Political corruption, accountability and the media:
A study of motives and justifications

Part II

by

Stephen John Tanner B.A., M.A.

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Chapter 7

The Metherell Affair and the media:
establishing 'interest'

Introduction

Having discussed the attempts by the Government to explain and justify the Metherell appointment and the efforts of the Opposition and non-aligned Independents to question or even discredit these explanations, the thesis now turns to the media’s coverage of this issue. As the discussion in chapter three showed, the media plays an important informational role. That is, it operates as a multi-directional conduit. The importance of this function is reinforced by the discussion in chapters four to six. The justifications offered by Greiner, Moore, Metherell, Hazzard and Humphry would have been to no avail if ultimately those arguments were not conveyed to the public in a form which accurately portrayed the essence of their respective positions. Likewise with the Opposition, the non-aligned Independents, and the other groups which were directly affected by the appointment. Given the political stakes involved, each was entitled to have their views reported by the media. From a public perspective, the media provided a conduit back – giving MPs an insight into community responses to the appointment and their role therein.

The complexity of this issue, the time span involved, and the fact that information was released in a piecemeal fashion during the early stages, suggest that the task of the media organisations in covering the Metherell affair potentially would be a difficult one. Whilst media organisations were helped by the fact that the issue was presented to them, rather than being one which they had to uncover through their own investigative resources, they were required to: (1) interpret the information; and (2)
identify those individuals and groups with a genuine stake in this issue. Whilst that stake did not vary throughout the crisis, it was clear that the on-going relevance of stakeholders on a day by day basis varied. For example, it was clear from the discussion in chapters four to six that Greiner, Tim Moore and Metherell were the key players and thus likely to be the focus of on-going media attention. Hazzard and Humphry were of lesser importance. Of the other stakeholders, it is clear that the Opposition and the non-aligned Independents were the most important, given the possible political outcomes and their involvement therein. However their direct involvement was likely to be influenced by events. Whilst they played an important role in stage one (covered by chapter four) and the third stage (dealt with in chapter six), they were peripheral to the inquiry process itself which comprised the second stage (discussed in chapter five).

The purpose of this chapter is twofold. The first objective is to chart *media interest* in the Metherell affair. In part this objective is inspired by a claim from Commissioner Temby in his first report where he suggested that the media’s interest in the Metherell affair was a response to “almost immediate and distinctly savage” public reaction.\(^1\) Two measures are used to establish ‘interest’: (1) articles published and; (2) square centimetres allocated to coverage of the issue. The chapter begins with a simple breakdown of total articles published by each of the four newspapers over the survey period. Initially the figures are presented on a monthly basis. The chapter then seeks to contextualise those figures by considering them in terms of potential and actual publication days. Finally, the chapter charts media interest over the survey period using both articles per day and square centimetres per day as the key variables.

The information is presented in monthly and daily terms for a number of reasons. The first is to reflect the structure of the chronology developed in chapter four and utilised in chapters five and six. The second is for

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\(^1\) ICAC, *First Report*, 4.
convenience. Whilst the chronology, and much of the data presented in this chapter, highlight the fact that this issue developed on a daily basis – often with dramatic changes in coverage from publication period to publication period – the presentation of this information within monthly time frames provides manageable and logical demarcation points throughout the survey period, particularly with respect to the use of charts which were designed to map either key events, the variation in media coverage of this issue over time, and the relationship between the two.

The second objective is to use the chronology developed in chapter four to explore the link between media interest as established by the measures identified above and the key events which make up the Metherell affair. Whilst particular emphasis was placed on events which were not in the media's capacity to directly influence, such as the scheduling of ICAC and Supreme Court hearing days, parliamentary debates and meetings between the major players who were seeking a resolution to the crisis, it also seeks to establish whether there is a correlation between statements by politicians\(^2\), both those directly implicated by the Metherell appointment and others who were drawn into it by virtue of their relationship with the key witnesses or were seeking to benefit from it for political reasons on the one hand, and media coverage of the affair on the other. In particular the chapter seeks to relate 'interest' to specific episodes in this incident to show that the Metherell affair was not media driven but rather was event driven.

The chapter starts from the premise that on the basis of Masterton's criteria of newsworthiness discussed in chapter 3, all four newspapers are likely to be 'interested' in the Metherell affair. On the basis of the discussion in chapters four to six, a number of reasons for this interest could be identified. First, interest could be based on the public figures who

\(^2\) These statements can include media releases, press conferences and comments made by telephone or in passing.
were involved. This included the Premier, whose involvement would clearly have met Masterton's sixth criterion of newsworthiness (prominence). Likewise, the involvement of Moore as a senior cabinet minister and Metherell as a former minister turned renegade MP would have satisfied this criterion. The nature of the allegations, the ICAC finding against Greiner and Moore, their subsequent resignations as Premier and Minister respectively under threat from the Independents that they would support a no-confidence motion leading to a change of government, and the outcome of the Supreme Court challenge which ultimately cleared Greiner and Moore of corruption all satisfied the first criterion (consequence). The way in which the whole issue was played out, involving as it did both party politics and law, could be said to satisfy Masterton's third criterion (conflict). The second criterion (proximity) is likewise satisfied. NSW is Australia's most populous state and thus is demographically significant. At the time of the Metherell affair the Government of NSW was also the focus of national interest because the Greiner Government was considered to be reformist, not only in an ethical sense (important though that is to this thesis), but also in a financial sense. Hence the proximity criterion is satisfied in this sense too.

Considering the numbers

During the period selected for this study the four newspapers published 940 articles. This includes news and comment pieces, editorials and cartoons. The breakdown of articles is presented in Table 7.1 overleaf.

The individual column totals and the overall number of articles suggest strong media interest in this issue. Whilst the AFR published fewer articles in all categories than the other newspapers, its interest in the Metherell affair is nonetheless significant. In fact a number of possible explanations can be offered for this. First, the smaller number of articles published in the AFR reflects its different role. The AFR is essentially a finance newspaper which covers politics it adjudges to be of interest to
business. Again, its interest in the Metherell affair - the origins of which were political rather than economic, despite the dollar value of the job at stake\(^3\) - may be indicative of Greiner's standing as a financial manager rather than any other consideration. Furthermore, the *Australian* and *AFR* are both national dailies and hence could be expected to devote less space to coverage of the Metherell affair than the two NSW state-based papers - the *SMH* and the *DTM*. The fact that the *Australian* published almost as many articles as the *DTM* is indicative, firstly, of its focus on politics and, secondly, on Greiner's standing as a national political figure.

<table>
<thead>
<tr>
<th></th>
<th>News &amp; opinion</th>
<th>Editorials</th>
<th>Cartoons (stand alone)</th>
<th>Total articles</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>SMH</em></td>
<td>329</td>
<td>17</td>
<td>28</td>
<td>374</td>
</tr>
<tr>
<td><em>DTM</em></td>
<td>213</td>
<td>16</td>
<td>27</td>
<td>256</td>
</tr>
<tr>
<td><em>Aust.</em></td>
<td>221</td>
<td>12</td>
<td>10</td>
<td>243</td>
</tr>
<tr>
<td><em>AFR</em></td>
<td>62</td>
<td>2</td>
<td>3</td>
<td>67</td>
</tr>
<tr>
<td></td>
<td>825</td>
<td>47</td>
<td>68</td>
<td>940</td>
</tr>
</tbody>
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Second, the *AFR* also published on fewer days per week than the other newspapers. The *SMH*, *DTM* and *Australian* all published Monday to Saturday, with the *AFR* publishing from Monday to Friday.\(^4\) This meant that there were 121 potential publication days in the study period for the *SMH*, *DTM* and *Australian* and 101 for the *AFR*. The number of potential publication days was calculated by adding the total days (April 12 to August 31, 1992 = 142) less the total number of Sundays (142 - 21 = 121). In the case of the *AFR*, the 20 Saturdays in the period April 12 - August 31

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\(^3\) Although this was not a large amount of money in a corporate sense, once it had been manipulated for political purposes it appeared significant.

\(^4\) The *DTM* and the *SMH* also published Sunday newspapers. However given that they were effectively separate publications with their own editorial staffs, the Sunday editions were not included in the study.
was also subtracted (121 - 20 = 101). The reasons for selecting such a time frame have already been explained in chapter one.

Three of the four newspapers - the SMH, Australian and DTM - with 69.42 per cent, 52.89 per cent and 51.23 per cent respectively, covered the Metherell affair on more than half the potential publication days. The AFR, on the other hand, published articles on just 39.60 percent of potential publication days. The relationship between potential and actual publication days for each newspaper is contained in charts 7.1(a) - 7.1(d) overleaf (see Appendix F for the full data).

As the charts show, the closest correlation between potential and actual publication days for all four newspapers was in April. Whilst the number of actual publication days increased in May\(^5\) (or remained constant in the case of the AFR), the gap between the two lines widened in all charts. In the case of the Australian (chart 7.1(c)) and the AFR (chart 7.1(d)), the gap between potential publication days and actual publication days continued to widen for the remainder of the survey period. These charts suggest that media interest (as measured by actual publication days) peaked in April and May, before dropping off in the months that followed.\(^6\)

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\(^5\) This is not surprising given that May, June, July and August were all full months, whereas April was only a part month.

\(^6\) During April the SMH published Metherell-related articles on all 16 potential publication days, with the Australian and the DTM on 15 of 16 days (93.75 per cent) and the AFR on 12 out of 14 days (85.71 per cent). In May the SMH published articles on 23 of 26 possible days (88.46 per cent), the Australian on 21 days (80.76 per cent), the DTM 19 days (73.07 per cent), and the AFR on 12 days (57 percent). Whilst media interest, measured in terms of publication days, fell in June, three of the newspapers - the SMH, DTM and Australian - still published articles on at least half the potential days. The DTM published articles on 16 days (61.53 per cent) the SMH on 15 days (57.69 per cent) and the Australian on 13 days (50 per cent). The AFR's coverage on the other hand had fallen to 31.81 per cent (7 out of 22 days). By July continuity of coverage had fallen amongst all of the newspapers. In fact only the SMH published Metherell affair stories on more than half the available days (16 days at 59.25 per cent). The Australian's coverage was down to 11 days (40.74 per cent), the DTM down to six days (22.22 per cent) and the AFR to five days (21.73 per cent). In August, coverage of the Metherell affair fell further. The SMH published articles on 14 of 26 days (53.84 per cent), the DTM published articles on six days (23.07 per cent), with the Australian and the AFR publishing articles on just four days (15.38 per cent and 19.04 per cent respectively).
Potential and actual publication days compared

Chart 7.1(a): SMH

Chart 7.1(b): DTM

Chart 7.1(c): Aust.

Chart 7.1(d): AFR
Articles per month

Whereas charts 7.1(a) - 7.1(d) above suggest that continuity of coverage had begun to fall-off in June, charts 7.2(a), 7.2(b), and 7.2(c) (overleaf) show that ‘interest’ as measured by total articles published had in fact increased during this month. As chart 7.2(a) shows, there was a substantial increase in the number of articles published by the *SMH, DTM* and *Australian* in June.\(^7\) There was also a small increase in the number of articles published by the *AFR*.\(^8\) As chart 7.2(b) shows, the publication rates were relatively consistent among the four newspapers.\(^9\) Media interest in this issue in June is also confirmed by chart 7.2(c). Both the *SMH* and the *DTM* averaged more than four articles per actual publication day over the survey period, followed by the *Australian* at 3.79 and the *AFR* with 1.67.\(^10\)

Measuring interest by square centimetres

Media interest in the Metherell affair is also reflected in square centimetre coverage devoted to the issue. This is contained in charts 7.3(a) to 7.3(c) overleaf. As chart 7.3(a) shows, media interest in the Metherell affair increased through each of the first three months, before falling off in July.

\(^7\) Nearly 37 percent of articles on this issue were published in June, with 24 percent in each of April and May.

\(^8\) When comparing the data for April with figures for the other months, it is important to remember that April was only a partial month (16 potential publication days for the *SMH, DTM* and *Australian*, and 14 for the *AFR*). For example, the April totals in chart 7.2(a) were published over an effective half month, compared with a full period for the remaining months.

\(^9\) They published between 20 and 25 percent of their respective article totals in April, between 21 and 26 percent in May and 31 to 39 percent in June. With the exception of the *AFR* in July (11.94 percent) and the *SMH* in August (10.69 percent) in the remaining two months, their respective publication rates were in single figures.

\(^10\) The *SMH*’s coverage translated to more than 8.5 articles per actual publication day in June, nearly 5.9 in April, 3.6 in May and more than 2 articles per day in each of July and August. Both the *DTM* and the *Australian* averaged more than 7 articles per actual publication day in June, more than 3 in April and 2 in May. However there were significant differences between the two News Ltd publications in July and August, with the *DTM* publishing on average one article more than the *Australian* on each publication day in July. That situation was reversed in August when the *Australian* published 1.2 articles per actual publication day more than the *DTM* (2.6 to 1.4). The *AFR*’s coverage peaked at 2.85 articles per actual publication day in June, falling to a low of 1.25 in both April and August. Whilst its total coverage (in terms of average stories) was significantly lower than the other newspapers in the period April to June, it was on a par with the *Australian* in July and the *DTM* in August.
Chart 7.3(a)
Square centimetres/month

Chart 7.3(b)
Av. sq cms/actual publication day

Chart 7.3(c)
Sq cms per article
and August. This is also evident in chart 7.3(b) which shows that the average space (in sq cms) devoted to the issue per publication day was higher for all newspapers in June than in April or May and chart 7.3(c) which reveals that three of the four newspapers - the SMH, Australian and AFR - were all devoting more space per story to coverage of the Metherell affair in June than they did in April. Chart 7.3(c) also shows that there was greater unanimity between the four newspapers at least in terms of average square centimetres per story in June than in any other month. Whilst the SMH published the largest number of stories per month and devoted the most space to the Metherell affair, this did not translate into longer stories. In fact the SMH devoted more space to the Metherell affair per story than the other newspapers in just two of the five months (May and June). The Australian also shared this distinction in two months (April and August), with the DTM taking the honours in July.

Whilst charts 7.3(a) and 7.3(b) suggest that interest in the Metherell affair as measured in total square centimetres per month or average square centimetres per publication day had fallen off in July and August, chart 7.3(c) paints a slightly different picture. To illustrate, in August the Australian was allocating more space to this issue per story than it did in any other month. Likewise with the AFR, whose coverage per story in August was on a par with its allocation for June.

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11 Whilst the SMH's coverage increased slightly in August (in total sq cm terms), coverage of the other three newspapers continued to fall-off.

12 There was a dramatic fall-off in coverage in all newspapers in July using this measure. The figures for August suggest a considerable upsurge in interest on the part of the Australian (its second highest month in terms of square centimetres devoted to the issue per day) and slight increases on the part of the SMH and AFR. Only the DTM showed a further decline in coverage per day (in sq cms terms).

13 However it should be noted that in the case of the SMH the amount of space per story had fallen marginally from a high of 422 square centimetres in May. In fact as the chart shows, the amount of coverage per story increased from April to May in the two state-based dailies whilst the size of stories published by the Australian fell slightly and those published in the AFR remained fairly constant in size. The AFR showed the biggest increase in story size over the period. Its Metherell stories in June were on average 47 percent larger than its stories in April (up from 255 sq cms to 377 sq cms). This compares with a 32 percent increase for the SMH, a 2 percent increase for the Australian and a 2 percent fall for the DTM (down to 363 sq cms from 372 sq cms).
The smallest stories were published by the two state-based dailies. In the case of the SMH, the size of its stories was up slightly on the July figures, but those in the DTM were down.

News, editorials and cartoons compared

As chart 7.4(a) overleaf shows, June was the most important month (or equal most important) for all newspapers in terms of news and opinion pieces. For three of the four newspapers - DTM, Australian and AFR - May was the second most important month, followed by April, July and August in that order. For the SMH, the order for news and opinion pieces was June, April, May, August and July.

The situation for editorials is somewhat different (see chart 7.4(b) overleaf). For the SMH, DTM and Australian, April was the most important (and in the case of the Australian equal most important) month in terms of editorials published on this issue. There were 17 editorials written and published on this issue by the SMH (6), DTM (7) and Australian (4) in April. This represents an editorial every 2.28 days for the DTM, one every 2.66 days for the SMH and one every 4 days for the Australian.14

The data for April is particularly significant in terms of measuring the importance the media attached to the issue. Whilst the data contained in chart 7.4(a) suggests a high level of interest in the Metherell affair, it does not necessarily distinguish between news and entertainment. The number of editorials published in April and again in June, however, suggests that the media were not only interested in the issue, but believed it to be important as well. The rationale for this is the

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14 The DTM published its first editorial on April 13, the first potential publication day after the press conference, with the Australian and the SMH publishing their first editorials the following day (April 14). The DTM subsequently published editorials on April 14, 20, 22, 24, 29 and 30 whilst the SMH published editorials on April 20, 22, 24, 25 and 30 whilst the Australian followed up with editorials on April 20, 24 and 28. Whilst the number of editorials decreased in May, they rose again in June. The reasons for this are discussed later in the chapter.
argument that newspapers do not publish editorials on issues which are unimportant. The data for April is particularly significant because it suggests that three of the four newspapers studied quickly concluded that the issue was an important one. The fact that it retained its importance in the eyes of editorial writers through June and picked up again in August is also reflected in chart 7.4(b). Given that the three newspapers publish editorials on only one or two topics or issues per day, this finding suggests a high level of interest in the issue at a senior editorial level.

The spread of stand-alone cartoons also points to media interest in the Metherell affair (see chart 7.4(c)). In the case of the SMH and the DTM, May was the most important month. June was the most important month for stand-alone cartoons published in the Australian and the AFR. The Australian, DTM and AFR did not publish stand-alone cartoons on this issue in July. For its part, the AFR's only other stand-alone cartoon was published in May.

Apart from stand-alone cartoons, the four newspapers also published a number of in-story cartoons on the Metherell affair over the survey period (see Table 7.2 overleaf). Again, it is clear that the publishing focus is on the first three months. The SMH published 29 of its 33 in-story cartoons on this issue during the period April to June, the DTM 20 of 21 and the Australian eight of 10. For its part, the AFR published just four in-story cartoons from April to June and seven over the whole survey period.

15 They published 42 per cent (12) and 48 per cent of cartoons (13) respectively in that period. This represented one cartoon every 2.16 days for the SMH and one every 2 days for the DTM (based on 26 potential publication days). For both newspapers April was their second most important month in terms of stand-alone cartoons with each publishing eight (representing 28 and 29 percent of their respective totals). By comparison, June was a relatively quiet month for stand-alone cartoons in the SMH and the DTM (5 apiece at 17 and 18 per cent respectively).
16 Six at 60 percent and six at 66 percent respectively. The Australian's remaining stand-alone cartoons were published in April (2), May (1) and August (1).
Whereas it is possible to relate the number of editorials to the degree of 'importance' the media attaches to an issue, the significance of cartoons is more difficult to explain. There is no doubt that cartoons are a useful measure of 'interest', but whether cartoons fit more closely with an informational or an entertainment model of media responsibility is difficult to adjudge. For that reason, cartoons are not included in the content analysis in later chapters.

**Charting coverage by day**

This data clearly establishes that the four newspapers were interested in the Metherell affair. However to gain an accurate picture of media interest in an issue which has the potential to develop on a daily basis, and to see if there is a link between 'interest' and responsible reporting, it is necessary to chart the coverage from day to day, rather than to rely on average figures, and also to relate coverage to the timing of key events. Charts 7.5(a) - 7.9(d) show how media interest in the Metherell affair, as measured by articles published per newspaper per day, does vary (for full data see Appendix G). Once the non publication days\(^{17}\) are excluded, a reasonably clear picture emerges. Media interest was

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\(^{17}\) April 12, 19 and 26 for the SMH, DTM and Australian and April 11, 12, 18, 19, 25 and 26 for the AFR.
maintained on virtually a daily basis throughout April (see charts 7.5(a) – 7.5(d) overleaf). In fact articles appeared on every potential publication day in at least one of the newspapers studied. The significance of this issue on a daily basis is also confirmed by the use of a square cm measure (see Appendix H for full data). Whilst the charts show that April 25 was clearly the most important date for coverage of the metherell affair in April, there were also a number of other key dates. One conclusion to emerge from this data is that there were peaks and troughs in the four newspapers' coverage of the Metherell affair during April and further that these appeared to be almost synchronised. That is, an increase or decrease in one newspaper's coverage of the issue tended to parallel an increase or decrease in coverage of the issue by other papers.

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18 As the charts show, the SMH published articles on all 16 potential publication days in April, the DTM and Australian missed just one (April 17) and the AFR did not publish Metherell affair articles on two (April 17 and 20). The charts also confirm the strong immediate interest of the SMH, Australian and DTM in this issue during April, as measured in terms of articles published per day. The SMH consistently published as many, if not more, articles per day than the other newspapers. For example, on April 13, the first potential publication date after the announcement of Metherell's resignation and subsequent appointment to the EPA job for Monday to Saturday newspapers, the SMH published six articles, twice the number of the other three newspapers combined. The following day it published eight. The largest number of articles published by an individual newspaper on any day during April was 11 (published by the SMH on April 25). The highest publication rate on an individual day achieved by the other newspapers was six articles by the Australian and the DTM. In the case of the Australian, these articles were published on April 14, 24 and 25. The DTM published six articles on both April 24 and April 29. Whilst the AFR published articles on 12 of 14 potential publication days in April, nine of these involved just one article, with the other three featuring just two articles per day.

19 The SMH, DTM and Australian devoted 11,424 sq cms to coverage of this issue on April 25. For its part the SMH allocated almost 6000 sq cms to this issue on April 25. The other main days in terms of SMH coverage were April 14 (2389 sq cms), April 22 (2197 sq cms), April 30 (2053 sq cms), and April 17 (2030 sq cms). The DTM devoted 2440 sq cms to coverage of this issue on April 25, closely followed by April 16 (2426 sq cms), April 18 (2329 sq cms), and April 29 (2223 sq cms). The Australian allocated 3055 sq cms to this issue on April 25. The next most important days in terms of sq cm coverage were April 24 (2635 sq cms), April 14 (2042 sq cms), and April 28 (1863 sq cms). Whilst the AFR did not publish on April 25 (a Saturday), it did allocate 599 sq cms to coverage of this issue on April 29. There were eight other days in which the sq cm allocation ranged between 306 and 393 sq cms. In fact in terms of space allocated to this issue over April, the AFR was the most consistent (see chart 7.5(d)).
The evidence of peaks and troughs is also noticeable in the charts for May (see charts 7.6(a) - 7.6(d) overleaf). These charts again show that whilst there was media interest in the Metherell affair almost on a daily basis, there were significant differences in terms of total coverage per newspaper per day (using both a per article and sq cm measure). As the accompanying charts show, there are a number of distinct peaks, the most obvious being May 2, 4, 11-16 and May 22-23. There are several smaller peaks as well. There were also five non publication days covered by the chart for all the newspapers (10 for the AFR) in May.

The peaks and troughs argument is further evidenced by charts 7.7(a) - 7.7(d) overleaf. These charts suggest that there was little media interest in the Metherell affair over the period from late May to mid June. By June, the gaps between actual publication days were widening. For example the *Australian* did not publish any articles on this issue between June 5 and 16 (12 days) and only three between June 1 and June 18 (chart 7.7(c)). The *SMH* published just 5 articles between June 1 and June 18 (chart 7.7(a)). It did not publish any articles from June 11-16 inclusive (6 days). The *DTM* published eight articles between June 1 and June 18 (chart 7.7(b)). The

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20 22 of 26 potential publication days for the *SMH*, 21 for the *Australian*, 19 for the *DTM* and 12 of 21 for the AFR.

21 The largest number of articles published on one day by an individual newspaper in May was 9 (by the *DTM* on May 13). This was followed by eight articles (*DTM* and *SMH*) on May 15. There were also two days on which the *SMH* published seven articles (May 13 and 22) and one day on which the *DTM* published 7. The most articles published by either of the other newspapers in May was six by the *Australian* on May 15. The AFR published three on one day (May 26).

As chart 7.6(b) shows, the spread of coverage on a sq cm basis by day increased for the *DTM* in May (up from 0-3000 sq cms to 0-5000 sq cms). The *SMH* (chart 7.6(a)) also increased its coverage within the same band, with the addition of two publication days in the 3001-4000 sq cm range). The range of coverage in the *Australian* (chart 7.6(c)) during this month decreased, however, with the band narrowing from 0-4000 in April to 0-3000 sq cms. The AFR's coverage (chart 7.6(d)) remained in the 0-1000 sq cm band. The major publication day for the *SMH* in May was May 16 (5523 sq cms), followed by May 15 (3423 sq cms), May 12 (3179 sq cms) and May 14 (2557 sq cms). The key day for the *DTM* was May 13 (4382 sq cms), followed by May 15 (4172 sq cms), May 16 (3384 sq cms), and May 12 (2550 sq cms). For the *Australian*, May 16 was the main publication date (2807 sq cms), followed by May 4 (2477 sq cms), May 22 (1774 sq cms) and May 15 (1769 sq cms). In sq cm terms, the most important day in May for the AFR was May 26 (632 sq cms). This was followed by May 22 (567 sq cms), May 13 (468 sq cms), May 14 (461 sq cms), and May 12 (440 sq cms).

22 May 3, 10, 17, 24 and 31, with May 2, 9, 16, 23 and 30 also qualifying as non-publication days for the AFR.
largest non-publication gap for the DTM in that period was five days (June 11-15 inclusive). The AFR, on the other hand, published just one article between June 1 and 18 and two between June 1 and June 22 (chart 7.7(d)). It did not publish any articles on the Metherell affair during the first eight days of June and none in the nine days from June 10-18. There was only one day in early June on which a newspaper published more than one article on this issue (the SMH on June 9). However between June 19 and 26 there was a flurry of publishing activity. In the space of six days (June 20 to 25 inclusive) the four newspapers published 271 articles.

The charts for June appear to support the hypothesis that the newspapers do not artificially keep an issue running on a daily basis. However when they believe an issue warrants coverage, they will devote whatever resources are necessary (as was clearly the case with coverage of the Metherell affair in the period from June 19-26). There is also some evidence of this in the charts for July (charts 7.8(a) - 7.8(d)) and August (charts 7.9(a) - 7.9(d) overleaf). As the charts for July and August show, there was very little publishing activity in either of these months, with the possible exception of the SMH in July. As charts 7.8(a) - 7.8(d) show, there were significant gaps between publication days for three of the four newspapers - DTM, Australian and AFR. The DTM (chart 7.8(b)) shows two significant gaps - from July 4 to 10 inclusive (7 days) and from July 17 to 31 (15 days). The Australian had non-publication gaps of 5 days (July 4-8) and July 25-29), and 8 days (July 12-19). The AFR chart reveals two significant non-publication periods - from July 4-12 (9 days) and from July 23 This includes June 21 which was a non-publication day for all four newspapers and June 20 which was a non-publication day for the AFR.

24 On June 20, the SMH, DTM and Australian published 20, 19 and 19 articles respectively on this issue. The SMH devoted 11,330 sq cms to coverage of the issue on that day, the DTM 9,453 sq cms, and the Australian 8903 sq cms. The next available publication day (June 22) saw them publish 19 articles covering 6484 sq cms (SMH), 13 articles and 3965 sq cms (DTM), and 13 articles and 4213 sq cms (Australian). The AFR published six (its equal highest over the survey period) which took up 2693 sq cms. Whilst the number of articles published fell marginally the following day (15, 9, 7 and 1 respectively at 5423 sq cms (SMH), 2630 sq cms (DTM), 2622 sq cms (Australian), and 407 sq cms
July also showed a clear decline in the space allocated to Metherell affair stories on a daily basis. The declining interest in the Metherell affair suggested by the charts for July is also apparent in the data for August. If the data from charts 7.9(a) to 7.9(d) is added to charts 7.8(a) - 7.8(d), the non-publication gap which extended from July 17 to 31 for the DTM and AFR can be increased by an additional 3 days for the DTM to 18 days and two days for the AFR (17 days). August produced significant non-publication gaps for all four newspapers. All publishing activity for July and August appears to be concentrated in a number of clearly defined periods. In July this appeared to be focused on July 1 to 5 and a period in the middle of the month (all papers). In the case of the SMH and the Australian, there was also some activity later in the month. In August, there was some early (albeit small) publishing activity early in the month for all papers bar the Australian. Most activity was concentrated on the period beginning with and immediately following August 22. This period also showed a marked increase both in the number of stories published per day and total space allocated to coverage of the issue.

