectator*. It shows a protester holding up a placard that is completely blank. When questioned by a passer-by, the protester says he's demonstrating in support of free speech. But as to his blank sign he adds: 'You have to be so careful what you say these days.'

That is certainly true in contemporary times, especially in politics. According to the famous American columnist and wit Henry Louis Mencken, a politician is a creature who sits on the fence while keeping both ears to the ground. And that indeed is what so many politicians increasingly do. The story goes that during the Brexit debate, while one leading politician was staring at a riot in the street below from the windows of his London club, he was asked which side he was on. Like a modern-day Machiavelli, he calmly replied: 'Tell me who's winning and I'll tell you which side I'm on.'

However, as I was asked to say something about the themes of the Conference, and the exercise of power these days, I thought it might be useful to say a few words about ministerial responsibility and the role of Quangos; that is, the role of quasi-autonomous non-governmental organisations. These are generally defined as bodies that have a role in the process of government but are not a government department or part of one. They operate, to a greater or lesser extent, at arm's length from Ministers.

Not so long ago, I completed a three-year term as Chairman of the Art Gallery of Western Australia. So the role of governmental boards in trying to spend taxpayers' money wisely has been on my mind of late. Do people appointed to these boards help or hinder the work of elected governments? I have little doubt that there are many people in this room who have served on boards and have asked themselves the same question.

I will return to that central question, but first some personal background. I have served on various boards over the years, mostly in the arts, and indeed some years ago I was privileged to serve on the Australia Council as Deputy Chairman to Geoffrey Blainey, well-known to us all, who is also speaking at this Conference. My background is principally in law and literature, but I was asked to chair the Western Australia Art Gallery board for a short period to help sort out some financial issues that had arisen.

I wasn't entirely naïve in taking on the role. I knew that artistic types can often be difficult. For example, I recall being at a literary festival early in my career as a writer when people were lining up at the book signing table. But no one wanted *me* to sign *my* book. A famous writer at the table next to me placed a kindly, avuncular hand on my shoulder and said: 'Don't feel too bad. The same thing once happened to me.' 'Oh, gee, gosh!' I said, brimming with gratitude. 'Did it really?' 'No. it didn't,' he replied, with a pleasant smile. 'That never happened.'

Well, I should have guessed. It turned out that the writer at the next table was famed for writing *fiction*, proud of his ability to concoct fantastic tales at a moment's notice.

I soon discovered that visual artists can be equally difficult, and equally egotistical. The story goes that a brash young artist fronted up to a leading critic at a new exhibition and said: ‘So what’s your opinion of my painting?’ ‘It’s *worthless*,’ the critic said. To which the egotistical artist replied. ‘Don’t worry. I *know* your opinion is worthless, but I would like to hear it anyway.’

Egotism and sensitivities in the visual arts! The Chair of a gallery board is expected to attend a good many exhibition openings and when asked for his opinion is obliged to be excessively tactful, especially about works of contemporary art. I sought advice about this from a friend in the visual arts world. Renowned for his black sense of humour and mischievous wit, he said that in responding to some mish-mash of paint on canvas, or a quagmire of something ghastly on the gallery floor, my best course would be to draw upon the manual of pre-hospital guidelines providing advice to ambulance officers. He quoted from the manual: ‘If a patient asks, “I’m dying, aren’t I?” respond smoothly with something reassuring like: “You have some very serious problems, but we’re not giving up on you”.’

I never actually said those words to an *avant garde* artist, but I was tempted. They came to mind the night we had a gala opening on the rooftop of the gallery, in the presence of the Minister for Arts and the Leader of the Opposition, while exhibiting video installations by the American artist Ryan Trecartin. In the first phase of the artist’s ‘early’ work he filmed undergraduates smashing suburban letter-boxes with sledgehammers. His ‘mature’ work, on display at our gala opening, consisted of much the same mob, a little older perhaps, trashing a motel room, before jumping into the motel pool with the remnants of a TV set and an air-conditioner.

No pun intended, but it seemed that Ryan's work often led to the creation of rubbish. Or perhaps it was an illustration of the old political aphorism that the student leader of today may well turn out to be the student leader of tomorrow. Needless to say, the gallery curators orchestrating our exhibition had a bundle of clippings from *The New Yorker* and other prestigious publications to say that Ryan Trecartin was the latest, much-admired thing. The Minister didn't have to agree, because he wasn't responsible for the exhibition, although, in art as in politics, as Machiavelli might suggest, it would probably be safest to have a bet each way by exclaiming loudly: 'How good is Ryan Trecartin?' An echo of the PM's recently-invented catch cry: 'How good is Australia?'

All of this brings me back to the central question I mentioned earlier: do quasi-autonomous boards help or hinder the sensible spending of taxpayers' funds? Governing boards in the arts are perhaps a special case because taste and standards in all the arts are a matter of fashion, critical appraisal and personal opinion. What seems bizarre today may be widely accepted tomorrow.

When it comes to artistic judgements, the tradition is for the board of a gallery, or even the board of a lavishly-funded Ballet or Opera company, to be guided principally by curators or a well-qualified artistic director. I suspect that much the same would occur even if, in a mood of impatience, a proactive minister for arts decided to buck the system and assume greater control of grants and spending decisions in the name of ministerial responsibility. With a view to avoiding unwanted controversy about particular decisions he or she would probably finish up looking to in-house advisers in the shaping of forward plans.

There are, however, certain features of the quango landscape which are common to all boards. Let me touch briefly on some of the pros and cons.

The theory is that appointees to boards will bring with them a layer of expertise or insight that might not otherwise be available to the minister. The presence of knowledgeable advisers from outside the governmental bubble is supposed to leave an impression of diversity and valuable community involvement. But this may be illusory. The process of recruitment tends to be haphazard and, in any event, it is often hard to find suitable people who are actually available. Availability, these days, can also be affected by an increasing risk of legal liability, but that is an argument for another day.

It emerges sometimes that appointees who have achieved a good deal in the running of specific businesses are often at sea in the realm of new ideas and general policies. Even for multi-talented board members it will often be difficult to formulate and press ahead with new initiatives because membership of the board turns over, allies and supporters come and go, and the corporate memory at board level is often hazy, partly because the full-time professional staff of the agency are inclined to keep part-time members of a board at arm's length, and thus not fully informed. It becomes hard for a board to stay on track and to press ahead purposefully.

The presence of a supervisory board may not only deter the minister from taking decisive action but also immunise him to some extent from public critique. In many areas of public administration a case can be made that the voice of the general public will only be heard effectively if ministers assume greater responsibility for what happens in their domain, because a failure to heed the public's voice will result in electoral

repercussions. Ministers thereby have an electoral incentive to explain and defend important decisions.

There is much else I could say about the general issue — the role of Quangos in cutting across the convention of ministerial responsibility under the Westminster system of government — but I trust that I have opened up at least a few points for your consideration.

Let me close by assuring you that my exposure to a few unusual instances of contemporary art hasn't impaired my general appreciation of the visual arts. A leading critic said, not so long ago, 'I don't know what art is, but I know what it isn't.' And it isn't, he added, *sotto voce*, 'Tracey Emin's unmade bed or someone walking round with a salmon over his shoulder or embroidering the name of everyone he has ever slept with on the inside of a tent.'

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Nicholas Hasluck's book 'Art in Law' (Connor Court, 2019) was launched during the weekend of the Conference.