(AFR), they picked up the next (June 24) to be 20, 16, 14 and 5 respectively. The amount of coverage in sq cm terms also increased on June 24 (to 7756 sq cms (SMH), 5930 (DTM), 4624 sq cms (Australian) and 1417 respectively). It further increased on June 25 to 24, 21, 24 and 6 articles respectively (covering 10,993 sq cms (SMH), 7449 sq cms (DTM), 9188 sq cms (Australian), and 2778 (AFR). After that, coverage declined for the remainder of June.

In the case of the SMH, there was only one day in which space allocated to this issue exceeded 2000 sq cms (July 2) and another in which it topped 1000 sq cms (July 1). Of the remaining 14 publication days in July, only two saw more than 500 sq cms devoted to coverage of this issue (July 3 and July 4) in the SMH. A similar pattern emerges in relation to the DTM. During July the DTM exceeded 2000 sq cms on just one day (July 11). The remaining five publication days were all under 1000 sq cms. Coverage in the Australian exceeded 1000 sq cms on just two days in July (July 1 and July 2). Daily coverage in the AFR, on the other hand, did not exceed 1000 sq cms on any day in July. The most important day using this measure was July 1 (711 sq cms).

They were from August 6-21 (16 days) for the DTM, from August 1 to 20 (20 days) for the Australian, August 11 to 23 (13 days) for the AFR and from August 9 to 13 (5 days) for the SMH.

In the case of the SMH, there were three key publication days in August. They were August 22 (13 articles and 5058 sq cms), August 25 (8 articles and 2119 sq cms) and August 24 (4 articles and 1171 sq cms). Two of these dates (August 22 and 24) were key dates for the other newspapers as well. The DTM published 6 articles and allocated 1475 sq cms to coverage of the Metherell affair on August 22, with a further 3 articles and 813 sq cms on August 24. The Australian published 7 articles and devoted 3244 sq cms to coverage of the Metherell affair on August 22, followed by 6 articles and 2524 sq cms on August 24. The AFR did not publish any articles on August 22 (a Saturday and hence a non-
Event driven coverage?

One possible explanation for the peaks and troughs in the charts over the survey period is the argument that media coverage of the Metherell affair was event-driven. That is, the media relied on developments to justify their on-going interest in the issue. Certainly there appears to be evidence to support this argument.

An analysis of the articles over time shows that they tended to be clustered into readily defined periods which closely approximated the timing of key events. Obviously the first of these events was the joint press conference between Tim Moore and Metherell on April 11. As charts 7.10(a) – 7.10(d) overleaf show, the first articles appeared in all newspapers on the first potential publication day (April 13). Apart from the appointment, a number of other key dates become immediately apparent. They are April 23 (Greiner, Moore, Hazzard and advisers met with two of the non-aligned Independents and a parliamentary select committee was discussed. Following that meeting the non-aligned Independents released the documents pertaining to Metherell's appointment); April 24 (ICAC inquiry announced, welcomed by Premier, Metherell and Opposition); April 28 (Parliament resumed and an historic censure motion against Greiner and Moore was successful in both houses, although a related move to have them stand down pending the inquiry was defeated).

Whilst these are the key dates in April, a study of the chronology (figures 4.1(a) and (b)) shows that the Metherell affair continued to develop on a daily basis throughout the month. For example, there was speculation over whether an inquiry should be held and how it should be constituted. There was also debate over the legality of the appointment and the timing of negotiations between Metherell and the Government, particularly in...
Chart 7.10(a) - Distribution of arts by category and linkage to key events (SMH)

- First publication day
- Tim Moore accepts responsibility
- Metherell agrees to stand down
- Greiner agrees to review
- Appointment gazetted
- Greiner and Moore censured
- ICAC inquiry proposed

Chart 7.10(b) - Distribution of arts by category and linkage to key events (DTM)

- First publication day
- Tim Moore accepts responsibility
- Metherell agrees to stand down
- Greiner agrees to review
- Appointment gazetted
- Greiner & Moore censured
- ICAC inquiry proposed

Chart 7.10(c) - Distribution of arts by category and linkage to key events (Aust)

- First publication day
- Tim Moore accepts responsibility
- Metherell agrees to stand down
- Greiner agrees to review
- Appointment gazetted
- Greiner and Moore censured

Chart 7.10(d) - Distribution of arts by category and linkage to key events (AFR)

- First publication day
- Tim Moore accepts responsibility
- Metherell agrees to stand down
- Greiner agrees to review
- Appointment gazetted
- Greiner and Moore censured
- ICAC inquiry proposed
relation to the Timber Industry Bill. During this period there were also the announcements by the Opposition, Hatton and Greiner of legislation to regulate similar appointments in the future.

The key dates in May were likewise easy to identify and were concentrated around the ICAC hearing (see charts 7.11(a) – 7.11(d) overleaf). The first date was May 2 (the Davidson by-election), followed by May 5 (ICAC inquiry convened), and the hearing (May 11, 12, 13, 14, 15, 21, 22 and 25). Metherell gave evidence from May 11-14, Moore on May 14-15, Hazzard on May 15, Greiner on May 21, Humphry on May 21-22, and Shepherd on May 22. Irrespective of whether the media was interested in the Metherell affair as a corruption hearing or simply a normal political issue, all public hearing days could be expected to attract considerable media interest, particularly given the conflictual nature of proceedings. While three days (May 27, 28 and 29) were closed, the Commission’s decision to hear final submissions in private could also be expected to add to media interest in proceedings. There were a number of other ‘events’ in May, including Attorney General Peter Collins’ refusals to grant Metherell and Hazzard legal assistance (May 5, 7 & 8).

Whilst there were fewer key dates in June, those that were identified were central to the development of the Metherell affair (see charts 7.12(a) – 7.12(d) overleaf. These included June 19, when the first ICAC report into the Metherell affair was released (covered in the media on June 20). This was followed on June 21 with the announcement of Greiner and Moore’s Supreme Court challenge (reported on June 22). The on-going publicity which this issue attracted in the days that followed can be attributed to the calls for Greiner and Moore to accept the ICAC ruling and resign (made by the non-aligned Independents on June 22); the Government’s attempts to play down the significance of the finding, Greiner’s decision to resign on the day Parliament had been recalled to debate the ICAC findings (June 24), and the Supreme Court appeal which began on June 30.
Chart 7.11(a) Distribution of arts by category and linkage to key events (SMH)

- Metherell gives evidence
- Moore gives evidence
- Humphry gives evidence
- Shepherd gives evidence
- Final submissions heard in camera

Davidson byelection
Greiner appears at ICAC
Humphry gives evidence

Chart 7.11(b) - Distribution of arts by category and linkage to key events (DTM)

- Metherell gives evidence
- Moore gives evidence
- Humphry gives evidence
- Shepherd gives evidence

Greiner appears at ICAC
Humphry gives evidence

Chart 7.11(c) - Distribution of arts by category and linkage to key events (Aust)

- Metherell gives evidence
- Moore gives evidence
- Humphry gives evidence
- Shepherd gives evidence

Greiner appears at ICAC
Humphry gives evidence

Chart 7.11(d) - Distribution of arts by category and linkage to key events (AFR)

- Metherell gives evidence
- Moore gives evidence
- Humphry gives evidence
- Shepherd gives evidence

Greiner appears at ICAC
Humphry gives evidence
Chart 7.12(a) - Distribution of arts by category and linkage to key events (SMH)

Greiner & Moore resign
Indefinitely call for resignations
Supreme Court appeal mooted
ICAC Report released

Chart 7.12(b) - Distribution of arts by category and linkage to key events (DTM)

Greiner and Moore resign
Indefinitely call for resignations
Supreme Court appeal mooted
ICAC Report released

Chart 7.12(c) - Distribution of arts by category and linkage to key events (Aust)

Greiner and Moore resign
Indefinitely call for resignations
Supreme Court appeal mooted
ICAC Report released

Chart 7.12(d) - Distribution of arts by category and linkage to key events (AFR)

Greiner and Moore resign
Indefinitely call for resignations
Supreme Court appeal mooted
ICAC Report released
The articles published on July 1 and 2 (see charts 7.13(a) – 7.13(d)) can be explained by coverage of Greiner and Moore’s Supreme Court appeal. Media interest on these days can perhaps also be explained by Moore’s announcement of his resignation from Parliament. Greiner’s resignation as the member for Ku-ring-gai was announced on July 31. The key dates in August followed the release of the Supreme Court judgment (August 21), the day before by-elections were held for their seats of Ku-ring-gai and Gordon. Whilst there was some speculation regarding a possible High Court appeal by the ICAC, this was ruled out on August 28 (see charts 7.14(a) - 7.14(d)).

Placement of editorials

As charts 7.10(a) – 7.10(d) show, editorials were spread throughout April. The DTM published its first editorial on this issue on April 13, the first publication day after the Moore/Metherell press conference. It followed up with a second editorial on April 14, the same day as the SMH and the Australian published their first editorials. The three newspapers published editorials on April 20, with the SMH and the DTM following up with editorials on April 22. Again there was unanimity amongst the three newspapers on April 24, with each publishing an editorial on this issue. In terms of linkage to key events, the April 24 editorials coincided with the announcement the previous day of the ICAC inquiry and Tim Moore’s acceptance of responsibility. The SMH published a further editorial on April 25 (the day after Metherell’s decision to stand down pending the inquiry) and another on April 30, the DTM on April 29 (following the censure motion in Parliament) and April 30, and the Australian on April 28 (the day of the censure motion). As the charts show, there were three dates on which the SMH, DTM and Australian all published editorials on this issue (April 14, 20 and 24). However only the April 24 editorials appeared to link directly to the timing of key events (the announcement of the ICAC inquiry).
Chart 7.13(a) - Distribution of arts by category and linkage to key events (SMH)

Supreme Court appeal continues

Greiner retires from Parliament

Chart 7.13(b) - Distribution of arts by category and linkage to key events (DTM)

Supreme Court appeal continues

Greiner resigns from Parliament

Chart 7.13(c) - Distribution of arts by category and linkage to key events (Aust)

Supreme Court appeal continues

Greiner resigns from Parliament

Chart 7.13(d) - Distribution of arts by category and linkage to key events (AFR)

Supreme Court appeal continues

Greiner resigns from Parliament
Byelections held in Ku-ring-gai and Gordon

Court of Appeal clears Greiner and Moore

Temby foreshadows High Court challenge

ICAC rules out High Court challenge

Byelections held in Ku-ring-gai and Gordon

Court of Appeal clears Greiner and Moore

Temby foreshadows High Court appeal

ICAC rules out High Court appeal

Byelections held in Ku-ring-gai and Gordon

Court of Appeal clears Greiner and Moore

Temby foreshadows High Court appeal

ICAC rules out High Court appeal

Chart 7.14(a) - Distribution of arts by category and linkage to key events (SMH)

Chart 7.14(b) - Distribution of arts by category and linkage to key events (DTM)

Chart 7.14(c) - Distribution of arts by category and linkage to key events (Aust)

Chart 7.14(d) - Distribution of arts by category and linkage to key events (AFR)
As indicated earlier in the chapter, May was devoted to the formal inquiry. However as charts 7.11(a) – 7.11(d) reveal, there was a reduction in the number of editorials published during that month, despite the significance of this period. Only two of the newspapers - the *DTM* and the *Australian* - published editorials on this issue whilst evidence was being taken. The first *DTM* editorial was published on May 15 - after Metherell had given his evidence and on a day when both Moore and Hazzard appeared before the Commission. Its second editorial was published on May 28, whilst the Commission was hearing final submissions from counsel. The *Australian*’s two May editorials were published on May 4 (the day before the hearing began) and May 11 (the first day in which formal evidence was heard). For its part, the *SMH* published three editorials during May – one on May 4 (the day before the ICAC hearing was convened), another on May 7, and the third after evidence had been taken but before final submissions were heard from counsel.

June was the only month in which all four newspapers published editorials on this issue. In all cases the editorials were published in the final ten days of the month (see charts 7.12(a) – 7.12(d)). The *SMH* published five editorials in the period June 20-30, the *DTM* five from June 20-25, the *Australian* four from June 20-27 and the *AFR* two from June 22-25. Three of the four newspapers (*SMH, DTM* and *Australian*) published editorials on June 20 (the day after the ICAC report was released). The *DTM* and *AFR* published editorials on June 22 (the first publication day after the release of the report for the *AFR* and the day on which the Independents called for the resignations of Greiner and Moore). The *DTM* published its third editorial the next day (June 23) and along with the *SMH* and *Australian* a further editorial on April 24 (the day on which Greiner and Moore announced their resignations as Premier and Minister respectively). All four newspapers published editorials the next day (June 25). The *SMH* and *Australian* published editorials on June 27, with the former also publishing on June 30 (the latter being the first day on which
the Court of Appeal met to hear Greiner and Moore's challenge to the ICAC finding).

The only newspaper to publish editorials on this issue in July (see chart 7.13(a)) was the SMH, perhaps reflecting the downturn in coverage of this issue. The first was on July 2 (during the period in which the Court of Appeal heard evidence), with the second on July 13. There were no editorials to coincide with the resignation of Greiner as an MP (July 30). In fact the SMH did not publish another editorial on this issue until August 22 (a gap of 40 days). The DTM and Australian likewise published editorials on this day (the day after the Court of Appeal handed down its decision clearing Greiner and Moore, and the day on which the by-elections for Ku-ring-gai and Gordon were held). In the case of the DTM and Australian, this represented a gap of almost 2 months (from June 25 - DTM and from June 27 - Australian). The DTM and the Australian followed up with editorials on August 24, with the SMH publishing a second editorial on August 25. Again, the AFR did not publish editorials in August.

The timing of cartoons

As charts 7.10(a) - 7.14(d) reveal, cartoons – both in-story and stand-alone – appear to be an important component of editorial coverage of a major issue such as the Metherell affair. Significantly, the SMH and the DTM made more use of cartoons (61 and 48 respectively) than the Australian (17) and AFR (11). As charts 7.10(a) and 7.10(b) show, cartoons featured prominently in the early coverage of this issue in both NSW based daily papers.28 The use of cartoons was particularly noticeable in the first three months, before dropping off in July and August.29 For example, the SMH

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28 The SMH published 14 cartoons on this issue in April and the DTM 15, compared with 5 and 1 respectively for the Australian and the AFR.
29 There were 34 cartoons published on this issue in April, 43 in May and 45 in June. By July the number had fallen to 6, increasing only slightly to 9 in August.
published cartoons on 10 days in April and the DTM 12.\textsuperscript{30} In May the SMH published cartoons on 15 days, the DTM on 12, the Australian three and the AFR one. The number of days on which cartoons were published decreased in June for the SMH and DTM (six days and seven days respectively), although the Australian increased its coverage to six days and the AFR to two.

One interesting finding to emerge from the charts is the number of occasions on which newspapers published multiple cartoons on this issue. For example, there were 14 days when the SMH published multiple cartoons, 11 for the DTM, three for the Australian and one for the AFR. In most instances, this involved two cartoons in the day, however there was one day on which the SMH published five, and two days on which it published four cartoons (see chart 7.12(a)). The DTM and the AFR also published four cartoons on one day (see charts 7.12(b) and (d)), with the DTM also publishing three cartoons on two days (see chart 7.11(b)). The use of multiple cartoons clearly links to key dates in the development of the Metherell affair. These dates appeared to link directly to key events which comprised the Metherell affair. As charts 7.11(a) and (b) reveal, the publication of multiple cartoons in the SMH and DTM in May corresponded with the ICAC inquiry. This was also evident in the charts for June (7.12(a) – 7.12(d)) which highlight the fact that cartoons were clearly clustered around the period leading up to and following the release of the ICAC report. The small number of cartoons in July is not surprising, given the absence of key events, with the possible exception of the Supreme Court hearing). What is perhaps surprising, however, is the small number of cartoons in the period surrounding the release of the Supreme Court decision and the debate that followed (four in the case of the SMH, and one apiece for the DTM, Australian and AFR).

\textsuperscript{30} This compared with four days for the Australian and just one for the AFR.
Conclusion

This chapter clearly establishes that the media was both interested in this issue and regarded it as an important issue. Interest was established by the number of articles published by and the amount of space allocated to coverage of the Metherell affair in the four newspapers over the survey period. It was also reflected in the categories of articles published on this issue, including editorials and cartoons. The large number of editorials published (by the SMH, DTM and Australian) suggests that they also believed the issue to be an important one. Not only were these published early on, that is soon after the appointment became public, but they continued throughout the survey period.

The large number of cartoons – both in-story and stand-alone – which appeared during the survey period is more difficult to comment on. That is, it is difficult to argue (from the discussion so far at least) whether the cartoons were provided for informational or entertainment reasons (or both). The cartoons certainly support the hypothesis that the media was interested in this issue, however given the discussion in chapter three on the competing priorities of the media (public service versus profit) it is not possible to argue that interest is synonymous with importance in the eyes of journalists or editors.

As the preceding discussion shows, media 'interest' can be measured a number of ways. The use of monthly averages (see charts 7.1-7.4) suggests that interest in an issue can rise and fall over the life of an issue. This is highlighted further by the data contained in charts 7.5-7.9. These charts show that media interest in an issue such as this can change from day to day.

One other conclusion can be drawn from this analysis, however. On the basis of the discussion in part II of the chapter it is possible to argue that
media coverage of this issue was event driven. That is, the four newspapers did not seek to keep this issue alive artificially. There were clear peaks and troughs in the coverage the issue received in all four newspapers, both in terms of stories published per day and square centimetres devoted to the issue (as reflected in charts 7.5(a) – 7.9(d)) In fact coverage of the Metherell affair in the media appeared to be directly linked to the timing of key events (see charts 7.10-7.14). This link between the timing of articles and the timing of key events also seems to reinforce the assumption that the media’s coverage of the Metherell affair was in line with a responsible media model. To actually establish whether that was the case, however, it is necessary to analyse the content of the respective newspapers’ coverage of this issue over the survey period. That is the purpose of the following chapters.
Chapter 8

Editorial coverage analysed

Introduction:

As the preceding chapter shows, the four newspapers selected for this case study devoted considerable resources to coverage of the Metherell affair and were clearly 'interested' in it as an issue. This chapter is the first to look at the nature of that coverage in terms of: (1) the media's understanding of corruption; and (2) how the four newspapers responded to and reported the justifications used by Greiner, Moore, Metherell and the other key players in this dispute to explain their actions.

The focus of this chapter is coverage of the Metherell affair in editorial columns. Media coverage of this issue in the news and opinion columns is analysed in the following chapter, as are the criticisms which media treatment of this issue attracted. The delineation between editorials and other genres has been chosen for a specific reason. If one genre could be expected to be consistent in its coverage of an issue, it is the editorial column. Editorials tend to be written by a small number of people within each newspaper, and with an organisational view in mind. News and comment pieces, on the other hand, can be written by a range of people. Accordingly, there is more scope for different views and attitudes to emerge in the general news coverage of an issue than in the editorials.
Editorials analysed

From the outset, the editorial writers at the SMH, DTM and Australian made their attitudes towards the appointment clear. All three newspapers were condemnatory. In its first editorial, the SMH described the appointment as "an outrageous political appointment" that some people would see as a "grubby attempt to hold on to power".1 It also referred to the "shabbiness" of the appointment, and described it as "an extraordinary deal" and an "ill-conceived deal".2 The DTM described the appointment variously as "their [Greiner and Metherell's] cosy little deal to make each other's life more comfortable", and "this outrageous deal".3 The Australian was equally critical, describing it as "ham fisted", "inept", "abysmal politics", and "hypocritical".4 These initial reactions set the tone for subsequent editorials. In fact the attitudes of the newspapers towards Metherell's resignation and appointment were clearly reflected in the descriptors they employed to characterise it. The newspapers quickly adopted the pejorative 'affair' and 'deal' to describe the appointment and its aftermath. They did not use the suffix 'gate', as has been the tendency amongst US media organisations when dealing with instances of public sector corruption or impropriety. Nor was the word 'Inc.' adopted as has been followed by the media in its coverage of other Australian political scandals.5

Not only were the newspapers critical of the appointment, they also appeared to apportion ownership to the appointment. The question of ownership is an important one because it links directly to the issue of responsibility. In this case the four newspapers all agreed that ultimate responsibility for the appointment rested with Greiner as Premier

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1 SMH. "The deal with Dr Metherell," April 14, 1992, 10.
2 ibid.
3 DTM. "A cosy deal that must be crushed," April 14, 1992, 10.
4 Australian, "Greiner sets back his revival," April 14, 1992, 10.
(something the Premier himself acknowledged, as chapters 4-6 reveal). Obviously the media's focus on Greiner was inspired in part by the potential consequences which could flow to him and his government as a result of the appointment. These included the loss of the premiership and/or a change of government. The only other person to be regularly mentioned in editorials was Dr Metherell. There was little coverage of Tim Moore and Brad Hazzard, the two MPs who initiated the appointment process, and in the case of Moore created the position. Nor was there any mention of the public servants who were drawn into the imbroglio - Dick Humphry or Dr Neil Shepherd - thus reinforcing Masterton's thesis regarding prominence.

Two key themes emerged in the early editorials that would provide an undercurrent to editorial attitudes to the Metherell affair: (1) it was a political appointment and a poorly orchestrated one at that; and (2) it involved a breach of promise that would undermine Greiner's carefully nurtured reputation for political probity. In dealing with the first of these themes, the SMH argued that Greiner had only one defence, namely "his claim that the greater good will be served by the stability of the Government". However it said that such an outcome was doubtful, given: (1) that the Government's future rested on the terms of the charter signed by the non-aligned Independents; and (2) that even if the Government did win Davidson as expected, there were three other coalition seats in doubt, at least one of which was likely to go to the ALP in the event of a by-election. The SMH argued that this would swing the balance of seats in the lower house in Labor's favour and free the Independents of their obligation under the charter to support the Government. Whilst the SMH acknowledged that the "simple arithmetic" involved would suggest that the Metherell

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5 For example WA Inc which was being heard simultaneously in Western Australia.
6 SMH, "The deal with Dr Metherell," April 14, 1992, 10.
7 ibid.
8 ibid.
appointment was good politics, it also argued that “the shabbiness of his appointment may undermine its political usefulness”.9

The Australian also mounted a “poor politics” argument in its first editorial. Unlike the SMH, however, the Australian was prepared to concede that “in the right circumstances, Dr Metherell’s resignation from Parliament would have been a coup for a government hoping for better times”.10 However it said that for Greiner to claim the kudos for achieving “a firmer grip on Parliament”, Metherell would have needed to resign his seat “in a less remarkable fashion”.11 The DTM seemed to concur, pointing out that it had supported the need for a stable Parliament “because we believe the essence of Mr Greiner’s economic program is correct and that he should be allowed to deliver it”.12 However it said that Metherell’s appointment had “pushed patience and tolerance to a limit”.13

By this, the DTM was clearly referring to public patience and tolerance. It also said that Greiner would have to “bear the consequences” of the appointment,14 an attitude which the other newspapers adopted in their editorials.15 In fact this became one of the key themes in editorials: the ability of Greiner (and/or his Government) to survive the Metherell affair. All four newspapers pointed to the community outrage which had been provoked by the Metherell appointment. The Australian claimed that the appointment had “provoked a community resentment that runs so deep that it may prove fatal for his future”.16 In a similar vein, the DTM referred to the “fury that

9 ibid.
11 ibid.
12 DTM, “A cosy deal that must be crushed,” April 14, 1992, 10.
13 ibid.
14 ibid.
15 See, for example, Australian, “Greiner sets back his revival,” April 14, 1992, 10; Australian, “Metherell’s harm not easy to undo,” April 20, 1992, 8; Australian, “Metherell and role of Moore,” April 24, 1992, 14.
16 Australian, “Greiner sets back his revival,” April 14, 1992, 10.
erupted over the decision". This theme was also pursued by the SMH which argued:

The Metherell deal will not be easily forgotten or forgiven. And if the public is indignant, the Independents may become less cooperative. The Government may not do as well from Dr Metherell’s departure as it thinks.

Anti Metherell

The editorial writers identified a number of reasons for this outrage, including Metherell’s political past (his resignation from the Liberal Party and his criticisms of the Government). The anti Metherell sentiments were summed up by the Australian in its editorial of May 11:

Few contemporary Australian politicians would be less deserving of public sympathy than Dr Terry Metherell. His resignation from the Liberal Party, after having been elected to the State Parliament as a Liberal, showed his disregard for the voters who had put him into the Legislative assembly. And his resignation from Parliament in at least dubious circumstances in order to take a highly paid job in the Public Service offered him by a government he had denounced has aroused only too obvious resentment in a population where expectations of the behaviour of politicians has already sunk to a rather low ebb.

The attitude of editorial writers towards Metherell was reflected in their descriptions of him. Perhaps not surprisingly, all three newspapers homed in on the fact that he had departed the Government in acrimonious circumstances. Metherell was described in Australian editorial columns as "the former minister turned eccentric Independent", "his [Greiner’s] former critic", "the Liberal

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18 SMH, "The deal with Dr Metherell," April 14, 1992, 10.
turned Independent",\textsuperscript{22} and "turncoat Liberal".\textsuperscript{23} It also referred to his "defection" from the Liberal Party, and the "well-deserved derision aroused by its [the Government's] generosity to a recent deserter from its ranks".\textsuperscript{24} The DTM was similarly critical, describing him variously as a "Liberal defector",\textsuperscript{25} "Liberal-turned-Independent",\textsuperscript{26} "former Liberal MP",\textsuperscript{27} and "Former Liberal MP turned Independent-cum-would-be-$110,000-a-year Senior Executive Officer".\textsuperscript{28} The SMH described him as "probably ... the most controversial member of the NSW Parliament", and pointed to the fact that he had "deserted" the Government.\textsuperscript{29}

A breach of promise

However in the eyes of the editorial writers, the fact that the appointment involved Metherell was clearly only one of the reasons for the public and political outrage which resulted. Of greater concern was their belief that the appointment represented a breach of Greiner's core 1988 election promise to improve integrity in government. The SMH, DTM and Australian all developed this theme in their first editorials, and kept returning to it throughout the crisis. The SMH was particularly direct, highlighting the fact that Greiner owed his election in 1988 to a promise that he "would eschew political appointments".\textsuperscript{30} Adopting a similar approach, the DTM editorial contained an early reminder of Greiner's 1988 election platform. In the editorial's third paragraph it said:

\textsuperscript{22} Australian, "Davidson's rebuke for Greiner," May 4, 1992, 8.
\textsuperscript{23} Australian, "Pitfalls of a Greiner precedent," June 24, 1992, 12.
\textsuperscript{24} Australian, "Davidson's rebuke for Greiner, May 4, 1992, 8.
\textsuperscript{25} DTM, "Why Greiner must tread carefully," April 20, 1992, 10.
\textsuperscript{26} DTM, "ALP fails to grasp the nettle," April 18, 1992, 22.
\textsuperscript{27} DTM, "Libs face crescendo of crisis," May 15, 1992, 10; DTM, "Three MPs will decide NSW's fate," June 22, 1992, 10.
\textsuperscript{28} DTM, "Metherell affair a sad waste," June 23, 1992, 10.
\textsuperscript{29} SMH, "The deal with Dr Metherell," April 14, 1992, 10.
\textsuperscript{30} ibid.
Lest we forgot, Mr Greiner arrived in 1988 with a clear pledge to clean up the political game in NSW, to knock rorts on the head and ban jobs-for-the-boys and girls. Roughly four years later he is capping a record of providing an employment agency for Liberals by giving Dr Metherell a senior posting in the Environment Protection Authority.31

Later it argued: "It is a violation of what Mr Greiner used to stand for and what he had encouraged the public to expect."32 This theme was also pursued by the *Australian* which referred to the fact that in 1988 Greiner had "campaigned on a simplistic opposition to jobs-for-the-boys".33 However the *Australian*’s criticism of the appointment was somewhat muted, perhaps in acknowledgement of the defence Greiner and Moore had offered for their actions. It said:

Political appointments may be defensible, as long as the former politician is qualified. Where an appointment is likely to be controversial, it is best that the appointee becomes more a nominee and is vetted by some independent body, such as a selection panel.34

All three newspapers pointed to earlier breaches of the no-jobs-for-the-boys policy by the Greiner Government. The *DTM* highlighted the Pickard,35 Hay,36 and Kathryn Greiner appointments.37 The *SMH* and *Australian* were not so forthcoming with specific examples. Whilst the *SMH* was prepared to liken the Metherell appointment to the Whitlam Government’s appointment of former DLP Senator Vince Gair as Ambassador to Ireland, it did not mention any other Greiner appointments, simply saying that the Government had “broken that promise on several occasions”.38 In fact it appeared to play this aspect

31 *DTM*, “A cosy deal that must be crushed,” April 14, 1992, 10.
32 Ibid.
33 *Australian*, “Greiner sets back his revival,” April 14, 1992, 10.
34 Ibid.
35 *DTM*, “A cosy deal that must be crushed,” April 14, 1992, 10; *DTM*, “Why Greiner must tread carefully,” April 20, 1992, 10.
36 *DTM*, “A cosy deal that must be crushed,” April 14, 1992, 10
38 *SMH*, “The deal with Dr Metherell,” April 14, 1992, 10.
of the issue down by not mentioning any specific precedents, Liberal or Labor, in subsequent editorials. The Australian was likewise oblique, referring to “several dubious appointments of former ministers, former members, and the Premier's wife”. Like the DTM, the Australian mentioned Mrs Greiner's appointment to Elcom. However neither the DTM or Australian accused the Premier of nepotism. Significantly, both the SMH and the DTM said that the earlier transgressions were “by comparison, vaguely defensible”, or “in a different class”.

Calls for Metherell to be dismissed

Despite their criticism of the appointment, the newspapers differed somewhat in their responses to the solutions offered by the Opposition, Greiner and the Independents. The SMH and the Australian argued that Metherell should be dismissed, but did not accept the Opposition argument that he be denied compensation. As the SMH argued:

Certainly the NSW Government must not renege on an agreement - regardless of whether there are loopholes available to it. Nor must the NSW Parliament break the agreement. It is one of the basic requirements of modern civilised society that agreements made between governments and their citizens are honoured. It may be satisfying for many people on both sides of the Parliament to see Dr Metherell thrown out of the Public Service with no compensation. But breaking the Government's agreement with Dr Metherell would do more damage to the State's institutions than has Mr Greiner's ill-conceived deal.

Both the Australian and the SMH said Metherell's dismissal was necessary if the Government wanted to contain the fall-out from the
appointment. The SMH said that whilst it would be "very damaging" for Greiner to have to pay Metherell $110,000 in compensation, public anger would not start to abate until after he was out of the way. In fact the SMH went so far as to argue that Greiner should consider the recommendation from Clover Moore and Peter Macdonald that the Liberal Party pay any compensation to which Metherell might be entitled, rather than the money coming out of the public purse. It also called on Metherell to resign out of "a sense of obligation" to the Liberal Party.

Whilst the DTM said that it was up to the Opposition and the Independents "to kill this outrageous deal", it did not actually argue that he should be sacked or dismissed. Instead, it argued that he should have resigned from Parliament when he left the Liberal Party and disenfranchised his electorate. Nonetheless, the DTM did applaud Metherell's subsequent decision not to take up the appointment or to seek compensation from the Government when both courses of action had been left open to him.

Not only did Greiner come under fire for sanctioning the deal, he was roundly criticised for the Government's attempts at resolving it. For example, the Australian described Greiner's announcement that Metherell would have to compete with other people for the EPA position as "inevitable as it is unsatisfactory". It said:

Some may think Mr Greiner's concession in allowing the EPA job to be advertised displays a political savvy the Premier has demonstrably lacked in the past. By trying to appease public

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45 SMH, "Why Metherell must go now," April 22, 1992, 12.
46 SMH, "Greiner's room for manœuvre," April 24, 1992, 14.
48 DTM, "A cosy deal that must be crushed," April 14, 1992, 10.
50 ibid.
51 Australian, "Metherell's harm not easy to undo," April 20, 1992, 8.
outrage at Dr Metherell’s indulgence, Mr Greiner may have made less likely an embarrassing swing against the Government in Dr Metherell’s safe Liberal seat of Davidson, where more than a dozen Independents hope to capitalise on a protest vote. ... But if Mr Greiner had repudiated from the outset the possibility of any unprincipled deal with Dr Metherell, he would not have been forced to backtrack in a bid to limit the damage done to his credibility.52

The Australian said that neither of the proposed solutions: (1) that Metherell work elsewhere in the public service on his proposed $110,000 a year salary; or (2) that he be forced to quit the public service and be paid compensation would be acceptable to NSW voters. It argued that even if Metherell were successful in winning the job after undergoing the normal process of interview and selection, the appointment would be regarded by many as tainted.53

The Australian was also critical of the advice Greiner had received during the Metherell affair, although claimed that could not be used as an excuse.54 In particular it highlighted the role of Environment Minister Tim Moore. It said that if Greiner were to “contain” the issue then a “full statement” was required from Moore.55 The Australian described him as the “(ir)responsible minister” who had announced Metherell’s appointment.56 According to the Australian, Moore had refused to answer a series of questions put to him in writing and jointly signed by the Sydney Bureau Chief, Jeni Cooper, and the deputy editor, Chris Mitchell. It said he then called a press conference “... that failed to satisfactorily explain his involvement in the Metherell affair.”57

The SMH said Greiner’s “about face” announcement that the EPA position would be advertised and that Metherell could apply for it

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52 ibid.
53 ibid.
55 ibid.
56 ibid.
along with other applicants “can repair some of the damage done by their extraordinary deal”. However it said that he should not be appointed to a position which was not properly advertised:

It will be politically disastrous to allow Dr Metherell to stay in the public service unless the public is convinced that he has been chosen purely on his merits. Probably the only chance of persuading the public of that is if Dr Metherell wins the position at the EPA.

According to the SMH, the EPA Board had established its independence from the government through its opposition to the appointment and its decision to put him on probation. In a follow-up editorial, the SMH again highlighted the need for the Government to convince voters of the integrity of the public service selection procedures. With that in mind, it warned the Government not to rush the EPA into filling the position. It also criticised Jones’ claim that Metherell had applied for an advertised position:

The disclosure that Dr Metherell had formally applied for an advertised position in the Senior Executive Service has been interpreted by the Independents and others as a feeble attempt by the Government to make things look better than they really are. It has made things worse for the Government.

Two days later, however, the SMH conceded that the political heat had been taken off the Premier by: (1) the decision of Clover Moore and Macdonald not to support the forthcoming censure motion, saying that they would await the outcome of the inquiry before taking further action; and (2) Tim Moore’s public apology for “the political fallout” which the appointment had generated. However it said that the Premier still needed to “move quickly and decisively” to resolve the

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57 ibid.
59 ibid.
61 ibid.
62 ibid.
63 SMH, “Greiner’s room for manoeuvre,” April 24, 1992, 14.
It said that unless Metherell resigned, or Greiner sacked him, the Government would continue to suffer political damage and public confidence in the selection process for senior appointments would be undermined.

The DTM said the Premier’s announcement that he would introduce legislation to cover future political appointments “smacks of hypocrisy”, given that it was not retrospective and did not apply to the Metherell appointment. It accused the Government of “dithering” and of not providing answers to questions. According to the DTM, even when the issue appeared to be on the wane, “it was revived, thanks to an injection of adrenalin administered by the Premier’s own staff”. It said Jones’ claim that Metherell had been appointed to the position after responding to a newspaper advertisement had left the Premier looking “confused”. The DTM also rejected Greiner’s claim that Jones’ comments were in response to a request from journalists. It said:

That is not the case. Mr Greiner’s staff volunteered the information to this newspaper. Neither we nor, apparently, the Premier have any idea why. But such twists and turns are commonplace in this long-running political soft-soap opera.

The DTM claimed that rather than resolving the issue, the answers he provided had prompted further questions. In one editorial it even posed a number of questions which it said were yet to be answered:

Did Dr Terry Metherell apply in writing for any position in the NSW public service? If so, where is his letter of application and when was it received? Why is it that two apparently well-qualified members of the public who applied for the same post -

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64 ibid.
65 ibid.
67 ibid.
68 ibid.
69 ibid.
70 ibid.
the only two so-far interviewed by the *Daily Telegraph Mirror* - were not accorded even the courtesy of an acknowledgment of their application? Why have they never been interviewed?71

Even when the ICAC inquiry had commenced, the *DTM* questioned the Government's ability to control the damage it was suffering. It pointed to the fact that it would be at least a week before Greiner was able to enter the witness box and give his account of events.72 The question of whether the Government could contain the issue re-emerged in *DTM* editorials after the ICAC report had been handed down.73

Support for an inquiry

The *SMH* and *Australian* were unanimous in their support for an inquiry. The *SMH*, in urging Greiner to back calls for a parliamentary inquiry, said that it would:

> establish what is fact and what is fiction with respect to Dr Metherell's appointment and so put a stop to the messy process of claim, counter claim and sheer guess-work that has marked the debate so far.74

The *SMH*'s comments may be indicative of the frustration the newspapers were feeling over the fact that information about the appointment was only being released in a piecemeal fashion. It suggested that an inquiry would help by "calming down the debate" and address the Opposition's claims that there "is reason to suspect that illegalities or serious improprieties were involved in the appointment of Dr Metherell".75 The next day, following the announcement that the ICAC would be conducting the inquiry, the

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71 ibid. The *DTM* actually asked these questions before they were put to Greiner by Clover Moore or were asked of Humphry by Bob Carr.
73 See *DTM*, "Three MPs will decide NSW's fate," June 22, 1992, 10.
74 *SMH*, "Greiner's room for manoeuvre," April 24, 1992, 14.
75 ibid.
SMH was even more expansive. It described the announcement as “an advance on earlier proposals for getting to the bottom of this affair”. Not only that, but the SMH said: “[w]hat the ICAC inquiry will do now is scrutinise the Government’s blunder by reference to the ICAC’s own evolving definition of corruption.” There perhaps should have been a warning in the use of the word ‘evolving’, particularly in light of the comment two sentences on, when it said:

- By examining the affair in the light of a definition of corruption that the public, thanks largely to the ICAC’s own work so far, now understands well, it will increase the chances that some small good may come out of the sorry mess.

Given the comments of Temby himself in his report, of the majority judges in the Court of Appeal, and even of the newspapers in later editorials, it is questionable whether the public did in fact understand the definition of corrupt conduct as contained in the ICAC Act.

The Australian appeared less willing to openly endorse the parliamentary committee option, while conceding that Greiner may have to accept this option if he was to “stave off a motion of no-confidence in his minority government”. It also contended that: “[t]he ultimate effect of the establishment of a parliamentary committee would depend, of course, on its finding which, in this bizarre affair, cannot be predicted.” Nonetheless, it did accept that there were questions surrounding the appointment which had to be answered. And, like the other newspapers, it was prepared to embrace the notion that there was an element of impropriety involved during negotiations between Metherell and the Government. However the Australian also flagged the issue of illegality. While conceding: “the clear implication is that, contrary to public morality and the

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77 ibid.
78 ibid.
conventions of the Westminster system, a member of Parliament was offered an inducement to vacate his seat,” the *Australian* also questioned whether there had been “any related agreement as to voting behaviour in Parliament”. By its next editorial the *Australian* had clearly accepted that it had become a corruption inquiry. Building on the themes introduced in its previous editorial, the *Australian* said: “... in the Metherell appointment ... both a breach of the Westminster prohibition against the offer of inducements to MPs and the more strictly defined offence of official corruption must be considered worthy of investigation”. Nonetheless, the *Australian* appeared keen to play down the possibility of corruption, pointing out that unlike the case involving the former Wran Labor government, in this instance “there is no suggestion of widespread official corruption”.

Initially, the *DTM* described the prospect of a public inquiry as a “nonsense”. It said that the media had in fact been conducting such an investigation for the past two weeks, and that a parliamentary inquiry would result in a cover-up. It described the likely outcome thus:

> The investigation into possible corruption which demanded such urgent action is put on ice. By the time the Government has persuaded some poor mug to chair the inquiry and legal representatives have organised their perfectly legal delays the story is old hat. Press and public are interested in something else.

The *DTM* argued that if Greiner was hoping to gain “breathing space” by agreeing to a parliamentary inquiry it would not be forthcoming from the media which would continue to seek redress for the “already

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80 ibid.
81 ibid. This is a clear reference to the *Timber Industry (Interim Protection) Bill*.
82 *Australian*, “Why Greiner should not stand down,” April 28, 1992, 8.
83 ibid.
84 *DTM*, “We’ll look after this inquiry ...,” April 24, 1992, 10.
85 ibid.
identified wrongs of the affair". However it seemed to modify its attitude following the announcement that the ICAC would be conducting the inquiry. It said: "The ICAC must not be deflected by legal delays or by political grandstanding. The community, in turn, must accept the verdict of this impartial body." However as the DTM itself acknowledged, this comment was motivated in part by a desire to see the matter quickly resolved. In a subsequent editorial, the DTM criticised Carr for claiming that the Metherell appointment involved a breach of criminal law, contending that his allegations had "pre-empted" the ICAC investigation.

Rejecting the call for Greiner to stand down

Although supporting the inquiry, the newspapers did not sanction the Opposition’s call for Greiner and Moore to stand down pending resolution of the matter. Both the SMH and the Australian disagreed with Opposition Leader Bob Carr’s claim that former Labor Premier Neville Wran’s decision to stand aside during the Street Royal Commission in 1983 provided an adequate precedent for Greiner to do the same. The newspapers appeared to echo Greiner’s own defence of his decision not to stand down, arguing that while there were clear allegations against Wran which justified his standing down, in the present case the allegations were not "yet clear enough" to require either the Premier or Moore to do so. Significantly, however, both newspapers offered qualifications. The SMH concluded: "That position may change, as the ICAC inquiry unfolds, but for the present Mr Carr’s demand, however understandable, is probably premature." The Australian pointed out that: "[n]ot requiring him to stand down,

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86 ibid.
87 DTM, "We need a swift end to instability," April 30, 1992, 10
85 ibid.
89 DTM, "Carr goes too far with allegations," April 29, 1992, 10
91 SMH, "ICAC will cut Metherell knot," April 25, 1992, 24
92 ibid.

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however, does not imply a presumption that Mr Greiner has behaved in a properly moral fashion."93

The DTM, Australian and SMH also expressed a number of concerns which focused on the question of fairness. There were two elements to this: (1) fairness with regards to the payment of legal costs; and (2) potential damage to reputations. Although these two issues were clearly linked, as a number of editorials showed, they could also be considered separately. In fact the second element was considered in conjunction with the broader question about whether final submissions from counsel should be received in camera or in public.

Legal representation and costs

The Australian and the SMH devoted full editorials to the question of legal costs, whereas the DTM covered this question in two sentences. Despite devoting comparable space to this question, the attitudes of the two broadsheets were quite different. The Australian argued forcibly that if the Government was to pay the legal costs incurred by Greiner, Moore and Humphry, it should also meet Metherell’s and Hazzard’s costs.94 It described the Government’s decision as “self serving discrimination”, and “a denial of justice”, and said there was the possibility “... that their reputations could be badly damaged by evidence given or allegations made during the hearings”.95 The Australian argued:

If the ICAC finds there has been no corruption or other improper arrangement between the Government and Dr Metherell, then it is hardly fair that any of them should be up for thousands of dollars in legal costs. And, if anything improper or illegal has been done, it is impossible to imagine how Dr Metherell and/or

95 ibid.
Mr Hazzard were involved in it unless Mr Greiner and/or Mr Moore and/or Mr Humphry were also involved.\(^96\)

It suggested that if the Government was concerned about financial stringencies, it could advise Greiner, Moore and Humphry to pay their own legal costs, otherwise Metherell and Hazzard were entitled to the same treatment.\(^97\) This was similar to the DTM’s argument (albeit much later) that “legal aid ... should, in fairness, be available to all or none, rather than to a fortunate few.”\(^98\)

However this attitude differed markedly from that expressed by the SMH which argued:

> The question is not whether the Government should pay lawyers to represent Dr Metherell at the Independent Commission Against Corruption. It is whether Dr Metherell needs legal representation at all at such a hearing.\(^99\)

According to the SMH, Metherell’s claim that he was being unfairly treated was based on two erroneous assumptions: “first, that legal representation is a prerequisite for fair treatment at the ICAC hearing and, second, that such legal representation will be very expensive”.\(^100\)

The SMH argued that if Metherell could not afford legal representation, he would be protected by the Commissioner or counsel assisting the Commission.\(^101\) It said there was no need for Metherell, or for that matter any of the other witnesses, to spend the $4,000 to $6,000 a day which had been mooted and that he would be well represented by “a competent junior barrister and a friendly solicitor”.\(^102\) In fact, it said that “[a]ny number of bright young barristers would jump at the chance to appear in a case that would bring their

\(^96\) ibid.

\(^97\) ibid.

\(^98\) DTM, “ICAC must look to its role,” May 28, 1992, 10.


\(^100\) ibid.

\(^101\) ibid.

\(^102\) ibid.
talents to wide notice.” Supporting its argument that costs should be contained, the SMH said the Government, Metherell and Hazzard should take the lead from the ICAC’s decision to appoint a junior barrister from Melbourne as counsel assisting, rather than a QC.

Closing the inquiry for final submissions

Two newspapers - the SMH and the DTM - were critical of the decision to hear final submissions from counsel in camera. Urging Temby not to hear submissions in private, the SMH argued that the public interest should take precedence over a “few political egos” and that closed hearings should be regarded as an exception rather than the norm. The SMH rejected the three primary arguments cited to justify the decision to close the inquiry to the public: (1) that it could prejudice future criminal actions arising out of ICAC findings; (2) that reputations could be damaged; and (3) that the submissions of counsel assisting could be misinterpreted as reflecting the likely findings of the Commission itself. In this instance it said there was little likelihood of criminal charges arising out of the ICAC hearing and argued that it was “hard to imagine what greater damage to reputations can be done than has already been done in this extraordinary hearing”. Furthermore, it said the ICAC was aware of the other risks, namely lawyers assuming a “gladiatorial posture” and of the need for counsel assisting’s submissions not to be misinterpreted. Finally, the SMH argued that to date the inquiry had provided “a rare insight into the operations of government, Parliament and the political parties”, and that to close the inquiry at this stage “would put at grave risk the

103 ibid.
104 ibid.
106 ibid.
107 ibid.
108 ibid.
confidence the public generally has in the fairness and independence of the proceedings of the ICAC”.109

Writing after the event, the DTM described Temby’s decision to close the hearing as a “contradiction”.110 It posed the question:

The evidence on which those submissions are based has been heard in public. Why then, should the public be excluded from hearing counsel explain, expound upon, and otherwise develop their arguments to the Commissioner?111

It further pointed out that no member of the public was in a position to influence Temby’s thinking on this issue, and cited the “justice must be seen to be done” argument in criticising the decision.112 The DTM actually went further than the SMH’s “bruised political egos” argument, implying that these witnesses were receiving preferential treatment as a result of the Commissioner’s decision.113

Rejecting the ‘corrupt conduct’ finding

When Temby’s first report was released, the SMH, DTM and Australian were all unanimous in arguing that Greiner’s conduct was not ‘corrupt’ in the sense that people traditionally understood the term. The SMH argued: “The Premier is not corrupt and his actions in the Metherell affair do not amount to corruption as most people would understand it.”114 The SMH reiterated this view in later editorials. Writing on June 25, it said: “... at worst he blundered into a form of technical corruption”,115 And on June 30 it argued that he was “... obviously not corrupt ... as the word is generally understood and

109 ibid.
110 DTM, “ICAC must look to its role,” May 28, 1992, 10.
111 ibid.
112 ibid.
113 ibid.
114 SMH, “Mr Greiner’s acid test,” June 20, 1992, 22.
especially in comparison with many of his predecessors as Premier”.116 According to the SMH, Greiner was “guilty of an impropriety in offering a job to Metherell and gross naivety in making that offer”.117

The DTM agreed that the finding was for “behaviour which is no worse and in some ways better than that indulged in on occasions by his predecessors at state and federal level”.118 It also said that Greiner was correct in arguing that his conduct and that of Moore was corrupt “only within the admittedly broad terms of the ICAC Act”.119 Later it argued that they had been found guilty of corruption in the narrowest sense, that is a sense “recognised by the ICAC but not, as Commissioner Ian Temby admitted in his report, by common law”.120

The following day it said that the ICAC definition of corrupt conduct did not accord with “even normal dictionary definitions”.121

The Australian, like the SMH and the DTM, said that Greiner was not the first Premier to have: “stepped beyond the bounds of impartiality or to have orchestrated a jobs-for-the-boys appointment for political gain”.122 In a later editorial it argued: "[t]he fact is, the bulk of what the Premier did in this affair was no different to the practice of governments everywhere.”123 Whilst it argued in its first post report editorial that he had been found “technically corrupt”, in later editorials the Australian described the “corrupt” label as “misleading”.124 In fact the Australian argued that it was open to Temby to find that Greiner’s actions were improper, rather than corrupt, but that he had declined to do so.125

117 SMH, “Mr Greiner’s acid test,” June 20, 1992, 22.
119 ibid.
124 Australian, “Mr Greiner, the model reformist,” June 25, 1992, 16.
For its part, the AFR also acknowledged that there had been other similar appointments which it described as the "meat and drink of realpolitick". The AFR described Greiner’s response to the ICAC report as "extraordinary". It said that because Temby found them corrupt within the terms of the ICAC Act, Greiner could not claim to be technically corrupt.

Greiner’s ‘new standards’ defence rejected

Despite rejecting the argument that Greiner and Moore’s conduct was corrupt, the four newspapers responded quite differently to Greiner’s argument that he was being judged by new standards. The SMH said that this argument “unfortunately does not stand up”. It said that because there was a requirement in law and practice for SES appointments to be based on merit, Greiner could not claim that a new standard was being imposed. Furthermore, it said that the Greiner Government had not only introduced the relevant legislation but publicly claimed the credit for it as well.

The DTM argued that as a result of the Temby report, politicians in NSW would be judged by higher standards than those which had been adopted in the past or which applied elsewhere. In fact the DTM reiterated Temby’s warning from the report:

I do not think it is an old-fashioned irrelevancy to say politicians ought to ensure that what they say to the public, the people to whom they must give an account of themselves, is never misleading. They are most important role models.

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127 ibid.
128 ibid.
129 SMH, “Mr Greiner’s acid test,” June 20, 1992, 22.
130 ibid.
131 ibid.
The *Australian* rejected Greiner’s arguments that, firstly, his and Moore’s behaviour had been in accordance with recognised standards of honesty and integrity and, secondly, that Temby had “unequivocally” acknowledged as much in his report.\(^{134}\) According to the *Australian*:

> In fact, the ICAC Commissioner, while stating he accepted that Mr Greiner and Mr Moore thought they had acted with honesty and integrity, and that a notional jury might agree with them, never went so far as to say that he thought so too.\(^{135}\)

What Temby had argued, according to the *Australian*, was that if Greiner had consulted more widely before hand, he would have realised that the appointment was “deeply flawed” in principle.\(^{136}\) It also said that Greiner had “distorted” the report’s findings in an attempt “to cast himself in a better light”.\(^{137}\) Furthermore, it said he deserved no sympathy for “belatedly calling the ICAC out of order”, given his calls whilst in opposition for higher standards, and his decision as Premier to ensure the ICAC “kept its teeth strong and its reach long”, despite warnings from other people.\(^{138}\) It said that he had “…given the weapon a hair trigger, never realising the barrel would one day swing to face him”.\(^{139}\)

Despite its criticisms, the *Australian* did describe Greiner as “the hapless victim of an instrument he devised which set standards he could not fulfill”.\(^{140}\) It also expressed concern at the “high moral tone” set by the Temby report and argued that while the people of NSW wanted an end to corruption, they understood the nature of party politics:

\(^{133}\) ibid.

\(^{134}\) *Australian*, “Casting the first stone at Greiner,” June 20-21, 1992, 18.

\(^{135}\) ibid.

\(^{136}\) ibid.

\(^{137}\) *Australian*, “Pitfalls of a Greiner precedent.” June 24, 1992, 12.

\(^{138}\) ibid.

\(^{139}\) ibid.

\(^{140}\) ibid.
They understand that the practice of politics is rooted in compromise and a fusion between public policy and party interest. It always has been and always will be.\textsuperscript{141}

In a statement which set the \textit{Australian} apart from the other newspapers, and suggested some sympathy for the decision Greiner had taken when agreeing to Metherell's appointment to the public service, it argued:

In a report which places such a weight upon morality it is extraordinary that the moral arguments in favour of Mr Greiner are not adequately made, namely that Mr Greiner was merely allowing the voters to rectify the breach of public trust which occurred when Dr Metherell walked out of the Liberal Party. The so-called political advantage which Mr Greiner obtained was a political advantage to which he was completely entitled; it was nothing more than an opportunity for the voters of Davidson to restore their representative to Liberal Party status after Dr Metherell's defection; it was nothing more than allowing the process of democracy to work.\textsuperscript{142}

The \textit{AFR} described Greiner as fitting the "classic definition of the tragic hero". It described him as: "a man of basic decency who, under pressure from a score of directions, is fatally tempted to cross the line of acceptable behaviour and ends up betraying himself and his cause."\textsuperscript{143} Nonetheless, there was little sympathy for the Premier in either \textit{AFR} editorial. In its first editorial, the \textit{AFR} said the issue was "the degree to which ends may justify means".\textsuperscript{144} In this case, it said, voters were angry at Metherell and felt "let down" by the Premier.\textsuperscript{145} This theme was continued in the second editorial which claimed that a "culture of self-interest has infiltrated Australian politics, across the

\textsuperscript{141} ibid.
\textsuperscript{142} ibid.
\textsuperscript{143} \textit{AFR}, "Bad luck for Greiner and for NSW," June 25, 1992, 16.
\textsuperscript{144} ibid.
\textsuperscript{145} ibid.

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board – in every State and party."¹⁴⁶ But it was especially critical of the Metherell appointment:

And now it is particularly miserable to see Mr Greiner, who came to power like a breath of fresh air in a state weary of patronage politics, contorted in self justification.¹⁴⁷

The AFR questioned how Greiner’s behaviour could be explained away as only “technically wrong” when the finding was made “within the meaning of the ICAC Act”.¹⁴⁸

Resignation

Despite not defending Greiner’s actions, the other newspapers agreed that his and Moore’s actions did not warrant their resignation as Premier and minister respectively “in itself” as the SMH had argued.¹⁴⁹ However they said that the politics of the situation was such that their resignations were inevitable.¹⁵⁰ The SMH said that although his conduct was no different from that which had been going on for decades, the political reality was that Greiner had been labelled ‘corrupt’, and that tag would stay with him, making it difficult for him to head a responsible government or to maintain his reform program, including his anti-corruption initiatives.¹⁵¹ It also said that he had to resign to protect the integrity of the ICAC, arguing: “It is either the end of the ICAC or the end of Mr Greiner.”¹⁵²

The SMH tempered its position somewhat when Greiner and Moore announced that they would appeal the ICAC finding to the NSW Supreme Court. It said that given the issues of natural justice involved, the non-aligned Independents should wait until after the

¹⁴⁷ ibid.
¹⁴⁸ ibid.
¹⁴⁹ SMH, “Mr Greiner’s acid test,” June 20, 1992, 22.
¹⁵⁰ ibid.
¹⁵¹ ibid.
¹⁵² ibid.
Court had handed down its decision before deciding what action to take.\textsuperscript{153} And it said that Greiner’s offer to the Independents that he would stand down as Premier pending the Supreme Court appeal and then resign if the appeal was unsuccessful was “appropriate”.\textsuperscript{154} The \textit{SMH} argued that its earlier call for the Premier to resign was based on “the finding of corrupt conduct, rather than Mr Greiner’s actual conduct”.\textsuperscript{155} It said that in appealing the finding to the Supreme Court, Mr Greiner “was not challenging ICAC as an institution, but rather the legal correctness of its findings on his conduct”.\textsuperscript{156} Even after the Independents had forced his resignation, the \textit{SMH} continuing to push the argument that he was not corrupt, and was entitled to pursue the legal options:

Because he is honest, and because he is the most competent Premier NSW is likely to have for a very long time, Mr Greiner deserved the chance to test Mr Temby’s technical point in the courts.\textsuperscript{157}

In fact the \textit{SMH} was critical of the Independents, arguing that they appeared to be anticipating the proper order of things by insisting on their resignations before a no-confidence motion was debated by the Parliament.\textsuperscript{158} When they forced Greiner to resign before the Supreme Court had handed down its decision, or Parliament had debated the ICAC report, the \textit{SMH} accused them of having denied him an opportunity to save his premiership.\textsuperscript{159} Nonetheless, it acknowledged the political reality of the situation in which Greiner found himself:

And so Mr Greiner had to resign to protect his government and to preserve the achievements of his premiership. The loss by the Government of the no-confidence motion almost certainly would

\textsuperscript{152} ibid.
\textsuperscript{153} \textit{SMH}, “The Premier fights on,” June 24, 1992, 14.
\textsuperscript{154} ibid.
\textsuperscript{155} ibid.
\textsuperscript{156} ibid.
\textsuperscript{157} \textit{SMH}, “NSW after Nick Greiner,” June 25, 1992, 22.
\textsuperscript{158} ibid.
\textsuperscript{159} ibid.

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have led to a Labor Government. The Independents were not going to change their minds, even if the Supreme Court struck down Mr Temby's ruling that Mr Greiner had acted corruptly. And once the Independents voted to defeat the Greiner Government in a no confidence motion, they would not offer their support to another Liberal Premier.160

The DTM also argued that Greiner was "fatally flawed" as a result of the ICAC report, and that the Opposition would seize on this to undermine his hold on power.161 However the DTM proposed a different solution to that recommended by the other newspapers. It said that the outcome was no longer a matter for the Parliament or even the Governor to determine. Agreeing with the ICAC report that the appointment involved a breach of trust, it argued that the situation: "... demands nothing less than public accountability".162 It said that Greiner should tender his resignation and advise the Governor to call a fresh election so that the people of NSW could pass judgment on the appointment.163 The DTM canvassed the various options, including a new Liberal Premier, a baton change to a Carr Labor Government and an election. However it opposed a baton change because: (1) it would spell the end of "Greinerism", the name coined to describe the Premier's economic philosophy; and (2) it would hand power to a Premier and a political party which it said did not have a mandate from the people.164 And whilst it pointed out that an election would be costly, it was the best option, although it did not appear to be ruling out the possibility of a change-over to a new Liberal leader.165

Like the SMH, the DTM also said that once a no-confidence motion was moved by the Opposition, the Independents would have little option but to support it and, in the process, tear up their agreement

160 ibid.
162 ibid.
163 ibid.
164 DTM, "Three MPs will decide NSW's fate," June 22, 1992, 10.
with the Government. It was also critical of the Independents, describing them as the "Gang of Three." In a particularly strong attack, it condemned them for not allowing Greiner and Moore the opportunity to appeal the ICAC finding to the Supreme Court, arguing:

With 1.25 percent of the primary vote between them, they presume they are in a position to decide the fate not only of Premier Nick Greiner and Environment Minister Tim Moore, but of the Coalition Government itself. This presumption on their part is a total denial of democratic form, fairness and natural justice.

Like the SMH, the DTM said the Independents should wait until after the Court of Appeal handed down its decision before taking further action. The DTM described Greiner's offer to stand down pending the appeal as "reasonable" and whilst it said that ultimately his political demise was inevitable and a tragedy, it suggested that:

In an ironic way the ... outcome was probably the best measure of Greiner's considerable commitment to honesty in politics, to clean government and to ensuring that the monitoring bodies he introduced were as effective as possible.

The Australian agreed that the report was damaging to both Greiner and the Government. In the case of the Premier it said that his "grip on office, which became uncertain when the parliamentary majority for his second term was shorn away after a complacent re-election campaign last year, has slipped further as a result of the ICAC report". However it said that whether the finding proved "fatal" or not depended on how the Independents reacted to it in the context of the corruption and gross mismanagement clauses in their agreement

165 ibid; see also "DTM, "Why we're the State of chaos," June 24, 1992, 10.
166 DTM, "Why Nick Greiner must let the people decide," June 20, 1992, 26-27.
167 DTM, "Why we're the State of chaos," June 24, 1992, 10
168 ibid.
with the Government. Whilst the *Australian* said that Greiner had no option but to abide by Parliament’s decision, it also warned: “... it is hoped that those MPs who hold the key to Mr Greiner’s fate examine their own standards first”. And in a warning to the Premier, it said that he had a “responsibility” to ensure that if he fell, the Government did not fall as well. Ultimately, when Greiner did resign, the *Australian* said that his decision had been “the correct one”. It said that he had become “a massive political liability”, that his position was “untenable” and “it appeared he had lost the confidence of the NSW Legislative Assembly and of many in his own party”. However the *Australian* was also critical of the Parliament, accusing it of having acted on the report with “far too much speed”.

Support for ICAC but calls for reform

Not surprisingly, when the Supreme Court overturned the ‘corrupt conduct’ finding, the newspapers applauded the decision. Significantly, however, they did not use the Supreme Court decision to launch an attack on the ICAC. All four newspapers agreed that the ICAC should remain. However they did argue for changes to the ICAC Act. Both the *SMH* and the *Australian* said there was a need for the definition of ‘corrupt conduct’ to be changed and suggested that alternative standards of conduct could be provided for, including ‘improper behaviour’. The *SMH* did not embrace Temby’s suggestion that he was contemplating an appeal to the High Court, arguing that any judicial decision could quickly become irrelevant if the Parliament

171 ibid.
172 ibid.
173 ibid.
174 *Australian*, “Mr Greiner, the model reformist,” June 25, 1992, 16.
175 ibid.
changed the Act. It suggested that a satisfactory conclusion probably could be found in the compromise offered by Temby himself. That is, "[I]n retrospect it may have been better if what the Parliament called upon the Commission to do was simply to find facts and I recognise that is something I could have suggested," Temby said. According to the SMH:

That would have left the Parliament to decide the nature of the offence and the punishment. That could be the model for future inquiries into allegations against members of Parliament. It would be giving politicians "special treatment": politicians would not be labelled corrupt by the ICAC while ordinary public servants found to have committed similar offences would be. However the public interest still would be served. Where criminal offences were uncovered by the ICAC, members of Parliament would be prosecuted like anyone else. Where the misbehaviour uncovered by ICAC was of a less serious nature, the political process normally could be counted on to form a judgment and extract retribution.

It said a special case could be made for politicians because they were in the public eye, and the public does follow the evidence and make a judgment. Voters, however, are not in the position to do that in the case of individual public servants:

In the more numerous, unsensational cases involving ordinary public officials, only the ICAC’s conclusion will come to the public’s notice. To be a deterrent, and to be seen to be working by the public, the ICAC must, in the great majority of cases, reach a conclusion on whether corruption has occurred.

In this respect, the SMH was reinforcing what the Australian had been arguing in its editorials, that there was a particular dimension to politics which set it apart from public administration generally. It said that whilst there would be great pressure on Fahey to prevent the

180 ibid.
181 ibid.
recurrence of what members of the Government “rightly consider a great injustice” a possible solution would be to provide the ICAC with greater flexibility. Instead of reaching no conclusion in the case of MPs, an option would be to give it a wider range of conclusions from which to choose. It proposed that in this case Greiner’s conduct would have been better described as ‘improper’, but accepted that there was no scope for Temby to make such a finding.

The *Australian* agreed that there was a need for a broader range of categories, including ‘improper conduct’ which falls short of a corruption finding. The *Australian* was more critical of the ICAC report on the Metherell affair than the other newspapers. Nonetheless, it also supported the Commission: “NSW needs ICAC but unless ICAC operates along acceptable lines then it will only be discredited.” In a similar vein, the *DTM* described the ICAC as “an indispensable, if costly, part of the framework of democratic government”. Like the others, it said there was room to question its procedures. However it also came down in support of the ICAC’s continuing existence: “The ICAC is a vital public institution. Its strength lies in the word ‘independent’. This must never be called into question.”

The *AFR* rejected claims that the ICAC was a star chamber. It said that the ICAC decision in the Metherell affair had helped to sharpen the position regarding political appointment:

The ICAC stringency limits the options for future NSW governments – and not only they, but politicians in other states, and in Canberra, will clearly be on the best behaviour when making appointments over the next few years, doubtless to the

\[\text{\footnotesize 182 ibid.}\]
\[\text{\footnotesize 183 ibid.}\]
\[\text{\footnotesize 184 *Australian*, “Greiner carries the day,” August 22-23, 1992, 20.}\]
\[\text{\footnotesize 185 ibid.}\]
\[\text{\footnotesize 186 *DTM*, “ICAC must look to its role.” May 28, 1992, 10.}\]
\[\text{\footnotesize 187 ibid.}\]
\[\text{\footnotesize 188 *AFR*, “Bad luck for Greiner and for NSW,” June 25, 1992, 16.}\]

\[\text{273}\]
Thus whilst the AFR did not comment on whether the ICAC definition of ‘corrupt conduct’ was appropriate or not, it was critical of jobs-for-the-boys.

**Greiner lauded and criticised**

Despite the widely held and expressed criticisms of Greiner’s handling of the Metherell affair, there appeared to be genuine expressions of regret on the part of editorial writers at the prospect of his departure. All four newspapers wrote editorials which focused on his achievements as a manager and reformer. They also devoted space to his failings as a politician but, following his resignation, there was far more space devoted to his achievements and the need for his program of economic reform to be continued by his successor than there were criticisms of his political shortcomings. The *SMH* described him as an “outstanding reformist Premier” and the *Australian* as one of few state leaders who had forged a national reputation. The *DTM* described “Greinerism” as being “equated with strong, sound, economic management and the courage to take necessary but tough decisions.”

The *AFR* described Greiner as a “capable administrator” who suffered from two major mistakes, he: (1) took “his accountant’s eye” off the administrative detail; and (2) neglected what had put him in office originally – his focus on probity. This also came out in editorials in the other newspapers. According to the *Australian* he was “inept at feeling the community mood”, and was not able to communicate

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189 ibid.
190 *SMH*, “Mr Greiner’s acid test.” June 20, 1992, 22; *SMH*, “NSW after Nick Greiner,” June 25, 1992, 22.
191 *Australian*, “Mr Greiner, the model reformist.” June 25, 1992, 16.
policy to the people.\textsuperscript{194} It said that even after the setback of the 1991 election, he "continued to exhibit political nonchalance and naivety as if he still enjoyed the comfortable majority of his first term".\textsuperscript{195} In an early editorial it said that Greiner had laid himself open to criticism on grounds of both personal skills and personal integrity.\textsuperscript{196} And when his demise appeared inevitable, it said that his flaw was "a combination of personal arrogance and political naivety".\textsuperscript{197}

**Conclusion:**

Editorial writers were universally critical of the Metherell appointment, and of the involvement of Greiner and Moore therein. From the Premier's perspective, they regarded the appointment as a breach of the promises which had helped elect him to office in 1988 – a pledge to improve political standards and opposition to jobs-for-the-boys appointments. The editorial writers did not accept the Premier's attempts to distinguish between jobs-for-the-boys and political appointments. They argued that the appointment and the Premier's involvement therein highlighted his political flaws – his failure to take advice and to consult with his colleagues and staff. Whilst they lauded his managerial and administrative skills, editorials in all four newspapers believed that his resignation was inevitable – not because his conduct was corrupt as the term is popularly understood, but simply because of the political circumstances, namely the fact that he was in a position whereby he was obliged to account to the Parliament and had to accept the judgment of his peers.

The coverage of this issue in editorials shows that editorial writers were able to distinguish between formal-legal definitions of corruption as contained in the ICAC Act and popular definitions of the term. As

\textsuperscript{193} *AFR*, "Bad luck for Greiner – and for NSW," June 25, 1992, 16.
\textsuperscript{194} *Australian*, "Mr Greiner, the model reformist," June 25, 1992, 16.
\textsuperscript{195} ibid.
\textsuperscript{196} *Australian*, "Greiner sets back his revival," April 14, 1992, 10.
such, the coverage of this issue in editorials highlights the difficulty involved in labelling conduct and therefore reinforces the problems highlighted in chapter two, namely the difficulty involved in reconciling formal-legal definitions with the more subjective personal standards which are often applied when questionable conduct is scrutinised.

The focus of editorial writers on the involvement of Greiner and Metherell, and the virtual exclusion of the other witnesses, highlights the political consequences (both potential and actual) to flow from the Metherell affair. As the introduction to this chapter foreshadowed, one of the important issues was expected to be the question of ownership. The treatment of the Metherell affair and the focus on the role of the Premier in particular highlighted that. Greiner, as Premier, had the most to lose in both a personal and a political sense from the Metherell affair. The editorial writers' treatment of the Metherell affair reveals how the chain of accountability works in politics.

The focus on the Premier and Metherell is not surprising from a media perspective either. Their involvement reinforces two of Masterton's key criteria – consequence and prominence. Their previous relationship and their sparring after the appointment had been publicly announced supported another of his criteria – conflict. And, in line with the AFR's comments regarding the emergence of a "noisome culture of self-interest" in Australia, and comments in other newspapers regarding a disregard amongst politicians for public feelings, a fourth criteria – proximity – appears to have been satisfied.

The coverage of this issue in the editorial columns of the four newspapers reinforces a responsible media model. It is evident from the tone of editorials that the media quickly adopted a watchdog role when covering the Metherell affair. This emerged in a number of

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Australian, "Mr Greiner, the model reformist," June 25, 1992, 16.
ways: (1) the criticism of the appointment and particularly Greiner's involvement therein; (2) the willingness of newspapers to ask questions and demand answers of the Premier and Moore; (3) a preparedness on their part to defend or support Greiner and Moore's actions when they believed that they had acted appropriately, such as in their decision to appeal the ICAC finding to the Supreme Court; and (4) the eulogies published after Greiner's resignation.

The watchdog role was perhaps best illustrated by the criticism of the Government's handling of the issue following its public announcement. Only one newspaper, the Australian, was prepared to acknowledge one of the Government's key justifications - the fact that it was morally entitled to Davidson and that the electors were entitled to choose who should represent them. In other respects the Government struggled to convince editorial writers as to the merits of its arguments. The perception amongst editorial writers that the appointment represented a breach of Greiner's core 1988 election promises more than outweighed his attempts to apply a situational morality to it. As such, coverage of this issue in editorials again confirms the argument posited by Chibnall and Saunders. It also reinforces the arguments of Dyer, McGraw and Bennett in that the Government's attempts to justify the appointment were widely rejected by editorial writers. That is, the Government not only lost the early window of opportunity to justify the appointment (the importance of which was highlighted by Dyer), but its subsequent attempts at explanation also failed to impress editorial writers.
Chapter 9

General news analysed

Introduction

As chapter eight clearly establishes, the media was not only interested in the Metherell affair, but considered it an important issue. This chapter takes the study one step further by looking at the treatment of the Metherell affair in the general news and opinion columns. It is argued that the analysis of general news and opinion is necessary because for many readers these sections of a newspaper provide their first or only contact with an issue. Whilst editorial columns are important, they are not read by all people. Furthermore, they are often read after the general news and opinion columns, and thus after a reader's initial impressions on an issue have begun to form. Accordingly, it is argued that any holistic analysis of an issue must distinguish between editorial coverage on the one hand, and coverage in the news and opinion columns on the other.

It is important to distinguish between the coverage of an issue such as this in the general news and opinion columns and the editorial columns for another reason, too. That has to do with the debate in chapter three regarding media priorities – namely whether newspapers are driven by a watchdog ethic or entertainment and commercial considerations. Whilst the conclusions drawn from chapter eight suggest that the former was the case, editorials generally represent a small percentage of any newspapers coverage of an issue. That is, therefore, to gain an accurate overall picture, it is necessary to expand the coverage to the general news and opinion columns.

1 In the case of the SMH, editorials represented 4.54 percent of the total, for the DTM it was 6.25 percent, for the Australian 4.93 percent, and for the AFR 2.98 percent.
Not only do the general news and opinion columns provide a further insight into the media's interest in this issue, but they also provide an opportunity to gauge public interest in the Metherell affair, or at least the media's perceptions thereof. As such, this chapter will provide an important link to the letters to the editor which are discussed in chapter 10. The chapter is divided into two parts. Part I deals with media coverage of this issue in the news and opinion columns, with the goal being to determine whether: (1) the newspapers had adopted a watchdog role and thus were responsible in their reporting of this issue; or, alternatively (2) they were more interested in the entertainment aspects rather than the political ramifications of this issue, and thus the coverage was irresponsible.

In trying to build a responsible/irresponsible media model, Masterton's criteria of newsworthiness are again used. In line with Masterton's criteria, it is anticipated that the focus of coverage in general news and opinion columns would be on Greiner and Metherell (prominence), on the disparities in evidence between Metherell and the other witnesses (conflict), and the likely outcomes, both on an individual level and to the government generally (consequence). It is expected that another of Masterton's criteria (proximity) would appear as a thread which weaves its way throughout the media's coverage of this issue. Given the coverage of this issue in editorial columns, it is also anticipated that in the general news and opinion columns journalists are likely to attribute almost secondary status to Moore and Hazzard, despite their playing (and in Moore's place claiming to have played) the instrumental role in the appointment. Because of this, it is contended that Greiner and Moore

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2 'Consequence' can be measured a number of ways. At an individual level, it can be applied to the likelihood of Greiner and Moore retaining their executive positions, of Moore retaining either the EPA or Premiers' Department positions, or of the consequences as measured by the ICAC's finding of 'corrupt conduct'. More broadly, 'consequence' can be measured in terms of the Government's stated goal of stability of government, or restoring the status quo in Parliament, or of allowing the people of Davidson the right to have a say in who their representative should be. Perhaps more importantly, it could be applied to broader community attitudes towards government, including politicians and institutions of government.
would struggle to convince journalists that the Premier’s role in the appointment was minor, or that their accounts were justifiable. As was the case with the previous chapter, the focus will be on a number of key themes, including the media’s attitude towards the appointment and individual participants, the labelling of conduct, and the response of journalists to the final outcome.

In part II of the chapter the focus turns to criticism of the media’s coverage of the Metherell affair by the key participants and their legal representatives. There are also a number of exchanges from journalists in this section, although the criticisms of letter writers are not included, being reserved for chapter 10. This analysis is important for several reasons. First, it provides an important insight into the relationship between politicians and journalists discussed in chapter three. Second, it provides an insight into their respective attitudes towards each other’s obligations under the relationship (that is how MPs expect journalists to behave when covering politics and vice versa).

A responsible media?

It is difficult to claim with certainty that the media was responsible or irresponsible in its coverage of an issue, given the vulnerability of such assessments to subjective factors. However in the case of the Metherell affair it is possible to argue that the four newspapers studied did adhere to a watchdog role and whilst there was an element of entertainment in their coverage of the issue, it did not appear to be the prime consideration.

The first indication that the media took this issue, and its coverage thereof, seriously can be traced to the identity of the journalists assigned to the issue. In all cases, the newspapers rostered senior political journalists on to cover the Metherell affair, particularly for their coverage of key events (the names of journalists who contributed bylined articles on this issue is contained in Appendix I). As Table 9.1 (overleaf) reveals, a
small number of journalists from each of the newspapers contributed the largest proportion of bylined stories. In fact the main journalist assigned to this issue by each newspaper contributed between 24 and 49 percent of bylined articles.

<table>
<thead>
<tr>
<th>No. articles</th>
<th>No. of journalists</th>
<th>Total journalists</th>
<th>As % of ttl journalists</th>
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<td></td>
<td>SMH</td>
<td>DTM</td>
<td>Aust.</td>
</tr>
<tr>
<td>1-5</td>
<td>24</td>
<td>22</td>
<td>25</td>
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<tr>
<td>6-10</td>
<td>3</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>11-15</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>16-20</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>21-30</td>
<td>3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>31-40</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>41-50</td>
<td>0</td>
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<td>0</td>
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<tr>
<td>51-60</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>61+</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ttl journalists</td>
<td>35</td>
<td>29</td>
<td>32</td>
</tr>
</tbody>
</table>

There were five SMH journalists, four from the Australian, three from the DTM and one from the AFR who contributed to more than 20 bylined articles. The largest individual contribution was from the SMH’s state political correspondent, Mark Coultan (65 articles), followed by the DTM’s state political reporter David Ikin (56) and Australian political journalists Nick Richardson (53 articles) and Justine Ferrari (48 articles). The most bylined articles published in the AFR were attributed to political journalist Prudence Anderson (24 articles). Coultan’s articles were published on 42 days (50 percent of actual SMH publication days). Ikin had bylined articles published on 36 days (58.06 percent), Richardson on 31 days (48.43 percent) and Ferrari on 39 days (60.93 percent). Anderson’s articles were published on 22 days (55 percent of actual AFR publication days). Ikin’s contributions represented 35.89 percent of DTM bylined articles on this issue. Coultan contributed 24.07 percent of bylined articles published by the SMH, whereas Richardson and Ferrari contributed to
28.64 percent and 25.94 percent of bylined articles published in the Australian. Anderson's contributions represented 44.89 percent of articles on this issue published by the AFR.

The importance the newspapers attached to this issue is also reflected in the status of other journalists assigned to its coverage. These included the political editor, political correspondent, ICAC reporter and legal correspondent (SMH), Canberra correspondent (DTM), a former editor, the Sydney bureau chief and the federal political correspondent. The AFR did not ascribe titles to journalists who covered the Metherell affair. Other senior staff assigned to cover the issue included political journalists, columnists and rounds specialists who were called on when needed. Significantly, both the SMH and the Australian ran columns on this issue by former federal MPs (thereby providing an insider's perspective). A number of the newspapers also ran articles or specialist comments from experts, including academics, corruption specialists and political advisers. Given the nature of the relationship between journalists and politicians discussed in chapter 3, and particularly the reliance of journalists on MPs for information, it is unlikely that the newspapers

3 These included Jim McClelland, a minister in the Whitlam Government (SMH); and Barry Cohen, a minister in the Hawke Government (Australian).

4 These included Malcolm Mackerras, a senior lecturer in politics at the Australian Defence Force Academy (Australian); Evan Whitton, a Reader in Journalism at the University of Queensland (Australian); and Professor Tony Blackshield, a legal academic (DTM). The Australian published articles from both Mackerras and Whitton, whilst the DTM ran comments from Blackshield. See E. Whitton, "Courting a consensus on corruption," Australian, June 25, 1992, 17; M. Mackerras, "An affair with hypocrisy," Australian, April 28, 1992, 9; M. Mackerras "Moralising from a legal monastery," Australian, June 20, 1992, 2.

5 The Australian ran an article from Athol Moffitt, a retired Royal Commissioner and NSW Supreme Court judge. See, A. Moffitt, "Why ICAC must reform or perish," Australian, June 30, 1992, 13.

would have assigned their senior political correspondents to cover an issue which they intended to report in a frivolous manner. They would not have jeopardised future opportunities for stories unless they considered the issue an important one. Nor would they have published articles by respected commentators whose credibility depends on the quality of advice they provide. These articles and comments served to give the impression that the respective newspaper’s position was backed up by authority – and not simply the views of journalists who may not have expertise in that particular area.

Coverage of this issue by senior political journalists also serves to flag its importance to readers. This is in line with the powerful media models, including the agenda-setting model of McCombs and Shaw, outlined in chapter 3. The influence of these journalists is also highlighted by the fact that not only did they write a large number of sole authored articles, but also contributed to the co-authored articles. This would have provided for a certain degree of constancy in coverage over the duration of the issue (see Appendix I). This is another indicator of the importance attached to the issue by the newspapers studied.

The second indicator of a responsible approach on the part of journalists can be found in the mix between serious and light-hearted stories devoted to this issue. As Table 9.2 reveals, light-hearted or entertainment focused pieces represented a small proportion of total articles on this issue:

<table>
<thead>
<tr>
<th></th>
<th>Serious</th>
<th>Light-hearted/entertainment</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>SMH</td>
<td>305</td>
<td>81.55</td>
</tr>
<tr>
<td>DTM</td>
<td>210</td>
<td>82.03</td>
</tr>
<tr>
<td>Aust.</td>
<td>210</td>
<td>86.41</td>
</tr>
<tr>
<td>AFR</td>
<td>62</td>
<td>92.53</td>
</tr>
</tbody>
</table>

*For the purpose of this analysis, the ‘Serious’ column does not include editorials and the ‘Light-hearted/entertainment’ column does not include cartoons.
The light-hearted articles were generally small pieces which appeared in established columns. These included the Melba Column (*Australian*), and Column 8, Stay-in-Touch and Street of Shame (*SMH*). The *SMH* also published a collection of jokes\(^7\) and a mock book review which focused on the salacious nature of some of Metherell's diary entries.\(^8\) The Metherell affair also featured in two television reviews.\(^9\) All of these articles were clearly written to entertain readers. The same could possibly be said of the extracts from the Metherell diaries which were published by both the *SMH* and *DTM* over two days.\(^10\) Both newspapers purchased and then went to considerable effort to have the hand-written diaries interpreted and transcribed. Whilst the two national newspapers also made reference to diary extracts in their coverage, they did not publish them in the same detail as the two NSW newspapers. With the exception of the Column 8 pieces, which appeared on page 1, the light-hearted/entertainment stories appeared on inside pages. This was in contrast to the main news stories which appeared up-front in the newspapers.

In chapter 3 it was argued that all newspapers operate on a mix of hard news and entertainment so as to maintain reader interest. In this case the newspapers adopted a number of strategies so as to attract and maintain reader interest in the Metherell affair. These included page one pointers, banners and in-story graphics to attract reader attention. They also included the use of photographs, cartoons (both in-story and stand alone) artist sketches of witnesses giving evidence at the ICAC inquiry and to the Court of Appeal. Not only did these help to add a sense of colour and drama to proceedings – and thus help to attract and maintain reader attention - they also helped build up the perception of importance.

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Establishing a watchdog role

The third indicator of a responsible media model was evident in the lengths the journalists and media organisations went to when pursuing this issue, the language they used to describe the appointment, their attitudes towards it and the involvement of different actors, and their assessment of the consequences (to the Government and individual participants and, most importantly, in terms of public confidence in the system). It is to that which this chapter now turns.

Whilst the media did not break this story in its own right, there was early evidence of it adopting a watchdog role. For example, when media organisations heard that the Metherells were holidaying in Vanuatu two newspapers (the *Australian* and *DTM*) sent journalists over in pursuit of a story, and the *SMH* asked its South Pacific correspondent to seek an interview from him. Media organisations continued to pursue him until after his return to Australia – and his subsequent discussion with Greiner – when he agreed to be interviewed.

There was also evidence of a watchdog role in the media's daily pursuit of Greiner and Moore. This coverage also reinforces the conclusions from chapter 3, namely the argument that the media’s task can be hindered by the efforts of particular stakeholders to withhold information. This was particularly noticeable during the first stage (from the time the appointment was announced at the press conference through to the beginning of the ICAC inquiry). For example, whilst they acknowledged Greiner's willingness to talk to them, journalists nonetheless criticised him for not releasing the information they believed would resolve the issue. One journalist claimed that: "neither he nor his ministers have

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subjected themselves to detailed questioning that might fill the gaps about what has happened.\textsuperscript{11} According to Matthew Moore:

A great deal of information [has been] dribbling out of the Government. Each new fact has prompted a series of new questions. No Government member can explain why there has been no release of all the documents, no full chronology of events, when this was the obvious way to stem the flood of adverse publicity.\textsuperscript{12}

At times, the journalists' reactions bordered on frustration. For example, in late April the \textit{Australian's} Sydney bureau chief, Jeni Cooper, and its deputy editor, Chris Mitchell, wrote to Greiner, Moore and Metherell seeking responses to specific questions.\textsuperscript{13} The Moore letter highlights the frustration journalists were experiencing in trying to cover this story. This was reflected in the second paragraph, which states: "Please excuse the formality, but we have been unsuccessful in contacting your media advisor."\textsuperscript{14} When these questions were not answered, the \textit{Australian} published a front page story which was highly critical of Moore.\textsuperscript{15}

Journalists criticised Moore for his early decision not to talk to them, and when he did ultimately respond to media pressure and hold a press conference to apologise to the people of NSW, to accept responsibility for the appointment, and to answer questions, they continued to criticise him.\textsuperscript{16} Ultimately journalists were assisted by Clover Moore's decision to

\textsuperscript{12} ibid.
\textsuperscript{13} The questions to Moore were: "What rebuttal can you provide to the allegations that Dr Metherell's job was an inducement for him to leave Parliament? You have said negotiations with Dr Metherell took two months. During this period, the Government's Timber Industry (Interim Protection) Bill was debated in Parliament. Dr Metherell changed his vote on this after it returned amended by the Legislative Council. What connection does Dr Metherell's changed vote have to negotiations for his job? Although the Government has said Dr Metherell approached it for a job, how would you counter allegations Dr Metherell's job was conditional on his support for the Timber Bill? Was there any indication of a change in Dr Metherell's attitude towards the Government once negotiations had started? You said Dr Shepherd had a 1.5 hours discussion with Dr Metherell and was very impressed by his knowledge of environmental issues. When did this discussion take place? Was the Premier informed of this discussion? Was Professor Niland told? How important was the discussion for Dr Metherell's job application?" Letter, Chris Mitchell and Jeni Cooper, to Tim Moore, April 23, 1992.
\textsuperscript{14} ibid.
\textsuperscript{15} J. Cooper, "Bribe query on Metherell vote," \textit{Australian}, April 24, 1992, 1-2.
\textsuperscript{16} See, for example, J. Ferrari, "Sorry Moore admits making bad judgments," \textit{Australian}, April 24, 1992, 1; B. Turner, "Greiner to give key evidence on Metherell," \textit{AFR}, May 18, 1992, 9.
release to them information about the appointment process that the Premier had given her, rather than a decision of the Government.

The frustration of journalists was also reflected in their early coverage of Metherell’s holiday in Vanuatu. When their requests for interviews were turned down they nonetheless published photographs of the Metherells in holiday mode and wrote stories which highlighted his reluctance to be interviewed and the luxurious nature of the resort. They also criticised him for hiding behind his status as a public servant.

Whereas the media clearly found its role difficult, even frustrating, during this first period, its task in the second stage was clearly aided by the decision to have the ICAC conduct the inquiry. This helped journalists in a number of respects. Firstly, because of the ICAC’s quasi-judicial status, witnesses would in effect be captive of the process. They would be obliged to answer questions put to them by the Commissioner, counsel assisting the Commission or counsel representing a particular witness under risk of appearing evasive. Journalists would have been aware that once the inquiry was established, ultimately the detail surrounding the appointment would be extracted and that they could sit back whilst lawyers asked the difficult questions which the MPs had hitherto been able to avoid. Second, journalists were allocated seating in the hearing room and in the adjacent media room. This enabled them to observe the

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inquiry and the witnesses first-hand. Third, journalists were helped by Temby's decision to allow them access to exhibits and other documents, including transcripts. This meant that much of the detail was readily accessible and therefore able to be incorporated into or used to write news stories and analyses of the Metherell affair. Whilst the change of venue took much of the pressure off journalists and media organisations – in terms of unveiling the detail of the story - they still pursued a watchdog role through their coverage of the inquiry.

In the final stage, which began with the release of the first ICAC report, the media's role changed again. During this stage, the number of stakeholders increased. Obviously notions of accountability and responsibility required that Greiner and Moore (and the other witnesses) respond to Temby's findings. However given the potential consequences that could follow from Temby's findings, including the loss of the premiership or government on Greiner's part, the media was obliged to seek comments from others, including the Opposition and the non-aligned Independents. As such, the media's role was more proactive during this stage.

As argued in chapter 3 (see Figure 3.1) all of these groups and individuals were well placed to relay their views to the media. Greiner and Moore had institutional resources at their disposal because of the political positions they held (as Premier and Minister respectively). Positions of office aside, however, they, like Metherell, would have been pursued by the media because of their involvement in the appointment (prominence) and the potential consequences thereof. The Opposition, Independents and minor parties were drawn into this issue through their constitutional obligations to hold the Government to account for its actions and because of the 'benefits' they stood to gain in the event of there being a change in government.

19 In fact, at one stage whilst he was giving evidence, the Premier was asked by counsel for Metherell, whether he was dissembling. See transcript, May 21, 1992, 716.
Attitudes towards the appointment

From the outset, it was clear that journalists, like the editorial writers, were overwhelmingly critical of the appointment. Whilst they conceded that the appointment would enable the Government to win back Davidson, they also argued that it would be at the cost of Greiner’s integrity. In fact, the journalists were almost unanimous in describing the appointment as “poor politics”. The only early indication of support, and qualified at that, came from the two national dailies – the *Australian* and the *AFR*. Writing soon after the appointment was announced, Errol Simper and Padraic McGuinness separately conceded in the *Australian* that the decision to appoint Metherell to the EPA may have been politically astute.²⁰ *AFR* journalist Prudence Anderson described the appointment as “a political coup” because it had removed “a wild card from the hung Parliament”.²¹ However Anderson was later critical of the appointment.

The only unequivocal defence of Greiner (and the appointment) was written by a political scientist, Malcolm Mackerras, and published in the *Australian*.²² Mackerras argued that whilst Metherell retained the legal claim to Davidson, he had foregone any moral claim to the seat when he resigned from the Liberal Party.²³ In fact Mackerras contended that Metherell had “confiscated” the seat from the Liberal Party and given it to the non-aligned Independents.²⁴ Because of this, he argued:

²⁰ Whilst bemoaning the cynicism involved and pointing out that Greiner’s reputation had been tarnished by the whole affair, Simper described the appointment as “a quite clever way to reclaim an errant seat”. See E. Simper, “Nick’s good intentions lost on path to hell,” *Australian*, April 14, 1992, 11. McGuinness questioned whether Greiner should be described as “an enormous fool or a subtle Machiavelli”, concluding that he may have been astute because he had “thoroughly discredited Metherell” and destroyed his political career in the process. See P.P. McGuinness, “Outcry over Metherell move puts principles to test,” *Australian*, April 15, 1992, 11.


²³ ibid.
Greiner gave Davidson voters a chance to right the wrong. Greiner gave Metherell a job, but Metherell gave Greiner nothing. He did, however, give Davidson voters a chance to elect a legitimate member.25

None of the other journalists or commentators were prepared to openly countenance the appointment or acknowledge that it may have been an astute decision on the Premier’s part. Matthew Moore described the appointment as a “breathtakingly arrogant deal”.26 Moore said the appointment showed that Greiner had “learnt nothing” from the public outrage generated by previous political appointments which he had attempted and the consequent loss of his majority at the 1991 election.27 He said the appointment was: “... proof that at the end of the day Mr Greiner is just like the rest of them - he’d sell his grandmother if he thought it might keep him in power”.28

Writers from the other newspapers adopted a similar approach. Simper said the appointment: “...mark[ed] a cynical end to Greiner’s being somehow different” and therefore the Premier must forfeit any sympathy he gained when Metherell walked out of the Liberal Party the previous October.29 Cooper described the appointment as “cynical politics at its worst,” and said it reflected a “combination of arrogance and ... stupidity”.30 Like Coultan and Moore, Cooper said Greiner had shown he was: “so desperate to hang on to power he is willing to do anything”.31 In fact she said Greiner’s actions showed that he: “could get down in the

24 ibid.
25 ibid.
26 M. Moore, “Greiner’s latest arrogance proves he is just a slow learner,” SMH, April 13, 1992, 2.
27 ibid. The Government’s poor showing at the 1991 election was highlighted by other commentators. See for example, Peter Bowers, “Blind spot leads to slip in the bog,” SMH, April 14, 1992, 2.
28 M. Moore, “Greiner’s latest arrogance,” SMH, April 13, 1992, 2. A similar view was expressed by Coultan, who said the appointment: “... adds to the impression that he will do just about anything to hold onto power”. See M. Coultan, “Greiner gambles and plays with fire,” SMH, April 15, 1992, 4.
29 E. Simper, “Nick’s good intentions lost on path to hell,” Australian, April 14, 1992, 11.
30 J. Cooper, “Gutter politics turns Nick’s name to mud,” Australian, April 14, 1992, 1.
31 ibid.
gutter with the worst of them.”

DTM journalists David Ikin, Linda Morris and Jason Offord described the appointment as involving a: “staggering misjudgment of both the shelf life of the story and the public reaction to the latest in a string of jobs-for-the-boys appointments.”

Writing in the AFR, Jenni Hewett described the appointment as “too smart”. However Anderson said Greiner stood to realise “his sweetest political victory” when Parliament resumes. Further, she argued, Government MPs were “barely troubled” by the public outrage over the appointment. She said: “Most of them see the appointment as a pragmatic strategy to restore their numbers in Parliament.”

Metherell criticised

One of the major criticisms of the appointment was the fact that Metherell was the beneficiary. Journalists reported that Metherell was held in low regard, not only in the community, but also in political circles. According to McDougall, he was “despised on both sides of politics”. The newspapers ran criticisms of Metherell from a range of people, including voters in his former seat of Davidson, members of the EPA board, including the chairman, Professor Niland, spokespeople from environmental groups and, perhaps more significantly, members of the Premier’s own backbench. There were also reminders of

32 ibid.
36 ibid.
37 ibid.
Metherell’s record as education minister, his taxation offences and subsequent resignation from the ministry, and his outbursts against the Government’s policies, particularly Greiner’s leadership since resigning from the Party. 42

The anti-Metherell sentiment amongst journalists was summed up in the view that he would, or should, lose his job as a result of the legislation proposed by the Opposition and Independents. Reflecting the first view was Ikin, who believed that the legislation would be passed. 43 Other journalists argued that even if he did keep the job he did not deserve it. 44 Despite this, a small number of journalists acknowledged that Greiner’s task was not an easy one. For example, Anderson said that there was a “high risk” in any decision to use Crown privilege and sack Metherell without compensation:

Seventeen days ago, the Government’s Executive Council advised the Governor to appoint Dr Metherell to the Premier’s Department because he was the best man for the job. Mr Greiner can hardly return to Government House seeking the Royal Prerogative to dismiss his own appointee on the ground that he has become an embarrassment. He faces the prospect of either supporting Opposition legislation to annul the appointment (which he has already admitted was a grave error) or arguing against it by defending a man he has already asked to resign – and a process which senior members of his own party have condemned as tactically naïve. 45

However Anderson did suggest that Greiner could be influenced by notions of revenge. 46 Coultan also acknowledged the difficulty confronting Greiner: (1) If he made Metherell apply for the position and he won it, there would be an outcry that the appointment process was a sham; (2) if he applied for the position but was unsuccessful, people

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44 See, for example, M. Moore, “Greiner’s latest arrogance,” SMH, April 13, 1992, 2; P. Anderson, “Can Greiner afford the electoral costs,” AFR, April 16, 1992, 5.
would claim that he did not deserve to be appointed in the first place; (3)
if he terminated the appointment and paid Metherell out, he would be
accused of wasting $110,000 in taxpayer money and getting nothing in
return.47 Further, he could allow Parliament to cancel the appointment
and deny Metherell compensation, “as many ministers were secretly
hoping this week”.48 According to Steketee, the Government’s best but
least likely option would be for Metherell to agree to the appointment
being cancelled and for him to forgo any entitlement to compensation.49

Greiner’s role condemned

Whilst journalists were clearly angered by the fact that Metherell had
been appointed to such a position, of perhaps greater moment in their
opinion was the Premier’s involvement. Much of the journalists’
criticism was directed at Greiner’s decision not to take his Cabinet
colleagues or advisers into his confidence before approving the
appointment. Cooper said the appointment showed that Greiner and his
advisers had not learned from the 1991 election result.50 One of the
hardest critics was Matthew Moore, who said that Greiner: “is either not
taking any political advice; or the advice he is taking is defective”.51
Steketee said the Metherell appointment showed that Greiner needed to
surround himself with “strong political advisers” and to consult more
widely.52 According to Matthew Moore, none of the Premier’s key

46 ibid.
47 M. Coultan, “Greiner’s Metherell mess won’t just go away,” SMH, April 18, 1992, 12.
48 ibid.
49 M. Steketee, “Metherell mess shows up Greiner’s failings,” SMH, April 21, 1992, 8.
50 She said the Liberal Party had warned Greiner after the election that the Government’s poor
showing had partly been caused by the Kathryn Greiner and Neil Pickard appointments. See J.
Cooper, “Gutter politics turns Nick’s name to mud,” Australian, April 15, 1992, 1.
52 He said that Greiner’s failure to consult his Cabinet or even his wider circle of advisers
suggested that he had little faith in them. He said: “If Greiner had consulted more widely, the
political dangers inevitably would have become apparent. If he keeps ignoring such basic
precautions, the only conclusion is that he has a political death wish. See M. Steketee,
“Metherell mess,” SMH, April 21, 1992, 8.
advisers - Hooper\textsuperscript{53}, Jones\textsuperscript{54} or Sturgess\textsuperscript{55} - had been consulted about the appointment. Said Moore:

The Metherell affair is remarkable as much as anything for what it shows about the way Greiner runs his office ... With a deal as sensitive as this one, all the possibilities must be considered, including a possible escape route should things go wrong. No such consideration ever took place.\textsuperscript{56}

The \textit{DTM} said that "Liberal Party chiefs [were] furious that the EPA job was offered to Dr Metherell without consultation."\textsuperscript{57} Anderson said this lack of consultation was one of Greiner's perceived weaknesses.\textsuperscript{58} Other newspapers also highlighted the criticism the appointment attracted within the Coalition.\textsuperscript{59}

Journalists quickly seized on, and were critical of, the timing of the appointment.\textsuperscript{60} Writing in the \textit{Australian}, Nick Richardson said that the timing of the announcement was a "familiar ruse" of the Greiner Government and pointed out that a similar tactic had been employed the

\textsuperscript{53} Hooper had originally been appointed as Greiner's senior press secretary, before moving to chief of staff in 1990. In an implied criticism of Greiner and of the Government's attempts to handle the fallout of the appointment, Matthew Moore said that Hooper had been on holidays when the announcement was made "and has been on holidays ever since". He also said that since his appointment as chief of staff, Hooper had "gradually become isolated from the big decisions and no-one has taken his place". See M. Moore, "Premier Bumble and the feral MP," \textit{SMH}, April 25, 1992, 33, 36.

\textsuperscript{54} David Jones was Greiner's senior press secretary at the time of the Metherell affair.

\textsuperscript{55} Gary Sturgess had been with Greiner since opposition. When the coalition won government he was appointed director general of the Cabinet office.

\textsuperscript{56} Moore criticised Greiner for confining his discussions to Tim Moore and Hazzard: "Had Greiner discussed frankly the idea with almost anyone else in the entire party ... he was guaranteed of hearing a contrary, cautionary view." He said that Greiner either did not want to hear such a view or that he had no-one with whom he felt he could discuss the issue. See M. Moore, "Premier Bumble and the feral MP," \textit{SMH}, April 25, 1992, 33, 36.


\textsuperscript{59} See, for example, N. Richardson and J. Ferrari, "Greiner faces party grilling over Metherell," \textit{Australian}, April 22, 1992, 1; N. Richardson and E. Hannan, "Backbench anger may thwart plan to prop up Greiner," \textit{Australian}, April 27, 1992, 1; M. Coulton and L. M. Garcia, "Greiner under heavy fire," \textit{SMH}, April 14, 1992, 1; M. Coulton, "Greiner battles to survive crisis," \textit{SMH}, April 22, 1992, 1.
previous year when the appointment of the Premier’s wife to the Board of the NSW Electricity Commission (Elcom) had been announced. The SMH’s Matthew Moore also reminded readers of the timing of the Elcom appointment. Journalists also said that media organisations were given very little warning of the press conference or its content.

Justification rejected

The Government’s attempts to justify the appointment were widely reported, and rejected, in the general news and opinion columns. Ikin said that while the appointment seemed “the perfect political equation and Greiner was selling it as such, it threatens to backfire on him”. He pointed to the voter disquiet it had generated, and questioned whether the appointment would be beneficial to the environment as the Government had argued. Journalists argued, as did the Opposition and the non-aligned Independents, that the appointment represented a breach of the Premier’s promise that he would eschew jobs-for-the-boys. In fact

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61 According to Richardson, the Kathryn Greiner appointment had been announced on a Friday evening only minutes before the television news bulletins had gone to air and after the majority of journalists had left the press gallery. See N. Richardson, “Cynical timing Greiner’s stamp,” Australian, April 14, 1992, 4. Journalists said the appointment had been deliberately timed to coincide with the by-election for former Prime Minister Bob Hawke’s seat of Wills. They said the Government was hoping that any adverse publicity which the appointment attracted would be muted in the Sunday newspapers because of by-election coverage. See B. McDougall, “The big deal,” DTM, April 18, 1992, 21-22; L. Boylen, “Caught by the traps of power,” AFR, June 22, 1992, 17.

62 See also L. Boylen, “Caught by the traps of power, AFR, June 22, 1992, 17.

63 B. McDougall, “The big deal,” DTM, April 18, 1992, 21-22. Whilst the inquiry was told that journalists were advised of the press conference on the Friday evening, according to McDougall, the newspapers were told at 7.30 am on the Saturday morning. He said that media organisations were told by Tim Moore’s staff that it was a “major press conference” which would “decide the fate of the Government”. However, McDougall said that when journalists checked with the Premier’s office, they were told that nothing of importance was scheduled for that day.


65 Ibid.

none of the journalists publicly accepted Greiner’s claim that whilst the Metherell appointment was political, it was not a job-for-the-boys.

The Government also had difficulty convincing journalists that Metherell was “impeccably qualified” for the position, as both Greiner and Moore had claimed. Matthew Moore, for example, described this argument as “drivel” and “insulting”.67 Nor did journalists accept the argument that Metherell could not be expected to apply for the job normally and receive fair treatment. Instead, the DTM and the SMH ran stories quoting other disgruntled applicants for the generic positions advertised on March 14, whom they said had been unfairly treated.68

When Greiner announced that the EPA position would be advertised and that Metherell would have to compete against others for it, the media described his decision as a backdown”,69 and a “face saving exercise” which was intended to reassure Upper House MP Fred Nile.70 There was criticism of the fact that Metherell would still be entitled to his position in the Premier’s Department.71 Matthew Moore said that whilst the Premier had taken the only action open to him, he had “abandoned the unsaleable for the unknown”.72 He said that the Government would bleed until the next election if it was obliged to pay Metherell $110,000 a year for doing no work.73 Steketee said the best scenario from the Government’s point of view was if Metherell acknowledged his debt to the Liberal Party and

71 See, for example, M. Moore, “A human hand grenade,” SMH, April 20, 1992, 1.
72 ibid.
73 ibid. See also M. Steketee, “Metherell mess shows up Greiner’s failings,” SMH, April 21, 1992, 8.
walked away from the job, forgoing his rights under the contract.74 However he said that because Metherell was not likely to do that, Greiner should break the contract. Whilst he said such an option would be personally unpalatable to Greiner, it was the best politically. Anderson argued that Greiner had created a “political Frankenstein” with the appointment and questioned whether the Government could afford the potential electoral costs.75 She said there was “zero political capital” for Greiner in retaining Metherell’s “sinecure”.76 Later she said that Greiner had “failed to regain some initiative by forcing Metherell to resign”.77

The media also criticised Jones’ claim that Metherell had been appointed to the position after he responded to an advertisement and was interviewed by Humphry. Writing in the DTM, Sophie Scott and Bruce McDougall described Jones’ claims as “startling” and said he had “started a fresh storm”.78

When the detail surrounding the appointment process was released, journalists focused on the date of the letter (April 10), and its proximity to the press conference, the fact that Metherell had applied for the job whilst still an MP, after the advertising closing date (April 3) and while he was “voting on legislation”.79 In particular journalists seized on the Timber Bill and the fact that Metherell had supported the Government on this legislation at a time when he was negotiating over the EPA position.80

74 M. Steketee, “Metherell mess shows up Greiner’s failings,” SMH, April 21, 1992, 8.
76 ibid.
78 S. Scott and B McDougall, “Ad that hooked Metherell,” DTM, April 21, 1992, 1.
80 See, for example, B. Turner, “Greiner to give key evidence on Metherell,” AFR, May 18, 1992, 9; “Greiner to give evidence,” AFR, May 21, 1992, 9; J. Cooper, “Bribe query on Metherell vote,” Australian, April 24, 1992, 1; J. Ferrari and N. Richardson, “Amendment support dropped at 11th hour,” Australian, April 25-26, 1992, 4; N. Richardson, “ICAC must
They also quoted environmental and industry sources and the Opposition who said that Metherell had unexpectedly changed his position on the Bill at the eleventh hour, voting with the Government instead of in support of his own amendments, after telling people only two hours earlier that he was not prepared to change.\footnote{See J. Ferrari and N. Richardson, "Amendment support dropped," \textit{Australian}, April 25-26, 1992, 4.} However they did acknowledge that this may not have involved any impropriety on his part. According to Matthew Moore, whilst the proximity of the negotiations and the voting on legislation “has raised a series of suspicions”, Metherell’s decision to support the Timber Bill “may well have been the result of normal political compromise”.\footnote{M. Moore, “Premier Bumble and the feral MP,” \textit{SMH}, April 25, 1992, 33, 36.} Similarly, Richardson said:

> Whilst it is unlikely that anyone would be able to prove that Terry Metherell’s vote was ever swayed by the $110,000 a year job offer ... it is an issue the Independent Commission Against Corruption will have to investigate.\footnote{N. Richardson, “ICAC must examine Metherell timber vote,” \textit{Australian}, April 27, 1992, 1.}

Like Moore, Richardson pointed to the realities of politics, particularly involving a hung parliament. He said: “In a hung Parliament, lobbying Independents on legislation is vital and changing a politician’s mind in such circumstances is as desirable as it is likely.”\footnote{ibid.}

The inquiry

When Commissioner Temby announced that the ICAC would conduct the inquiry, journalists warned of the dangers to Greiner and the Government. According to Mark Coultan, Temby’s announcement that ICAC should conduct the inquiry: “must have hit the Premier like a

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\footnote{E. Jurman, “Metherell still did it his way,” \textit{SMH}, April 23, 1992, 4.}
hammer”. He likened Temby’s decision to “chopp[ing] off with one hit the hand that had created him”. Matthew Moore said the Government would find how difficult it is to recover from such inquiries: “There is inevitably damage; the question is how much. Greiner and others will find that the image of walking into the corruption hearings will bleed the Government.” Moore said it was the “symbolism” of an appearance before the ICAC, which would wreak so much damage on the Government:

[Day after day, senior ministers from the Premier down will be forced to turn up at the corruption commission, of all places, to answer questions and provide documents to prove they did not offer Dr Metherell an inducement to resign his seat in Parliament.]

Moore said that having the ICAC conduct the inquiry was “probably ... the worst result possible,” for the Government. According to Coultan, the difficulty for Greiner was that his integrity would be on trial at the ICAC. This was highlighted in the media’s coverage of Greiner’s appearance at the ICAC.

Greiner’s appearance and attempts at justification criticised

In their coverage of Greiner’s appearance in the witness box, the media were overwhelmingly critical. The SMH’s lead headline read: “Greiner: I don’t recall.” Underneath was a sub head “20 blanks at ICAC inquiry”. The Australian, which had tended to be more conservative in its headlines during earlier coverage of this issue, led with “Greiner fails to

89 ibid.
92 ibid.
counter Metherell". The DTM's headline was "Greiner tells ICAC I can’t recall a thing," while the AFR’s main headline was "Long queues to share Greiner’s forgettable day".

The journalists focused on Greiner’s performance. According to the AFR: 
"While in the witness box, Mr Greiner gave a game, slightly ironic, performance; but his words filtering over an intercom to a packed media room bore little of his apparent confidence." It said the Premier’s lack of recollection “contrasted with Dr Metherell’s meticulous note-taking and exact recollection in the box”. The SMH said that the Premier had "failed to recall key parts of his involvement in the appointment". It also compared Greiner’s non-recollection with Metherell’s evidence, with Coultan saying that this left the Premier in a "surprising and unfortunate position." Whilst Coultan acknowledged that a person in Greiner’s position could be forgiven for not remembering the content of a telephone conversation made two months previously, it had been the first telephone call between the two since Metherell had “stormed out” of the Government. He also said that Greiner’s credibility had been damaged by his comments to journalists during his April 11 press conference and by his public claims that he believed Metherell to be capable of treachery.

In its coverage of the March 9 telephone conversation, the DTM suggested that Greiner had “risked his own credibility and asked much of the credulity of others.” According to Farr, the Premier had:

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96 ibid.
97 ibid.
100 ibid.
101 ibid.
He said that whilst this did not render the Premier’s testimony false, it “does make it extraordinary”. Further:

There can be no suggestion the Premier lied under oath and nor could he have been expected to make up bits of chatter to cover the blanks. But it meant he could not reject Dr Metherell’s version of the conversation. Mr Greiner’s lack of recollection must be accepted as genuine, but that does not reduce the damage his admissions under prompting will cause his standing.

Labelling the conduct

There was little discussion in the general news and opinion columns before the release of the first ICAC report that the conduct of Greiner, Moore, Metherell, Hazzard or Humphry was corrupt. Journalists covered the Opposition’s claims that their conduct could amount to bribery under the Common law, or was contrary to the spirit of the PSM Act. They also highlighted the significance of the agreement between the Government and the non-aligned Independents which would see the latter support the former except in situations involving gross maladministration or corruption. And they covered Greiner, Moore and Metherell’s denials of suggestions that their conduct was immoral,

103 ibid.
104 ibid.
105 ibid.
illegal or corrupt. But there were no suggestions from journalists in their pre-inquiry stories that they considered the appointment to be anything but poor politics.

However the release of the ICAC Report provided journalists with an opportunity to respond to the finding that the appointment was ‘corrupt’. One of the first to do so was DTM journalist David Evans:

"I do not accept that Nick Greiner is guilty of corruption. Of arrogance, yes. Of cupidity, of course. Of opportunism, certainly. Of expediency, without doubt. But not corruption."

He said that Greiner’s conduct would: “not even rate as a tremor on the Richter scale of seismic corruption”. Writing on the eve of Greiner’s resignation, the SMH’s Norington said no reasonable person would think of Greiner as corrupt in a criminal sense. Smark adopted a similar view:

"It’s true that Nick Greiner has done nothing criminal; that he’s not corrupt in terms of what most of us understand by that word. If, when he has gone, the tag of corruption stays tagged to his name, it will be most unjust. But that has very little to do with the current circumstances, sadly for him."

Louise Boylen, in the AFR, was harsher. She said that whilst the whole affair could be likened to a “Greek tragedy”, it was about corruption in its various guises:

"Not just corruption in the old-fashioned sense of political kickbacks for favours done or handing out public service jobs to reward"

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111 ibid.
113 P. Smark, “Now’s not the time to tame the ICAC,” SMH, June 24, 1992, 15.
political friends and remove inconvenient rivals. It is also about how power corrupts the integrity of politicians and blurs their judgment.114

Displaying the lack of sympathy extended to Greiner by journalists, McGuinness said that virtue was his undoing. He said that the certainty of his own good intentions had allowed Greiner to become careless as to his observance of his own standards:

"In fact a certain humility and awareness of one’s own corruptibility are necessary if transgressions are to be avoided. Arrogance about their own moral rectitude can lead politicians to do things which are improper simply because they believe that if their motives are pure any actions are justified."

According to McGuinness, this "moral arrogance" was evident in the Government from the outset and, like other journalists, he pointed to the previous examples of jobs-for-the-boys and the perception that if he, Greiner, did something it was somehow different, that is more acceptable, than if someone else did it.116 McGuinness said that Greiner:

"[C]ould not see that the end did not justify the means, even if the end was the continuation of the high standard of government administration for which he is rightly praised."

However McGuinness also focused on the realities of politics, when he said that this sense of superior virtue was also reflected in the "absurdly wide" definition of corrupt conduct written into the ICAC Act.118 He said this definition was incompatible with everyday political life within a

116 ibid.
117 ibid.
118 ibid. A similar view was expressed by Malcolm Mackerras, who argued that Temby’s findings were really only “political opinions” which had the ability to become public opinion. Mackerras argued that Temby’s report ignored the fact that the political process “inevitably involves the making of deals” and recognises political parties. See M. Mackerras. “Moralising from a legal monastery,” Australian, June 20, 1992, 2.
democracy because it captured the ordinary horse trading and exchanges, the deals and compromise.\textsuperscript{119}

\textbf{Greiner's leadership under threat}

Despite their reluctance to label the appointment as 'corrupt' journalists nonetheless believed that the use of this descriptor made his position untenable. Discussion of Greiner's leadership did not begin with the release of the report. There were a considerable number of early stories which discussed the chances of his leadership. Speculation was linked to various events, including the appointment itself, the by-election, the inquiry and, ultimately, the ICAC report.

Whilst most of the early stories were speculative, those published immediately after the report was released were more conclusive. They said the political realities meant that Greiner would not be able to retain the leadership and that if he tried to do so, would risk dragging the Government down with him.\textsuperscript{120} Coultan likened Greiner to a "boxer dead on his feet" and said it was unlikely he could survive, given that the label 'corrupt' would follow him around.\textsuperscript{121} Cooper said he would not be able to avoid the 'corrupt conduct' label, irrespective of how Parliament interpreted Temby's honesty and integrity comment.\textsuperscript{122} Coultan said it was unlikely Hatton would support a Premier who had been found to be corrupt.\textsuperscript{123} SMH colleague Peter Bowers used a similar analogy, describing Greiner and Moore as "dead men".\textsuperscript{124} It was also argued that he would not be able to implement key policies, including cuts to the size of the public sector workforce, without being criticised, or pursue his anti-corruption agenda with the same vigour.\textsuperscript{125} There was also focus on the possibility

\textsuperscript{119} McGuinness, "The best failed leader," \textit{Australian}, June 24, 1992, 1, 4.
\textsuperscript{121} M. Coultan, "Now it's in the hands of three," \textit{SMH}, June 20, 1992, 1.
\textsuperscript{122} J. Cooper, "Borrowed time for na"ive Nick," \textit{Australian}, June 20, 1992, 1.
\textsuperscript{123} M. Coultan, "Now it's in the hands of three," \textit{SMH}, June 20, 1992, 1.
\textsuperscript{124} P. Bowers, "Macabre dancing with wolves," \textit{SMH}, June 20, 1992, 34.
\textsuperscript{125} J. Cooper, "Borrowed time for na"ive Nick," \textit{Australian}, June 20-21, 1992, 1; D. Shanahan, "Federal fall-out not in interests of either party," \textit{Australian}, June 20-21, 1992, 3; E. Simper,
that there would be a federal backlash against the Liberal Party.126

Journalists argued that Greiner would resign to prevent a change of
government. In taking this approach, all four newspapers were able to cite
party strategists, sources, and party figures who suggested that his future
was limited, or that the party was divided over what action Greiner
should take.127 They also cited federal Liberal sources who indicated that
Greiner would resign instead of bringing his party down. 128 The AFR said
Greiner's survival depended on the ability of Yabsley and Murray to
convince the public that the ICAC findings do not matter.

Journalists rejected Greiner's interpretation of Temby's findings. DTM
journalist Malcolm Farr said that Greiner was "attempting to put off his
expected departure", was using "semantic arguments" and was engaged in
"desperate reasoning".129 According to Farr, Greiner had adopted this
approach because Temby had provided him with a loophole in the form
of his recommendation that Parliament should decide his future and that
of Moore. However he described Greiner's action as inappropriate:

[I]f the job for a seat deal with Terry Metherell was unwise, this
dogged and disruptive rear-guard campaign is stupid. While fighting
to the last drop of his credibility, Mr Greiner is re-writing the
generally accepted charter of the ICAC, his own creation, as a policer
of public standards, and is flaunting a disregard for the general
community. He is risking the stability of Government

"Greiner's fall from grace," Australian, June 20, 1992, 19; M. Coulton, "Now it's in the hands
of three," SMH, June 20, 1992, 1.
126 G. Kitney, "Worried Libs turn up the heat on Greiner," AFR, June 22, 1992, 3; "D.
Shanahan, "Federal fall-out not in interests of either party," Australian, June 20-21, 1992, 3; M.
127 See P. Anderson, "Can Greiner afford the electoral costs," AFR, April 16, 1992, 5;
"Metherell row revives leadership rumblings," AFR, April 22, 1992, 3; D. Ikin and L. Morris.
Ultimatum," DTM, June 24, 1992, 1;
128 G. Kitney, "Worried Libs turn up the heat on Greiner," AFR, June 22, 1992, 3; P. Anderson
and AAP, "Independents move to bring down Greiner," AFR, June 24, 1992, 1; G. Kitney,
"Hewson's tip to Greiner: Do the right thing, Nick," AFR, June 24, 1992, 5; M. Farr and S.
Hawkins, "Nick will put state first," DTM, June 24, 1992, 3; G. Milne, "Federal Libs see
quitting as only option," Australian, June 23, 1992, 2; G. Milne, "Hewson casts colleague
adrift," Australian, June 24, 1992, 1;
129 M. Farr, "ICAC is no disposable judgment," DTM, June 20, 1992, 4.
administration and reinforcing the cynicism many voters already hold towards their elected officials.\textsuperscript{130}

Farr argued that Greiner and Moore had been found corrupt within the meaning of the Act and said he believed Temby would have applied that label only "after deep consideration":

He did not intend his findings to become disposable judgments which could be discarded when found inconvenient. But Mr Greiner - tried to do just that, in one instance by making great play with the fact Mr Temby didn't say directly he should be dismissed.\textsuperscript{131}

Journalists also rejected Greiner's claim that he was only technically corrupt. For example, Steketee argued:

\textbf{[T]he broad definition of corruption in the legislation goes to the very heart of ICAC's purpose. And that was not only to uncover corrupt practices but to change the whole culture in NSW - to raise the standards of the conduct of public affairs. Some technicality.}\textsuperscript{132}

Another \textit{SMH} journalist, Peter Smark, rejected Greiner's claim that the report said he had acted with honesty and integrity. Smark said Temby had only indicated that that was how the Premier believed he was behaving.\textsuperscript{133} The \textit{SMH}'s legal correspondent, John Slee, described the Premier's response as "a straw [which had] been eagerly clutched at by Mr Greiner".\textsuperscript{134} Whilst he said the Premier's interpretation was "stretching it", it nonetheless provided a "foretaste of what probably lies ahead as this matter is finally resolved, not by what Mr Temby has said, nor by any legal process, but by the familiar numbers game of Parliament".\textsuperscript{135} Another \textit{SMH} commentator, Peter Bowers, said that in seeking to play down the significance of the report, the finding that their conduct fell short of

\textsuperscript{130} ibid.
\textsuperscript{131} ibid.
\textsuperscript{132} M. Steketee, "Honest Nick is still cool," \textit{SMH}, June 20, 1992, 1.
\textsuperscript{133} P. Smark, "It's really and truly time on the frail ship SS Integrity," \textit{SMH}, June 20, 1992, 8. See also Steketee, "Honest Nick is still cool," \textit{SMH}, June 20, 1992, 1.
\textsuperscript{134} J. Slee, "Temby treads a fine legal line," \textit{SMH}, June 20, 1992, 24.
\textsuperscript{135} ibid.
criminality had been "elevated from straw to life preserver". The DTM also sought the opinion of a legal academic, Prof. Tony Blackshield, who rejected the suggestion that Temby's finding was a technical one as "all fairly dishonest". Blackshield described as "high risk" the Government's decision to appeal the decision. Writing in the AFR, Anderson said the decision to appeal the finding had increased the risk that the Government would fall the next day when Parliament resumed to discuss the report. Boylen dismissed Greiner's call to be given a fair go:

Unfortunately for Greiner, politics isn't the game of the fair go. Commonsense is not always or even often the deciding factor when voters form opinions about their political leaders.

This response is interesting, particularly in light of Greiner's own 'nature of politics' argument which he had posited as a justification of the appointment. Boylen's argument was also taken up by a number of other journalists, including Anderson, who said that the ICAC report identified two standards of behaviour against which Greiner and Moore had been judged: (1) the political standard and (2) the jury standard. According to Anderson, the Government had forgotten "all its fond rhetoric" which accompanied the establishment of the ICAC four years earlier. She said that the ICAC Act contained "clear definitions of corruption as agreed to by Greiner's Cabinet in more confident times", and that Greiner had been found corrupt according to the political standard which was of his own making.

138 ibid.
142 ibid.
143 ibid.
Likewise, there was little support amongst journalists for Greiner's argument that Temby was seeking to impose new standards. Farr described Greiner's claim as "strange and strained".\textsuperscript{144} He said:

This means he considers the ICAC does not enforce standards, but establishes them, which will be news to most people in NSW who thought the Commission was there to catch those who broke existing rules. ... It is [the] failure in Mr Greiner's handling of public responsibility, not the qualities of his personal character, which has led to him being found corrupt. However his refusal to accept the consequences of his conduct is now also calling his character into question.\textsuperscript{145}

Steketee also took issue with Greiner's arguments regarding current and future standards of conduct. He said that whilst the Premier had raised the standard, and deserved the credit for doing so, he had also promised to "bring morality back into politics".\textsuperscript{146} Pointing to Greiner's own jobs-for-the-boys appointments, he said the Premier had failed to uphold or honour that promise.\textsuperscript{147}

**Decision to appeal questioned**

A number of journalists were critical of the Premier's decision to appeal the ICAC finding to the Supreme Court. Cooper questioned whether the decision would be seen as a cynical move by a party which no longer wanted to play by the rules it had devised. She highlighted the gulf between Greiner's 1988 claim that the definition of 'corrupt conduct' contained within the ICAC Act had been "carefully defined" and Michael Yabsley's response the previous day that it was an "absurd definition".\textsuperscript{148} Cooper questioned why, if the Act was so wrong in this regard, the definition had not been changed earlier and cited the case of the National Party's advice to the Government in the aftermath of the High Court's

\textsuperscript{144} M. Farr, "ICAC is no disposable judgment," *DTM*, June 20, 1992, 4.
\textsuperscript{145} ibid.
\textsuperscript{146} M. Steketee, "Honest Nick is still cool," *SMH*, June 20, 1992, 1.
\textsuperscript{147} ibid.
\textsuperscript{148} J. Cooper, "Cynical move to dodge 'monster'," *Australian*, June 22, 1992, 1.
decision in Balog that changes were necessary. She said that instead of launching a legal challenge, Greiner should stand on his economic record. However she said that he would pursue the legal avenue so as to attempt to clear his name of the 'corrupt' tag.

Cooper's argument, that having drawn up the rules the Government should now adhere to them, was also taken up by other writers. Steketee claimed that the Government was refusing to accept the umpire's verdict. He said the decision showed how "desperate he had become to hold onto power". According to Steketee, whilst the decision to appeal the finding might appease those supporters who believed that the Premier had been wronged, others would regard it as one legal view against another. "It would not change the mind of many ... that the Metherell appointment was outrageous," he said. Steketee built on this theme over a number of days. Arguing that Greiner had no option but to resign, Steketee said that if the Premier had not set such high standards, he would not now be a victim. He took the view, which was also expressed by Boylen in the AFR, that politics is not fair, and that the situation would not be made any fairer by Greiner's decision to appeal the finding. Thus journalists were able to distinguish between so-called political realities on the one-hand and the various legal options available to Greiner on the other.

Criticism of ICAC and calls for reform

In the aftermath of the report, there was considerable media coverage given to criticism of the ICAC and Commissioner Temby. All of the newspapers reported the reactions of the Deputy Premier, Wal Murray, the Tourism Minister, Michael Yabsley, former federal Liberal President

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149 Ibid.
150 Ibid.
151 M. Steketee, "Caught and bowled, but Nick stays at the crease," SMH, June 22, 1992, 1
152 Ibid.
153 Ibid.
154 Ibid.
John Valder and Liberal Senator Bronwyn Bishop. These were highly critical of the ICAC, and of Temby’s decision. Newspapers also published a media release from the Law Council defending Temby, and a statement from former Attorney General John Dowd, who was one of the architects of the ICAC. In fact journalists appeared supportive of the ICAC. Only two writers were scathing in their criticism - neither journalists. They were the executive director of the Sydney Institute, Gerard Henderson, and academic Malcolm Mackerras.

Amongst the journalists, however, there was a belief that the ICAC should be retained, although there was a widely held view that the Act needed to be re-written to bring the definition of corrupt conduct closer to the public’s understanding of that term. For example, the Australian published an article by retired Supreme Court judge and royal commissioner Athol Moffitt, calling for the ICAC to be stripped of its right to make findings of statutory corruption or for individuals appearing before the Commission to have the full rights they would receive in a court of law. Moffitt defended the rights of people, even those who helped set up the ICAC, to criticise its structure or its operations or to

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156 ibid; L. Boylen, “Caught by the traps of power,” AFR, June 22, 1992, 17.
challenge its decision, arguing that this was part of the democratic process. Moffitt himself was critical of the ICAC decision:

As a matter of logic and commonsense, one would have thought that if two persons were in breach of the same statutory element of corruption that each would be guilty or not guilty of corruption. Moffitt was referring to the fact that whilst both Greiner and Metherell were found to have been in breach of two of the classes of misconduct listed in s8, only Greiner was found to be corrupt under s9:

In my view, the matter in urgent need of review is whether the ICAC should continue to have power itself to make findings of what is not criminal but is labelled ‘corruption’ and if so what safeguards, including onus of proof, admissibility of evidence and rights of appeal, should be applied to the exercise of such a power now shown as capable of having such devastating consequences. Allied to this are questions concerning the definitions of ‘corruption’, the use of the word ‘corruption’ in respect of conduct which is not criminal or in breach of any law and the amendment of the unworkable s9(1)(c). Moffitt also warned that to wrongly label a person as corrupt could have lasting consequences, which could “damn and tag him forever”. This line was also taken up in the AFR by former Greiner staffer, Ian Kortlang, who had been criticised in an earlier ICAC report. A solution was proffered by the SMH’s Norington:

One way to distinguish between a criminal act and the kind of conduct which has put Mr Greiner’s future on the line might be to choose a word other than ‘corrupt’ to define conduct which is not criminal. So a political boo boo such as Mr Greiner’s might be defined legally as something less than corrupt; involving impropriety, wrongdoing or malfeasance.

163 ibid.
164 ibid.
165 ibid.
166 ibid.
The problems with the ICAC Act were highlighted even more once the Supreme Court decision was released. According to the AFR, this showed the Act to be unworkable when applied to the behaviour of ministers. But again, there was very little sympathy towards Greiner, with the AFR again pointing to the fact that he had “played a part in defining corruption within the Act”.169 Anderson was sympathetic towards Temby in light of the Supreme Court decision. She said the underlying problem confronting Temby was the absence of objective standards against which the actions of Greiner and Moore could be judged and that the whole thrust of the majority argument raised serious questions about whether such objectivity was appropriate or even possible.170 A similar view was expressed in the SMH by Matthew Moore, who said, “[W]ith no rules to quote from, and precious few precedents, this was always a major hurdle”.171 Moore argued that the objective standards “established and recognized by law” which the Court expected Temby to observe “don’t exist”.172 According to Anderson:

The entire mess suggests Mr Greiner and his Government should never have given ICAC an explicit obligation to decide matters of political dismissal and that such responsibility should be left where it belongs - with Parliament and the electorate.173

Moore said the Government’s task was to resolve the problem created by the Act and highlighted by the Supreme Court decision - namely that it creates two classes of individuals.174 On the one hand there were the majority - including public servants like Dick Humphry - who could be readily dismissed because there were clearly defined rules governing their behaviour. On the other hand, there were ministers who could only be

169 P. Anderson, “Greiner shouldn’t have given ICAC power over MPs,” AFR, August 24, 1992, 4.
170 ibid.
172 ibid.
173 P. Anderson, “Greiner shouldn’t have given ICAC power over MPs,” AFR, August 24, 1992, 4.
174 ibid.
dismissed under the "most extreme circumstances".\textsuperscript{175} This further highlights the problem identified in chapter 2, namely the difficulty involved in producing a definition of corrupt conduct that can be universally applied. According to Moore, the Government would be widely criticised if it tried to exempt politicians from the Act after all its promises that it intended to make them accountable.\textsuperscript{176} However he also acknowledged that it would be difficult to devise a set of rules that could be universally applied.\textsuperscript{177}

Norington agreed that the Supreme Court decision had left the ICAC's reputation looking "pretty tatty and its future no sure thing".\textsuperscript{178} However Norington, like others, said that getting rid of the ICAC would be "politically unpalatable".\textsuperscript{179} His solution was to let Commissioner Temby serve out the remaining two years of his term before deciding what to do with the Commission.\textsuperscript{180} However Norington conceded that change was inevitable, particularly with respect to the definition of corrupt conduct. He said that the range of conduct covered by the Act included not only criminal behaviour, but also "non criminal boo boos" like Greiner's.\textsuperscript{181} But like other journalists, Norington was not prepared to allow the Premier to escape without condemnation. He said: "And guess who, three years ago, made corruption an all embracing definition? Nick Greiner, that's who."\textsuperscript{182} David Evans, a clear critic of the original ICAC finding, also called for major changes to the Act, whilst acknowledging the need to retain the Commission.\textsuperscript{183} He said: (1) there was a need for the ICAC to be able to prove beyond reasonable doubt any allegation before it commences

\textsuperscript{175} ibid.
\textsuperscript{176} ibid.
\textsuperscript{177} ibid.
\textsuperscript{179} ibid.
\textsuperscript{180} ibid.
\textsuperscript{181} ibid.
\textsuperscript{182} ibid.
\textsuperscript{183} D. Evans, "The innocent must be protected," \textit{DTM}, August 22, 1992, 23.
a public inquiry; and (2) the procedures by which people were granted or refused legal aid should be reviewed.  

**Criticism of the media**

Perhaps not surprisingly in an issue of this magnitude, there was considerable criticism of the media’s coverage of the Metherell affair, particularly in the lead-up to and during the inquiry stage. The first criticism of the media was made by the Premier during the parliamentary censure motion, when he criticised journalists for misrepresenting his position on jobs-for-the-boys. He argued that they were adopting double standards by pursuing him on this appointment when they had ignored similar ones in the past. Greiner’s comments were reinforced by a separate statement from Clover Moore, who claimed to have been misreported over her intentions regarding the motion. The Premier was also critical of the media in his response to the Davidson by-election result. Whilst conceding that the Metherell appointment had contributed to the swing against the Government, Greiner also attributed the outcome to “unprecedented hype” by the media and the Opposition. Greiner’s comments inspired a defence from Richardson, who said:

> It will not be enough for Greiner to blame the media’s ‘hysteria’ and ‘bias’ for the public reaction to the Metherell affair as he did last week. Most politicians concede privately that blaming the media is a defence of last resort, regardless of the issue. It indicates, in this case, the draining effect the constant publicity had on the Government’s morale during the past two weeks.

Interestingly, however, not all journalists were prepared to defend the media’s early coverage of the issue. McGuinness questioned whether the media had correctly interpreted the level of public reaction to the appointment, arguing: “I at least have had some difficulty in descrying

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184 ibid.
185 *Hansard*, April 28, 1992, 2856.
186 ibid, 2888.
evidence of the kind of outraged public outcry which is asserted by most of the media to exist.”

McGuinness said there was a tendency for journalists to ignore policy issues and to focus on leadership challenges and elections:

Thus hundreds of thousands of words have already been written or spoken about the Metherell appointment, far more than has been written over the past six months, about the really important political changes which have been and are taking place in the NSW political system.

He further argued:

While the Metherell affair deserves condemnation, it is clearly very small beer beside the massive and virtually unreported political events which are taking place in the NSW Government and Parliament.

Criticisms of inquiry coverage

The early criticisms were, however, rather tame when compared with those to flow from the inquiry phase. The first formal complaint was raised on May 13 by David Rofe QC, representing Metherell. Rofe drew Commissioner Temby’s attention to comments published in that day’s SMH, Australian and DTM, and put to air on a television station the previous night and on radio that morning. Rofe complained that Mrs Greiner had described his client as a ‘drama queen’ whilst speaking at a

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190 ibid.
191 ibid.
public luncheon the previous day. He said that these comments "reflected upon my client" and that they may have been in contravention of s98(d) and (h) of the ICAC Act and thus may have constituted contempt of the Commission.

Rofe also drew the Commission's attention to remarks made on commercial radio that morning by a Sydney talk-back host, Alan Jones. He said that Jones' comments (which were not identified) represented "a most scurrilous attack on Dr Metherell [and] a most scurrilous and contemptuous attack on this Commission". It was a clever approach by Rofe because it sought to extend the fall-out of the interview beyond his client to the Commission itself. However clearly Commissioner Temby did not want the Commission's proceedings to be diverted by contempt proceedings against Mrs Greiner and/or media organisations, no doubt partly because of the publicity it would generate. After advising Rofe that he had asked for a transcript of Jones' comments, he gave a preliminary response:

I must say that from the Commission's viewpoint the greater the extent to which there is emphasis upon fair reporting and the lesser the extent to which there is emphasis upon speculation the better it will be, and of course the Commission will continue to do the job that Parliament has given it to do unaffected by such speculation. ... The time for debate about this hearing and the time for character assassination, if that is unavoidable, and given the nature of modern politics it is perhaps sometimes unavoidable, is after the report has been published, when everyone can judge what sort of job the

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192 ibid.
193 Transcript, 282.
194 ibid.
195 ibid, 283.
196 ibid. The Kathryn Greiner and Jones comments featured prominently in media coverage. See, for example, D. D. McNicol, "Mrs Greiner attacks appalling and flippant MPs," Australian, May 13, 1992, 1; "Kathryn attacks 'drama queen'," DTM, May 13, 1992, 1; B. Norington and J. Hole, "Mrs Greiner has a dig at 'drama queen'." SMH, May 13, 1992, 5. Both the DTM and Australian stories also featured a photograph of Mrs Greiner. Temby's response was also covered prominently. See B. Norington, "Mrs Greiner's attack rebuked by Temby." SMH, May 14, 1992, 4; D. Ikin, "Jones faces prosecution," DTM, May 14, 1992, 4; and K. Glascott, "Temby calls for report on Kathryn," Australian, May 14, 1992, 2. The SMH article included head and shoulder photographs of Mrs Greiner and Jones. The DTM headline was in capitals and spread over two pages. The story also included photographs of Mrs Greiner and Jones. The AFR did not report the initial comments or Temby's response.
Commission has done and can then carry on the debate one hopes on the basis of the findings that have been made following this hearing. 197

Clearly there was a message in Temby's warning for counsel, witnesses and the media. In fact Commissioner Temby further developed this argument later in the day when he responded directly to Jones' comments. He agreed that the transcript, if accurate, was "disparaging concerning Dr Metherell as a witness". 198 In response he suggested:

It's no entirely easy matter to come here and give evidence in a matter such as this for anybody and it becomes the more difficult if witnesses are faced with a running commentary and, in particular, a critical running commentary of their evidence, and so far as future witnesses are concerned if they observe that their predecessors or any of them have been subjected to that sort of critical running commentary or have, as one might put it, been dumped upon after they have left the witness box, that is bound to have a discouraging effect upon those witnesses and their capacity to give the Commission every assistance. 199

Whilst Temby appeared reluctant to openly chastise the media whilst the hearing was in progress, he did agree to defer making the transcript of Jones' comments an exhibit. This was to satisfy Rofe's concern that to make the transcript an exhibit would "have the effect of simply giving the media a wider opportunity or another opportunity to publish some of the remarks contained [therein]". 200

Criticism of the media intensified the following day in response to a front page headline in the SMH - "Greiner misleads ICAC". 201 The headline erroneously gave the impression that the Premier had been giving evidence before the inquiry. But that wasn't the case; the headline actually flowed from Gyles' statement to the Commission that Greiner would: (1) change his evidence to correct the date of his first meeting with Metherell;

197 Transcript, 284.
198 ibid, 399.
199 ibid, 400.
200 ibid, 401.
and (2) concede that the March 9 telephone conversation must have taken place despite the Premier having no recollection of the call or its content. The SMH story also claimed, erroneously, that the written statement had been sworn.\(^{202}\)

Not surprisingly, Gyles attacked the SMH story. He referred to the "media circus" that had taken place during the inquiry and described the SMH headline as "probably the high-water mark" of such coverage.\(^{203}\) Gyles said the headline was "so wrong as to be contemptuous and to be far more deserving of censure than some of the other matters complained of".\(^{204}\) He was clearly comparing the SMH headline to the complaints raised by Rofe the previous day regarding Mrs Greiner and Alan Jones.

Commissioner Temby again adopted a conciliatory role, describing the headline as "unfortunate".\(^{205}\) However whilst he suggested: "it may be that stronger language is called for, but I do not think it appropriate to use stronger language at this juncture."\(^{206}\) He did however respond to the use of the word 'contemptuous' in Gyles argument:

That would depend, I suppose, upon whether the word "misleads" necessarily carries the connotation of some deliberation and that's a matter which I don't propose to comment upon except to say that if the word carries such a connotation, then it could not justifiably be used at this stage of the hearing.\(^{207}\)

Again it appears that whilst Commissioner Temby was prepared to caution the media in a low key way, he did not openly side with counsel in their criticisms. Nor did he comment on the media’s coverage of Rofe’s complaints the previous day and his own responses thereto.

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\(^{202}\) This was an error committed by a number of journalists who wrongly suggested in their articles that evidence given before the Commission was sworn and therefore had a particular status, when it was not.

\(^{203}\) Transcript, 445.

\(^{204}\) ibid.

\(^{205}\) ibid.

\(^{206}\) ibid, 445.
For its part the media did cover Gyles' criticisms, albeit briefly.Whilst the SMH summarised Gyles complaints and Temby's response in five sentences, it devoted two separate stories that day to the media. One told of how ABC presenter Quentin Dempster had been instructed by management not to cover the Metherell inquiry after Metherell had revealed to the Commission that he had been given a copy of the diaries for safe keeping. The second story contained diary extracts which were critical of journalists. The Australian and DTM covered Gyles' comments briefly, and ran separate stories on Dempster. However, whereas the SMH tried to extend the complicity beyond itself to embrace other media, the Australian and DTM said that the criticisms were directed solely at the SMH.

The extent of the animosity between counsel and the media was highlighted on the final day of public hearings. Commissioner Temby had previously indicated that he would seek the views of counsel as to whether the hearing should be closed or not for final submissions.

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207 ibid, 446.
213 The decision to close the inquiry for final submissions provoked little reaction from journalists. The DTM published one article which suggested there was a "strong feeling" that Temby should have heard final submissions in public. See D. Ikin, "Open your doors to scrutiny Mr Temby," DTM, May 30, 1992, 22. The SMH's ICAC reporter, Brad Norington, also took up this call in a belated article. In an article published the day the report was handed down, Norington said that Temby's decision to hear final submissions in private threatened to undermine public confidence in the ICAC: "Closing the doors after the evidence stage meant that conflicting accounts given by witnesses about what occurred have lingered in the public mind. Furthermore, the public was deprived of the chance to know what focus would be put on very serious allegations which were levelled at some of the most senior politicians and public officials in the State." Norington said Temby had originally expressed his support for public hearings. He cited comments Temby made in 1990 when he appeared before the parliamentary committee on the ICAC: "You cannot expect the public to have confidence in an institution that functions behind closed doors. They do not know what it is doing, and they cannot be secure in the knowledge that they are not applying thumb screws or using other illicit methods."

According to Norington, Temby's decision to close the inquiry involved "a great leap of logic", although he did describe as "legitimate" his concern that the media would interpret the views of counsel assisting as indicative of what the final report would say. See B. Norington, "Muzzling the public's right to know," SMH, June 19, 1992, 11.
Despite arguing that they did not mind whether the hearing was closed or open to the public, most counsel seemed to have a preference for a closed hearing. For example, Lionel Robberds, QC, for Hazzard, said that his initial reaction was to argue for the submissions to be heard in public "to correct the media misreporting which has gone on". However he said that he had since changed his mind:

It is in the public interest that consideration of, and debate on, the report take place in an atmosphere which has not been poisoned by media reports which concentrate on what sells rather than on a proper analysis of what has occurred here. In its reporting to date of this hearing, the media with few exceptions has failed to analyse the effect of the evidence, instead it has concentrated on sensationalism.

In a particularly vitriolic attack, Robberds accused the media of focusing on "human qualities", namely the inability of people to recall "everything that has happened in one's life and [the fact] that all persons make mistakes"; and of incorrectly reporting that witnesses had "altered their sworn statements" when they "must have known that they were not sworn statements" (a direct reference to the SMH "Greiner misleads ICAC" story). He argued that the headline was unjustified and even claimed that "if a jury were called upon to consider it, it would award Mr Greiner a sum in excess of a hundred thousand dollars." He also accused the media of being "locked into a culture of commercially exploited voyeurism". Finally he argued that the public's attitude towards the final report could be influenced by media coverage of closing submissions:

The Commission's report should be a document to which the public of New South Wales will have regard. However there is a very real risk that before the report is published the minds of the members of the public will have been concentrated by the media not upon the

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214 Transcript, 935.
215 ibid, 935-36.
216 ibid, 936.
217 ibid.
218 ibid.
evidence but only upon the sensational reporting and that the
submissions of counsel assisting will be portrayed as if they were to
be the findings which the Commission will make.219

Robberds' argument is particularly interesting in light of the discussion in
chapter three - and raised again earlier this chapter - regarding the
informational/entertainment dichotomy. He also seems to be going
beyond the agenda-setting model proposed by McCombs and Shaw to
suggest that the media is capable of influencing what people think (not
just what they think about). His concerns were reiterated by counsel for
Humphry, Peter McClellan QC, who argued that a public interest
argument could be used to justify the hearing being closed for the
presentation of final submissions.220 He was in fact responding in part to a
SMH editorial that morning which called for the hearings to remain open
to the public and the media "in the public interest".221 The public interest
line was also pursued by counsel for Metherell, who argued that:

[T]he chief public interest ... is that there be an early report on the first
stage of the inquiry and that ... would be best served by minimising
the sensationalism that has been occurring in the media and by
reducing the temptation towards an adversarial approach in the
making of submissions.222

This also links in with the discussion in chapter 3 regarding a
responsible/irresponsible media, particularly the concerns expressed to
the Parliamentary Committee on the ICAC that to allow television
cameras into the hearing room could encourage theatrical responses from
counsel. Finally, Gyles said to Temby:

You will not be oblivious to the fact that the media reporting of these
events has over the past two or three weeks undoubtedly at least
endeavoured to foment instability [in government] which may not
be there.223

219 ibid, 937.
220 ibid, 938.
221 SMH, "Don't stop now, Mr Temby," May 25, 1992, 14.
222 ibid, 939-40
Temby rejected the argument posited by the *SMH* that under s31 of the Act, closed hearings should be the exception rather than the rule. In line with a fourth estate role, the *SMH* had argued:

> The hearing so far has been vastly beneficial to the public in providing a rare insight into the operations of government, Parliament and political parties. To close the hearing now would do little good. On the contrary, it would put at grave risk the confidence the public generally has in the fairness and independence of the proceedings of the ICAC. That is the real public interest Mr Temby should have regard to here - not an over-tender concern for the protection of a few political egos from further bruising.\(^\text{224}\)

However, the Commissioner rejected the *SMH*’s s31 argument, pointing out that the Act had been amended.

Perhaps surprisingly, there was no direct criticism of the media’s decision to publish large excerpts of the Metherell diaries, or Temby’s decision to allow their publication. This is rather interesting, given the highly personal nature of the diaries and the way in which two of the newspapers studied – the *SMH* and the *DTM* – both chose to highlight their contents by publishing extracts over four pages on two days. Significantly, the other newspapers also made use of the diary extracts for news stories and columns.

**Conclusion**

This chapter reinforces the findings of chapter seven, namely that the four newspapers were interested in the Metherell affair. And, with the possible exception of the *SMH* and *DTM*’s decision to publish large extracts of the so-called Metherell diaries, and criticisms of different aspects of various organisation’s coverage on a daily basis, it can be argued that the media’s coverage of this issue in the general news and opinion

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\(^{223}\) ibid, 942-3.  
\(^{224}\) ibid.
columns was responsible and in line with a watchdog or ‘fourth estate’ model.

The coverage of this issue in the news and opinion columns suggests that journalists were genuinely outraged by the appointment and felt betrayed by Greiner’s involvement therein, particularly in light of their interpretation of his earlier promises regarding political appointments. They were also highly critical of Metherell’s involvement.

In seeking to justify the appointment through the general news and opinion pages, Greiner really only had one champion – in the person of academic commentator Malcolm Mackerras. Whilst Mackerras pushed the fairness argument from Greiner’s perspective, journalists tended to look at the issue differently. They rejected Greiner’s ‘just politics’ defence, and they criticised him and the Government for its attempts to control or manage the issue. In the eyes of journalists, Greiner and Moore clearly failed the tests set by Dyer, McGraw and Bennett. They did not seize the early window of opportunity which would have allowed them to justify the appointment. When they did not get the information they were seeking, journalists painted the appointment process as secretive and a conspiracy. By the time the controversy had switched from the political arena to the quasi-legal arena (the ICAC) the media had built the issue up as a scandal which threatened to destroy the Premier and Moore and potentially even the Government.

In fact journalists used their own ‘political realities’ argument to reject the Government’s attempts at justification, particularly in the aftermath of the ICAC Report when they claimed that Greiner and Moore could not survive the crisis. Whilst accepting that Greiner and Moore were not corrupt in a criminal sense, or as the term is popularly understood, they nonetheless argued that the realities were such that the finding was politically mortal. That is, the Premier had betrayed the public trust – and the public expectations which had accompanied him into office – and
therefore the credibility which he relied upon to implement his political reform program had been undermined.

The responses of journalists to the labelling of Greiner and Moore’s conduct as ‘corrupt’ also highlights the difficulties outlined in chapter 2. In this case the journalists were able to distinguish between corruption which involved criminality and the particular requirements of the ICAC legislation. Whilst arguing that Greiner and Moore’s conduct did not fit popular (public opinion) definitions, they nonetheless tended to reject his ‘technically corrupt’ claim. As such, the journalists were able to distinguish between different categories of conduct and this was reflected in the calls for changes to the definition of conduct under the ICAC Act.

The coverage of the Metherell affair in the general news and opinion columns also reinforces Masterton’s argument that there are a number of key criteria which influence whether information becomes news. In this case, the underlying criteria were prominence, conflict, consequence and proximity. The importance of prominence was confirmed by the fact that the journalistic spotlight turned on Greiner and Metherell, and tended to overlook the roles of other players, with the possible exception of Tim Moore, of whom they were scathing. The focus on Greiner and Metherell also pointed to the reliance of journalists on conflict – in this case the relationships between Metherell and his former parliamentary colleagues (both friendships and their differing recollections of events relating to negotiations over the appointment). Perhaps more important, although difficult to distinguish from prominence and conflict, is consequence. Journalists devoted much of their coverage to different aspects of this, including the political outcomes (both in terms of a change of government and the loss of the premiership on Greiner’s part). There was also another theme which underpinned much of the journalists’ coverage of the Metherell affair, namely its impact on public faith in the system and in MPs.
Whilst arguing that the media’s coverage of the Metherell affair in the general news and opinion columns is responsible, it was also argued, in line with the discussion in chapter three, that the task confronting journalists was a difficult one, particularly during the first stage when the Government was reluctant to release information. However against that it can also be argued that the media’s task was relatively straight-forward during the second and third stages. In the second stage information was presented to the media; all it had to do was decide which to publish and which to ignore. Overall, there was very little difference between the newspapers, in terms of the issues covered, or the attitudes expressed. Generally there was unanimity amongst journalists, even from different media organisations.

Perhaps the one area of disagreement amongst journalists emerged following the release of the ICAC report and the finding that Greiner and Moore had acted corruptly. There were differences of opinion amongst journalists regarding the appropriateness of the ICAC’s finding. In many respects that may well reflect the differences of opinion that could be expected to exist in the broader community.

Finally, the criticism of the media from Greiner and counsel for other witnesses is not especially surprising. Given the consequences that potentially could flow from an adverse ICAC finding (and did ultimately flow), Greiner and others would be expected to criticise groups or individuals (including media organisations and journalists) who questioned or criticised the appointment or their behaviour therein.
Chapter 10

Letters to the editor analysed

Introduction

As the previous chapters have shown, the media was highly critical of the Metherell appointment and the Government's attempts to manage the crisis. This chapter extends the analysis of the Metherell affair to consider the reactions of letter writers to: (1) the appointment; and (2) the Government's attempts to sell it to the people via the media. The purpose is to determine whether there is any link between attitudes towards the appointment as expressed in editorials, news and opinion pieces and letters to the editor. That is, it questions whether letter writers are interested in, or at least driven to comment on, the same issues or themes as the journalists, commentators and editorial writers.

Letters to the editor columns perform a somewhat different role to editorials and news pieces. Like comment pieces, they are not constrained by the requirement for balance and objectivity. The only constraints upon letters to the editors are legal and, of course, content (that is the ability to contribute to the debate in a constructive or interesting way). Because of this – and the nature of the Metherell affair - it would be expected that the views published in the letters to the editor columns of the four newspapers will vary considerably, more likely to a greater extent than in the news and editorial columns of the newspapers.

In analysing the letters to the editor, this chapter adopts a slightly different methodology from that employed in chapters eight and nine. Given the focus on the role of the media in this thesis, the chapter begins by analysing the extent to which letter writers: (1) draw upon or respond to
journalistic contributions; and (2) engage in debate with other letter writers on this issue. This is by its nature a quantitative approach. The chapter then reverts to a qualitative analysis by exploring the treatment of major themes identified in earlier chapters by letter writers. As in earlier chapters, the focus will be on attitudes towards the appointment, including the labelling of Greiner and Moore’s conduct as ‘corrupt’, the attempts by Greiner and Moore to justify their roles therein, and the political consequences of the appointment. Once again, the chapter uses Masterton’s criteria of newsworthiness. Whilst these are traditionally employed by journalists, they can equally be used to analyse public attitudes towards the Metherell affair, and thus provide a basis of comparison for the conclusions drawn from chapters 8 and 9.

Influence of the media

According to research conducted by the ICAC, the media is the principal source of information about the Commission’s work for members of the public.¹ Later research has found, however, that whilst the media continues to be the most common source of information about the ICAC, there is a low level of recall amongst respondents.² This has led the Commission to conclude that “information gleaned by the public is often more impressionistic than detailed”.³ Significantly, this survey also found that the media has an anti-corruption role, thus reinforcing the perception that journalists and media organisations promote themselves. For example, when asked what an ordinary member of the public could do about corruption, 12 percent of respondents suggested that

¹ A survey conducted during November 1993 shows that newspapers and television were the major sources of information about the work of the ICAC for 79 percent and 78 percent respectively of respondents. This was followed by radio (40 percent). See ICAC, Community Attitudes Towards Corruption and the ICAC, Sydney, March 1994, 15, 34-35.
² The survey found that almost half the people surveyed could not recall any specific stories about the ICAC. See ICAC, Community Attitudes Towards Corruption and the ICAC, Sydney, 1994, 34-35.
³ ibid, 35. In a 1993 survey, 28 percent of respondents could recall media stories on the Metherell affair and in the 1994 survey the percentage had increased to 34 percent.
an appropriate response could be to ring, report, write to or go to the media, including writing a letter to the editor.4

<table>
<thead>
<tr>
<th>Total letters</th>
<th>Total articles</th>
<th>% difference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SMH</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>%</td>
<td>No.</td>
</tr>
<tr>
<td>145</td>
<td>49.48</td>
<td>374</td>
</tr>
<tr>
<td><strong>DTM</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>34.12</td>
<td>256</td>
</tr>
<tr>
<td><strong>Aust.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>15.69</td>
<td>243</td>
</tr>
<tr>
<td><strong>AFR</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>0.68</td>
<td>67</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>293</td>
<td>0.68</td>
<td>940</td>
</tr>
</tbody>
</table>

As Table 10.1 reveals, the Metherell affair certainly provoked interest amongst readers of three of the four newspapers studied – the *SMH*, *DTM* and *Australian*. The small number of letters published in the *AFR* is perhaps indicative of its different focus.5 Significantly, the percentage contribution of letters to the editor on this issue, compared with articles, was down in both the national dailies. Whereas the *SMH* published almost 50 percent of letters and the *DTM* nearly 35 percent, the *Australian* and the *AFR* published less than 16 percent and one percent respectively, a much lower contribution than their share of total articles.

Despite this, however, an interesting observation to make, particularly in the context of Masterton's newsworthiness criterion of proximity, is the origin of letters. As Table 10.2 (below) shows, whilst the overwhelming proportion of letters originated in NSW, there were a number written by readers in other states.5 This suggests that whilst the particular incident was focused on NSW, the issues being addressed were of much wider concern. In fact, a number of the letters on this issue which originated outside of NSW compared the

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5 Although it can be argued that the *AFR* tended to publish fewer letters in total on a daily basis than the other newspapers, even on business and finance matters.
Metherell affair with other incidents in those particular states.\(^7\)

There were also a small number which drew comparisons with incidents which occurred outside of Australia.\(^8\)

<table>
<thead>
<tr>
<th>Table 10.2: Origin of letters by State</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State</strong></td>
</tr>
<tr>
<td>SMH</td>
</tr>
<tr>
<td>DIM</td>
</tr>
<tr>
<td>AFR</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

As Table 10.2 shows, the overwhelming proportion of letters to the editor on this issue were from NSW. This is not surprising, as it reflects the state focus of the issue. What is significant, however, and perhaps reflects the strength of community concern about ethical issues involving MPs, is the fact that the Metherell affair did attract letters from correspondents in other states, particularly amongst readers of the *Australian*.

<table>
<thead>
<tr>
<th>Table 10.3: Identity of letter writers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SMH</strong></td>
</tr>
<tr>
<td><strong>No.</strong></td>
</tr>
<tr>
<td>Citizen</td>
</tr>
<tr>
<td>Political*</td>
</tr>
<tr>
<td>Prof.</td>
</tr>
<tr>
<td>Academic</td>
</tr>
<tr>
<td>Journalist</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

*This includes MPs, local government representatives, union officials, and people holding positions in political parties.

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\(^6\) It is difficult to say whether this indicates a wider interest in this issue (or corruption generally). It may be that the letter writers were expatriates who had maintained an interest in NSW political affairs.

As Table 10.3 shows, the letters to the editor columns were used mainly by members of the public to participate in the debate over the Metherell affair. Nearly 93 percent of published letters were from people who professed no political, professional, academic or journalistic interest in the issue. Of the professionals who had letters published, two were concerned about the impact of the appointment on public attitudes towards the EPA, nine engaged in an interdisciplinary debate over legal representation, one was a letter of advice from a retired public servant who said he could have told Greiner quickly how to resolve his problem, and a response to a letter from Opposition leader Bob Carr which sought to discredit Greiner’s achievements as Premier. The letters in the political category included federal and state MPs, a mayor, a former federal president of the Liberal Party, a union official, and a party official. Letters in the academic category included historians and political scientists.

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10 See J. R. Marsden, President, Law Society of NSW, letter published in the *SMH* on May 13, 1992; and the rejoinder by J. Coombs, QC, President of the NSW Bar Association, on May 14, 1992.
18 In the former category was J. W. Knott (*SMH*, June 25, 1992, 22); and in the latter M. Mackerras (*SMH*, April 16, 1992, 12); and E. Chaples (*SMH*, May 9, 1992). Interestingly, two other academics, H. K. Colebatch (*SMH*, August 25, 1992, 12) and L. J. M. Cooray (*Australian*, June 29, 1992), also had letters published on this issue, but did not identify their professional interests.
Acknowledging the media

There were 92 letters to the editor (31.39 percent of the total), which acknowledged or responded to journalistic contributions or other letters to the editor on this issue (see Table 10.4 below). By far the greatest influence on letter writers appeared to be journalistic contributions. Across the four newspapers there were 79 letters (26.96 percent) which acknowledged the influence of the media, compared with just 13 (4.43 percent) which directly responded to other letters.

Table 10.4: Responses to the media and other letter writers

<table>
<thead>
<tr>
<th></th>
<th>SMH</th>
<th>DTM</th>
<th>Aust.</th>
<th>AFR</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>To specific articles</td>
<td>19</td>
<td>5</td>
<td>6</td>
<td>2</td>
<td>32</td>
</tr>
<tr>
<td>To that newspaper</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>generally</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Other media/</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>media generally*</td>
<td>18</td>
<td>5</td>
<td>18</td>
<td>1</td>
<td>42</td>
</tr>
<tr>
<td>To other letters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>1</td>
<td>7</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>45</td>
<td>13</td>
<td>31</td>
<td>3</td>
<td>92</td>
</tr>
</tbody>
</table>

*Other media category includes specific references to news items in other media and the media generally.

As Table 10.5 (below) shows, more than 52 percent of letters to the editor on this issue published in the *Australian*, and nearly 28 percent of *SMH* letters, were written in response to or acknowledged journalistic contributions or the role of the media generally. The response rate in *DTM* letters was much lower at 12 percent, whilst both *AFR* letters acknowledged identified articles. The response to other letters was relatively low. The greatest reader to reader interaction appeared to take place in the letters to the editor column of the *Australian*, where more than 15 percent of letters acknowledged that they were responding directly to comments made by other readers. Of the 247 letters to the editor published in the other three newspapers only six acknowledged that they were in response to other letters. In the *SMH* and *DTM*, which combined published 83.61...
percent of all letters to the editor on this issue, only 3.44 percent (5 of 145) and 1.0 percent of writers (1 of 100) acknowledged the influence of other letters.\(^\text{19}\) Of those who did acknowledge other letters, all were critical of, or took issue with, comments made by the writer of the particular letter. Only one\(^\text{20}\) acknowledged that the other letter writer\(^\text{21}\) had made some valid points.

| Table 10.5: Responses as a breakdown of individual newspaper totals |
|------------------------|------|------|------|------|
|                       | SMH  | DTM  | Aust. | AFR  | Total |
| To specific articles  | 13.10| 5.0  | 13.04 | 100.00| 10.92 |
| To that newspaper     | 2.06 | 2.0  | 0     | 0    | 1.70  |
| generally             |      |      |       |      |       |
| Other media/media     | 12.41| 5.0  | 39.13 | 50.00| 14.33 |
| generally             |      |      |       |      |       |
| To other letters      | 3.44 | 1.0  | 15.21 | 0    | 4.43  |

One conclusion to be drawn from this is that letters to the editor were of little acknowledged influence on the majority of letter writers.\(^\text{22}\) Certainly there appeared to be little dialogue between writers.\(^\text{23}\) This suggests that letters columns provide less of a forum for reader to reader exchanges than they do for readers to respond to journalistic contributions. The full break-down of responses to journalistic contributions is contained in Table 10.6 (overleaf). It shows that readers of the two Sydney dailies divided their responses almost

\(^\text{19}\) Obviously it is difficult to say to what extent this was due to editorial gatekeeping, that is a conscious decision on the part of the newspapers not to foster debate between letter writers.


\(^\text{22}\) Although it is difficult to argue this authoritatively. It is difficult to predict what proportion of letters to the editor on a particular issue are published, and whether there is an attempt on the part of the editor (conscious or otherwise) to provide a balanced cross-section of the views aired in letters.

\(^\text{23}\) The only exception was an exchange (mainly one-sided) between Pat Rogers and the presenter of the ABC's 7.30 Report, Quentin Dempster. Dempster was identified during the ICAC inquiry as a confidant of Metherell's. In fact the inquiry heard that the Metherells had dined at Dempster's house and that Metherell had entrusted a copy of his diaries to Dempster for safekeeping. Dempster said that he had returned the diaries to Metherell when asked to do so and that he did not take the opportunity to read them. Letter writers focused on these facts and also an apparent warning from Dempster to Metherell "Don't trust the Hungarian," which was contained in the diaries. Rogers, who was highly critical of Dempster's role in this affair and his on-air performances, had letters published in the *Australian* on April 27, 8; June 24, 12; and July 13, 8. Dempster ultimately responded to Rogers by way of a letter which was published in the *Australian* on July 8, 14.
Table 10.6: Breakdown of responses by category

<table>
<thead>
<tr>
<th></th>
<th>SMI</th>
<th></th>
<th>DIM</th>
<th></th>
<th>Aust</th>
<th></th>
<th>AFR</th>
<th></th>
<th>Total</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>(1) Specific articles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>News</td>
<td>8</td>
<td>5.51</td>
<td>1</td>
<td>1.0</td>
<td>1</td>
<td>2.17</td>
<td>1</td>
<td>50.00</td>
<td>11</td>
<td>3.75</td>
</tr>
<tr>
<td>Opinion</td>
<td>5</td>
<td>3.44</td>
<td>1</td>
<td>1.0</td>
<td>4</td>
<td>8.69</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>3.41</td>
</tr>
<tr>
<td>Editorials</td>
<td>6</td>
<td>4.13</td>
<td>3</td>
<td>3.0</td>
<td>1</td>
<td>2.17</td>
<td>1</td>
<td>50.00</td>
<td>11</td>
<td>3.75</td>
</tr>
<tr>
<td>(2) That paper generally</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Sub total</td>
<td>3</td>
<td>2.06</td>
<td>2</td>
<td>2.0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>1.70</td>
</tr>
<tr>
<td>(3) Other media generally</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TV</td>
<td>*3</td>
<td>2.06</td>
<td>3</td>
<td>3.0</td>
<td>^11</td>
<td>23.91</td>
<td>0</td>
<td>0</td>
<td>17</td>
<td>5.80</td>
</tr>
<tr>
<td>Radio</td>
<td>**1</td>
<td>0.68</td>
<td>1</td>
<td>1.0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0.68</td>
</tr>
<tr>
<td>Print</td>
<td>***2</td>
<td>1.37</td>
<td>#1</td>
<td>1.0</td>
<td>^1</td>
<td>2.17</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>1.36</td>
</tr>
<tr>
<td>Not specific</td>
<td>12</td>
<td>8.27</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>13.05</td>
<td>1</td>
<td>50.00</td>
<td>19</td>
<td>6.48</td>
</tr>
<tr>
<td>Sub total</td>
<td>18</td>
<td>12.0</td>
<td>5</td>
<td>5.0</td>
<td>18</td>
<td>39.13</td>
<td>1</td>
<td>50.00</td>
<td>42</td>
<td>14.33</td>
</tr>
<tr>
<td>Total (all)</td>
<td>40</td>
<td>27.58</td>
<td>12</td>
<td>12.0</td>
<td>24</td>
<td>52.17</td>
<td>3</td>
<td>150.00</td>
<td>79</td>
<td>26.96</td>
</tr>
</tbody>
</table>

*One of these letters refers simply to "television" and "TV" without identifying the program.
**The letter referred to herein does not refer to a specific radio program or station.
***These letters refer only to a "newspaper" and "headlines", rather than to a specific article or newspaper.
#This letter refers to "in the paper". Whilst it is tempting to place it in the DTM general category, the possibility of cross media readership precludes this.
^The letters in this category refer either to a specific program or to the presenter thereof.
^^This letter refers simply to "editorials across the country".
equally between the newspaper in which their own letter was published and other media. In the case of the SMH, 22 out of 40 letters (55 percent) responded to pieces in the newspaper of publication, compared with 18 letters (45 percent), which dealt with contributions in other media or the media generally. This compared with a 58.33 percent (7 out of 12) response rate to pieces in the DTM by DTM readers, 25 percent (6 of 24) in the Australian and 100 percent (2 of 2) in the AFR.

Perhaps significantly, of the letters which responded to the newspaper of publication, the overwhelming proportion identified the article with which they took issue or supported. In the case of the SMH, this was 86.36 percent (19 of 22 letters), 71.42 percent in the DTM (5 of 7), 100 percent in the Australian (6 of 6) and 100 percent in the AFR (2 of 2). Those letters which responded to specific articles in the newspaper of publication did not focus on a particular type of article. As the final column in Table 10.6 reveals, there were 32 articles in this category, with 11 responding to news pieces, 11 to editorials and 10 to comment pieces. None responded to or acknowledged cartoons. There was no noticeable trend either within or between the newspapers. That is, letter writers seemed to respond to comments in editorials, news and comment pieces alike.

Whilst it can be argued that, based on the above breakdown, readers seem more inclined to use the letters to the editor columns to respond to journalistic contributions, the level of acknowledgment is still relatively low. To illustrate, less than 11 percent of all letters on this issue responded to specific articles in the newspaper of publication, 1.70 percent to that newspaper generally, and 14.33 percent to other identified media or the media generally. That is, less than 27 percent of letters admit an intellectual debt (positive or negative) to the media.
If the other media/media generally category is set aside, it can be seen that less than 13 percent of letters to the editor published on this issue acknowledge the influence or contribution of an identified media organisation, journalist, commentator, or another reader/writer. As Table 10.7 (below) shows, this represents just 67 letters to the editor - 29 in the SMH, 24 in the Australian, 12 in the DTM and 2 in the AFR. As a proportion of total letters published by each of the newspapers, the AFR was the highest at 100 percent, followed by the Australian at 52 percent, the SMH at 20 percent and the DTM at less than 12 percent.

<table>
<thead>
<tr>
<th>Table 10.7: Letters which identify a specific article/journalist/organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific (to newspaper)</td>
</tr>
<tr>
<td>22</td>
</tr>
<tr>
<td>Other identified media (By program/journalist)</td>
</tr>
<tr>
<td>Responding to other Letters</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Finally, writers responded to a small number of articles and letters. For example, in the case of the SMH, the six writers who responded to editorials were in fact responding to only four of the 17 editorials published on this issue by the SMH. Of the six responses, three responded to one editorial (May 7), and three to three other editorials (June 20, August 3 and August 14). The eight SMH letters which acknowledged particular news items all wrote in response to separate news stories, while the five letters which responded to opinion/comment pieces were in fact responding to just

24 But note the small number involved.
25 E. Chaples, SMH, May 9, 1992, 26; C. Thompson, SMH, May 9, 1992, 26; J. R. Marsden, SMH, May 13, 1992, 12.
26 K. Taber, SMH, June 23, 1992, 16.
27 P. J. Ashcroft, SMH, August 6, 1992, 10.
two articles. One was a response to Tony Stephens' column on May 13, the other four to Gerard Henderson's column on June 23. Given that there were 374 news items, opinion/comment pieces, editorials and stand-alone cartoons published in the SMH on this issue, it appears that in terms of overall influence, specific articles appeared to have little direct (or acknowledged) effect on letter writers. That is, just 14 of 374 SMH articles (representing 3.74 percent) were acknowledged by writers.

Of the six letters published in the Australian which acknowledged identified contributions from that paper's journalists/columnists, four referred to single items (a news article published on June 20-21, an editorial on June 25, and comment pieces published on April 14 and May 4). The only multiple response came in the form of two letters to a column written by political scientist Malcolm Mackerras published on June 20-21. So again it can be argued that on the part of readers of the Australian, there was little acknowledged response to identified articles or letters. The five articles which were acknowledged and responded to in the letters to the editor column of the Australian amounted to just 2.05 percent of that newspaper's total on the Metherell affair (243).

The five DTM letters which referred specifically to DTM articles, identified five individual pieces. The five articles mentioned included three editorials (June 12 and 25 and August 24), one

33 B. Carr, Australian, June 26, 1992, 16.
34 N. R. Churches, Australian, April 22, 1992, 10.
37 C. Moore, DTM, June 24, 1992, 35.
38 B. Carr, DTM, July 10, 1992, 32.
news item (April 16\textsuperscript{40}) and one column (June 22\textsuperscript{41}). These articles represented 1.95 percent of total \textit{DTM} articles (256). Letters published in the \textit{AFR} which identified particular \textit{AFR} articles responded to one editorial (June 22\textsuperscript{42}) and one news item (June 24\textsuperscript{43}). The two articles represent 3.17 percent of total \textit{AFR} articles on this issue.

**Positive or negative reactions to the media?**

Overall, the media received a bad press in letters to the editor. Of the letters to the editor on this issue which mentioned the media, 40 could be classified as negative, 6 as positive and 14 as neutral. A newspaper by newspaper breakdown is provided in Table 10.8 (below).

<table>
<thead>
<tr>
<th></th>
<th>SMH</th>
<th>DTM</th>
<th>Aust.</th>
<th>AFR</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Positive</strong></td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td><strong>Negative</strong></td>
<td>14</td>
<td>11</td>
<td>14</td>
<td>1</td>
<td>40</td>
</tr>
<tr>
<td><strong>Neutral</strong></td>
<td>11</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>14</td>
</tr>
</tbody>
</table>

As Table 10.8 shows, there were few bouquets for the media or journalists generally. \textit{SMH} letter writers focused on a number of aspects of the media’s coverage of this issue. One writer reminded fellow readers of the media’s coverage of former Labor leader Bill Hayden’s appointment as Governor General. He said:

I do not recall the mass media reacting with shock, horror and outrage and being manipulated into creating mass hysteria in the reading public, as we are now subjected to as ‘this week’s agenda’.\textsuperscript{44}

However not all writers necessarily believed that the media was doing the manipulating. Another \textit{SMH} reader suggested that

\textsuperscript{40} J. Marshall-Orr, \textit{DTM}, April 25, 1992, 17.
\textsuperscript{42} D. Svenson, \textit{AFR}, June 25, 1992, 17.
\textsuperscript{43} J. Valder, \textit{AFR}, July 2, 1992, 15.
\textsuperscript{44} H. Graham, \textit{SMH}, May 1, 1992, 10.
journalists had in fact been manipulated by Opposition leader Bob Carr. The writer described SMH journalists as “kindergarten Marxist[s]” who “continue to pursue every hare” set by the Opposition leader. In an appeal to the SMH’s then major shareholder, s/he urged: “Please Conrad, introduce some heavyweight journalists who can address issues of public policy with some semblance of balance and equity.” This letter provoked a response from another writer who criticised the SMH for being “so conservative”. Two SMH letter writers were critical of the media for portraying political leaders in a light that could deter young people from seeking public office. Whilst the first writer referred to the media generally, the second had responded to a particular SMH editorial which he said “contained the unfair presumption that all politicians in NSW are potential thieves and robbers, just awaiting the opportunity to rip the public off”.

The criticisms continued with the release of the ICAC report, with one reader questioning why journalists had not highlighted Temby’s recommendation “that consideration should [not] be given to action to dismiss the Premier or the minister”. S/he asked the question: “In their haste to produce headlines, did they not read to the end of the report?” The same concern was evident in an exchange between P. J. Ashcroft and J. C. Cooke in the letters column of the SMH. The former expressed concern that allegations made at an ICAC hearing were “readily printed and reported with total immunity”. Responding to Ashcroft, Cooke argued that the former’s comments were illustrative of a “common tendency of commentators to refer to

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45 P. Murphy, SMH, May 20, 1992, 12.
46 ibid.
47 This writer actually identified himself as a socialist. See D. Goldstein, SMH, May 27, 1992, 14.
49 The editorial was “Ensuring more honest politicians,” SMH, August 14, 1992, 8. The letter, by Doyle, was published in the SMH on August 21, 1992, 8.
50 D. Williams, SMH, June 24, 1992, 14.
51 ibid.
what the report contains without having read it". Of SMH readers who responded to editorials, one described the article to which he was responding as "one of the silliest and least thoughtful in Herald history", the second labelled the editorial to which he was responding as "the ultimate in the journalistic mania for demeaning those in public life".

Three of the four responses to Gerard Henderson's "Virginity's back in fashion" article were likewise critical of the author's arguments. However Henderson did receive support from one writer, who suggested that the funding currently set aside for the ICAC be redirected to the Sydney Institute, which Henderson headed, so as to "mitigate a good dose of trial by media". In a more general sense, there were also plaudits from one reader, who said that she could not "wait to get my next enthralling instalment in the Herald each morning".

Whereas only one SMH article had focused on Quentin Dempster's involvement in the Metherell appointment and resignation, this was the main issue amongst Australian letter writers who commented on the role of the media. There were 10 letters to the editor published in the Australian which were critical of Quentin Dempster's coverage of the appointment or his role therein. This 'flurry' of letters actually provoked a response from Dempster himself, in the form of a letter to

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53 J. C. Cooke, SMH, August 14, 1992, 10.
54 E. Chaples, SMH, May 9, 1992, 26.
55 K. Doyle, SMH, August 21, 1992, 8.
57 T. Flew, SMH, June 25, 1992, 22.
the editor in which he attempted to rebut the criticisms and to lay the blame at the feet of the politicians involved.\textsuperscript{60}

Other \textit{Australian} letters were critical of individual articles by journalists,\textsuperscript{61} of the media’s fascination with the amount paid to Metherell\textsuperscript{62} and of the media’s coverage of the Metherell affair generally. For example, one writer was critical of the media for adopting “double standards”.\textsuperscript{63} He said that in its coverage of the Gair affair, the media had regarded as the villain “the person who so cleverly thwarted the purpose of that incident and not the person who made the offer”.\textsuperscript{64} The writer, Mark Cooray, was even more critical of the media’s coverage of, and involvement in, the Metherell appointment, describing it as “unprincipled, malicious, hypocritical and pathologically biased ... a few exceptions apart”.\textsuperscript{65} Cooray accused the media of conducting an “unremitting campaign against Greiner” and said that the ALP “would have got nowhere without the support they received from the media”.\textsuperscript{66} He said that had a similar appointment been attempted by former Labor Premier Neville Wran it would have “died in a few days”.\textsuperscript{67} He argued:

\begin{quote}
If an ALP Premier or Prime Minister were in the same position as Greiner, the majority of journalists would have been providing support and excuses.\textsuperscript{68}
\end{quote}

Cooray’s criticisms were not solely directed at the media. He was also critical of the Government for its handling of the issue and of the Independents for their actions. Despite its content, Cooray’s letter provoked just one response - from Hobbins - who suggested that

\textsuperscript{60} Q. Dempster, “What was on the menu at the Dempster dinner,” \textit{Australian}, July 8, 1992, 14.
\textsuperscript{61} See for example, N. Churches, \textit{Australian}, April 22, 1992, 10.
\textsuperscript{62} J. F. Fraser, \textit{Australian}, April 25-26, 1992, 16.
\textsuperscript{64} ibid.
\textsuperscript{65} L. J. M. Cooray, “Greiner’s milksops were beaten by bully boys.” \textit{Australian}, June 29, 1992, 8.
\textsuperscript{66} ibid.
\textsuperscript{67} ibid.
\textsuperscript{68} ibid.
Greiner’s fall was not due to “media vindictiveness” as Cooray had contended, but rather the Independents.69 Also, there was one letter which applauded an article written by Malcolm Mackerras on this issue and published in the Australian.70

Of the letters published in the DTM, three were critical of Dempster,71 and one was critical of radio commentator Alan Jones.72 Four articles criticised the DTM for its coverage of the Metherell appointment and aftermath. One was critical of the DTM for featuring Kathryn Greiner’s ‘drama queen’ comments on page 1, the writer arguing: “[h]er opinions mean nothing to me. No-one voted for her so why should she be on the front page.”73 The second criticised columnist Sue Williams for her portrayal of Greiner’s justifications, arguing: “[h]ow is a man supposed to look when he is accused and convicted by a press that, in most part, hasn’t read the Temby report in full?”74 A third writer described as “absolutely terrible” the DTM’s treatment of Nick Greiner, arguing that any Labor politician in the same position would have acted accordingly.75 Finally, the DTM was criticised by non-aligned Independent Peter Macdonald for its editorial which criticised his role in Greiner’s resignation.76

Considering the issues

Despite the obvious criticisms of the media contained in letters to the editor, there were considerable areas of agreement between letter

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71 M. Taylor, DTM, May 15, 1992, 28; J-A. Simone, DTM, May 15, 1992, 28; G. Storrier, DTM, June 23, 1992, 26. Dempster was accused of biased reporting (Taylor); and racism (Simone). The latter suggested that he be sacked and his “never trust a Hungarian” statement be investigated by race relations authorities. Storrier called for an inquiry into Dempster’s dinner party which was attended by Metherell and an ICAC employee, Nigel Powell.
72 J. Heddle, “Critic under fire over ICAC ruling,” DTM, June 25, 1992, 36. Heddle argued that Jones had selectively used sections of the ICAC report to back-up his on-air criticisms of Temby and his findings.
75 Mrs Sharri, DTM, June 24, 1992, 35.
writers, editorial writers, journalists and commentators regarding the issues. There were also a number of areas which journalists covered in detail and yet letter writers avoided or only commented on in passing. These included the by-election (7 letters\textsuperscript{77}), the Metherells’ holiday in Vanuatu (3 letters\textsuperscript{78}) the leadership challenge (1 letter\textsuperscript{79}) and the Metherell diaries (6 letters\textsuperscript{80}). There was no discussion in letters about the parliamentary debate or the outcome of the censure motion against the Premier. When talk turned to the prospect of an inquiry, there were no letters to the editor saying that it was a good idea or a bad one, or that ICAC was the appropriate body to conduct the investigation. There was, however, considerable focus on, and criticism of, the decision to grant financial assistance to Greiner and Moore.\textsuperscript{81} Likewise, there appeared to be little support for similar claims by Hazzard or Metherell.\textsuperscript{82} During the inquiry process there was little discussion by letter writers of the allegations or counter claims which emerged on a daily basis. For example, the Timber Industry Bill did not rate a mention in letters to the editor, despite the coverage it received in news and opinion columns, particularly the \textit{Australian}. In fact one of the most commented upon aspects of the inquiry stage was the Premier’s lack of memory.\textsuperscript{83} There was only

\begin{footnotesize}
\begin{enumerate}
\item C. Joyce, \textit{SMH}, May 6, 1992, 12.
\item None of these actually discussed the content of Metherell’s diaries, focusing on other aspects such as Metherell’s command of grammar (See F. B. Walker, \textit{SMH}, May 22, 1992, 12); whether the diaries should be read or not (See R. F. Jones, \textit{SMH}, May 21, 1992, 10; and J. Vivian, \textit{SMH}, May 21, 1992, 10); a suggestion that he should have written the diaries in code (B. Austin, \textit{DTM}, May 15, 1992, 28) and a debate over the appropriateness of Metherell’s decision to entrust the diaries to Dempster (See Q. Dempster, \textit{Australian}, July 8, 1992, 14 and the rejoinder from P. Rogers, \textit{Australian}, July 13, 1992, 8.
\end{enumerate}
\end{footnotesize}
limited discussion of the decision to close the final stage of the inquiry to the public (4 letters),\textsuperscript{84} and coverage of the appeal to the NSW Supreme Court was restricted to complaints about Greiner and Moore being granted funding by the Government (6 letters).\textsuperscript{85}

Analysis of letters to the editor has identified a number of key themes which ultimately come back to the two issues flagged in earlier chapters: (1) the labelling of conduct and the difficulty of arriving at an agreed upon definition of political corruption; and (2) political accountability and responsibility. Interwoven through both of these are a number of sub themes, including responses to Greiner’s attempted justifications of his actions and the future of the ICAC.

**Ownership of the issue**

As was the case with editorials and newspaper articles, the focus of letters to the editor was on Greiner and Metherell. They were regarded as the principal players, despite the acknowledgement in the first ICAC Report of the key roles played by Tim Moore and Ross, \textit{DTM}, May 26, 1992, 20; A. Dussdy, \textit{DTM}, May 26, 1992, 20; E. Dickens, \textit{DTM}, May 27, 1992, 38; M. Styne, \textit{DTM}, May 27, 1992, 38.


\textsuperscript{85} There were fewer letters on this question, than on the issue of funding for the ICAC inquiry, although none were supportive of the Government’s decision to meet Greiner and Moore’s legal fees (as opposed to their decision to appeal the ICAC finding, which did meet with some endorsement). One \textit{SMH} writer called the decision to appeal the decision a “stunt that would take the breath away from the LA Law crew”. Another writer said that given Greiner’s previous emphasis on the need for accountability, a number of questions needed to be addressed. A third writer said she was “outraged” by the decision to grant Greiner and Moore funding for their appeal when it was not an option for many people. She said: “Mr Greiner, like any other citizen, is entitled to exercise his legal rights. He has no right, however, to use this State’s finances as his credit card.” The issue of funding for the Supreme Court appeal was also raised in the \textit{DTM}. The first letter asked simply: “Can you please tell me who is paying for Nick Greiner’s Supreme Court challenge?” Another objected to the fact that he was using “our funds” to fight his case, claiming that he was “bleeding [workers] dry to pay for his mistakes”. Finally, it published a letter from one of the non-aligned Independents, Peter Macdonald, defending his actions and saying how because it was taxpayer money at stake: “I should be careful and cautious as to how it is expended.” See P. Macdonald, \textit{DTM}, August 25, 1992, 8. The fact that both the \textit{AFR} and the \textit{Australian} did not publish letters on this aspect suggests that this question at least was considered to be a state-based issue. Perhaps this also explains why the by-election was not covered in the \textit{Australian} and the \textit{AFR}. Although it was only briefly touched on in the other papers.
at least, Brad Hazzard. The other witnesses barely rated a mention in letters to the editor. Greiner was mentioned by name or title in 58.50 percent of letters and Metherell in 35.37 percent. Tim Moore was mentioned in just 5.44 percent of letters and Hazzard in 2.35 percent.

The focus on Greiner can be explained from a number of perspectives. The first is in terms of the accountability/responsibility model outlined in chapter 2. Linked to this is the second perspective, which applies equally to Metherell and Tim Moore. And that has to do with consequences. From the outset, there was considerable focus in letters on the consequences of Greiner, Moore, Hazzard and Metherell’s actions. This was reflected a number of ways: in calls for all or some of the participants to be censured, stood down or dismissed, in concerns about the impact the appointment would have on the standing of MPs generally, on NSW, on the EPA and, ultimately, on the ICAC. Accordingly it is not surprising that letter writers tended to focus on Greiner and Metherell almost to the exclusion of the other participants.

Early responses to the appointment

Early public reactions to the appointment, especially amongst readers of the SMH and the DTM, were not that dissimilar to those of journalists. Generally the early letter writers were critical of the appointment, and particularly the fact that Metherell was the beneficiary. The Government’s handling of the appointment was decried as a “debacle”,86 and called “over the top”,87 with one reader claiming that it “could not have been better handled by the mafia”.88 It was also labelled “one of the sleaziest political tricks of all time”89 and compared with Judas’ decision to accept 30 pieces of silver to

86 D. Peach, DTM, April 18, 1992, 19.
87 F. Shelley, SMH, April 14, 1992, 10.
89 T. MacAdam, SMH, April 16, 1992, 12.
betray Jesus. According to Macadam, instead of lifting the standard of politics in NSW as many people had hoped, Greiner had “taken it out of the gutter and into the pits”.

However, as was the case with journalists, there appeared to be a reluctance on the part of letter writers to add the suffix ‘gate’ to descriptors of the appointment, preferring instead to adopt the softer ‘affair’ or ‘deal’. Only one letter referred to the appointment as “Greinergate”. There were a number which referred to the appointment as a job-for-the-boy, or used that descriptor to talk about the debate generated by the appointment. But no writers described the appointment as bribery. Single writers did however describe it as a “sinecure”, a “felony” and a case of “pork-barrelling”. Whilst descriptors such as ‘nepotism’ did appear in letters to the editors, none were actually applied to the appointment itself.

Attitudes towards Greiner

As was the case with editorials and news/opinion columns, much of the criticism was personally directed at Greiner. This criticism took a
number of forms, with a some writers expressing disappointment
and/or outrage that the Premier had breached his earlier promise to
improve standards of conduct and not to sanction jobs-for-the-boys.99
A number of writers also focused on his promise to run NSW like a
business and not to indulge in politics.100 One SMH writer questioned
whether Greiner “cares what any of us think”, given the outrage
which his “last set of appointments for family and friends”
provoked.101 He was referred to as “Tricky Nicky”.102 And he was
accused of having ethics which were “reminiscent of the
playground”.103 The latter writer said: “In Greiner-speak, when you
do something wrong and admit it, it becomes right.”104 Another
argued that Greiner and Moore’s attitude was “if you can get away
with it, it’s ok.”105 According to that writer, neither Greiner nor
Moore had shown any contrition because they believed that they
would escape official condemnation.106 One particularly critical writer
described Greiner as the “High Priest of Politics, Interpreter of By-
election Results and Arrogator of New Parliamentary
Conventions”.107 A number of critics reminded Greiner of his policy
failures.108 For example, Taber said that Greiner’s achievements “read
like a litany of arrogance, self-delusion and hypocrisy”.109 Another
questioned how a person who was so “politically naive” could
become Premier.110

Greiner had both supporters and detractors amongst SMH readers.
Hakes, for example, reiterated Greiner’s own justifications of the

98 J. Weaver, Australian, April 15, 1992, 10.
100 See for example D.M. Myers, SMH, April 14, 1992, 10.
101 N. Christenson, SMH, April 14, 1992, 10.
103 S. Daniels, SMH, April 16, 1992, 12.
104 ibid.
106 ibid.
108 See for example, G. Goodman, “Forgive the future ex-Premier’s memory,” SMH, May 23,
109 K. Taber, SMH, June 23, 1992, 16.
appointment.\textsuperscript{111} Another reader applauded Greiner for having led Metherell “to the chopping block”.\textsuperscript{112} He was also described as “our ablest leader”,\textsuperscript{113} although this was disputed by other readers. For example, Lynch responded to the ablest Premier label with: “no way, more like a very aloof, careless and unsympathetic leader who promised so much and has failed to give.”\textsuperscript{114} Goldstein also rejected this, arguing that other earlier Labor leaders could claim some of the credit for the healthy state of the NSW economy and suggesting that there were leaders of other states who could also lay claim to the “ablest leader” tag.\textsuperscript{115}

Overwhelmingly, early DTM letters on this issue were critical of Greiner. One accused him of having “forsaken the very qualities upon which [he] has peddled his policies - responsibility and accountability.”\textsuperscript{116} Others said that he had displayed an “appalling lack of principle”,\textsuperscript{117} accused him of “taking people for a ride”,\textsuperscript{118} and of trying to hang on to power regardless of the consequences.\textsuperscript{119} He was variously described as “the most devious, cunning and unscrupulous Premier NSW has ever had”,\textsuperscript{120} “tricky”,\textsuperscript{121} “narrow-minded”,\textsuperscript{122} “arrogan[t]”,\textsuperscript{123} and “dishonourable”.\textsuperscript{124} Greiner was likened to Hitler and Mussolini,\textsuperscript{125} and accused of “robbing the people”.\textsuperscript{126}DTM readers

\textsuperscript{110} R. Armstrong, SMH, June 23, 1992, 16.
\textsuperscript{111} G. Hakes, SMH, April 16, 1992, 12; Greiner also received support in this regard from M. Mackerras, SMH, April 16, 1992, 12.
\textsuperscript{112} M. Sim, SMH, April 16, 1992, 12.
\textsuperscript{113} P. Murphy, “Abandon ICAC,” SMH, May 20, 1992, 12.
\textsuperscript{114} J. Lynch, SMH, May 23, 1992, 24.
\textsuperscript{115} D. Goldstein, SMH, May 27, 1992, 14.
\textsuperscript{116} K. Taber, DTM, April 23, 1992, 27.
\textsuperscript{117} R. W. Nickisson, DTM, April 23, 1992, 27.
\textsuperscript{118} T. Cleary, DTM, April 25, 1992, 17.
\textsuperscript{119} A. Rees, DTM, April 16, 1992, 30; J. Wilson, DTM, April 29, 1992, 27.
\textsuperscript{120} E. Krnel, DTM, April 16, 1992, 50.
\textsuperscript{121} See for example, J. Danilis, DTM, April 28, 1992, 21; C. J. McKenzie, DTM, May 15, 1992, 28.
\textsuperscript{122} J. Danilis, DTM, April 28, 1992, 21.
\textsuperscript{123} D. Peach, DTM, April 18, 1992, 19.
\textsuperscript{124} M. Shyne, DTM, April 28, 1992, 21.
\textsuperscript{125} J. Marshall, DTM, April 24, 1992, 28.
\textsuperscript{126} M. Costanzo, DTM, April 15, 1992, 25.
accused him of having “butchered” teachers, nurses and police;\textsuperscript{127} of heading “the worst Government in [the] State’s history”;\textsuperscript{128} of having broken or forgotten policy promises made at the previous election;\textsuperscript{129} and of having “slugged the worker on cigs, petrol etc ... to pay for his mistakes”.\textsuperscript{130} Even Greiner’s managerialist approach came under fire, with two writers criticising the Government’s policy of selling assets on the one hand, whilst putting up taxes and charges on the other.\textsuperscript{131} Another accused him of undermining the NSW economy and of “putting more people out of work than any Premier of any other State.”\textsuperscript{132}

The Premier also enjoyed some support among \textit{DTM} readers. According to one: “He has done a marvellous job, his record proves that.”\textsuperscript{133} Another claimed that he was being attacked by “small-minded people”.\textsuperscript{134} One supporter suggested:

\begin{quote}
Good politicians are an endangered species, so the Labor rat pack should be called off before they hound Mr Greiner to the last fence. What a sickening, blood-thirsty persecution this is.\textsuperscript{135}
\end{quote}

One early \textit{DTM} writer was even prepared to state that s/he admired and prayed for Greiner.\textsuperscript{136} Support for Greiner was particularly noticeable after the ICAC report was handed down and the Premier flagged his intention to appeal the finding. According to one supporter: “Thank God he has a ‘rottweiler’ determination to cling to power - compare this State with the Labor States and you will one day

\begin{footnotesize}
\begin{enumerate}
\item 130 B. Buhler, \textit{DTM}, July 22, 1992, 36.
\item 133 E. Williams, \textit{DTM}, April 23, 1992, 27.
\item 134 C. Coleman, \textit{DTM}, April 23, 1992, 27.
\item 135 R. Marks, \textit{DTM}, April 24, 1992, 28.
\end{enumerate}
\end{footnotesize}
appreciate what he has done for NSW.”137 Others described him as “Our best Premier for quite some time - he made NSW the Premier State even in bad times,”138 and as “the greatest Premier NSW has ever had”.139 The same writer credited him with turning NSW around and reducing state debt at a time when other states were suffering.140 He was even thanked for helping the country town in which one writer lived when it was flooded two years earlier.141

Amongst Australian readers, Greiner’s involvement in the appointment was variously described. One writer suggested that he had been “hoist ... on his own petard”.142 Another said that he had shown himself to be a typical politician in that he “hates having to eat his own cooking”.143 However one writer qualified her criticism, saying that “a job for the boy - singular” was not as serious as the situation in her own state where such appointments were “blatant”.144 According to another interstate writer, Greiner’s conduct was “undefendable”.145

Nonetheless, Greiner had supporters amongst Australian readers. A Victorian reader issued a simple plea: “Head south, Nick - Victoria needs you now!”146 He was also described as “a credible Premier who achieved much”,147 and as “a rare talent that [was] desperately needed in these times of severe national recession”.148 S/he argued:

140 ibid.
141 E. Smith, DTM, June 29, 1992, 28.
144 I. Goody, Australian, June 24, 1992, 12.
145 D. Svenson, Australian, June 29, 1992, 8.
147 L. J. M. Cooray, “Greiner’s milksops were beaten by bully boys,” Australian, June 29, 1992, 8.
148 B. Hor-Kwong, “Will all the other ‘corrupt’ MPs resign?” Australian, June 30, 1992, 12.
Mr Greiner, his Government and policies have undoubtedly saved NSW and Australia from a more severe recession or depression than we are currently experiencing. His unsurpassed leadership, integrity and managerial abilities will be greatly missed by people of all political persuasions.\footnote{ibid.}

In a similar vein, a federal Liberal Senator described him as “the best Premier in Australia at the present time”.\footnote{P. O’Carroll, \textit{Australian}, June 23, 1992, 12.} In relation to the appointment itself, one writer suggested that if offering Metherell the job simply to get him out of the way was the worst Greiner had done “then in the context of \textit{Australian} politics, he deserves some kind of a medal”.\footnote{S. J. Hastings, \textit{Australian}, June 26, 1992, 15.} Another argued that his action “in enabling the Davidson electorate to re-establish its preference for a Liberal member, are insignificant compared to the revenge wreaked by the Independents”.\footnote{O. Collman, \textit{Australian}, June 27-28, 1992, 20.} Finally, one reader implied some sympathy for Greiner when he simply asked for some one to explain the difference between the Gair affair and what Greiner was seeking to achieve by appointing Metherell to the SES.\footnote{D. R. Fretten, \textit{SMH}, April 14, 1992, 10.}

It is perhaps significant that neither AFR letter addressed the question of Greiner’s character or his economic record. Yet this theme featured prominently in AFR news articles and opinion pieces.

The role of Metherell

Whilst Greiner received some support from readers, those who mentioned Metherell were almost universally critical. Metherell was variously described by readers as “cynical, erratic, self serving”,\footnote{M. Frohlich, \textit{SMH}, April 14, 1992, 10.} “ballistic”\footnote{S. Daniels, \textit{SMH}, April 16, 1992, 12.} and not a team player.\footnote{D. R. Fretten, \textit{SMH}, April 16, 1992, 12.} One writer’s attitude towards Metherell was summed up by a mock advertisement which he
submitted to the SMH in the form of a letter to the editor. Amongst the qualifications required were the ability to be "disloyal - deceitful and treacherous".\textsuperscript{157} Only one SMH writer appeared to support Metherell’s suitability for the appointment, acknowledging his "undoubted piercing intellect, management ability and long-standing green credentials".\textsuperscript{158} However this was countered by a number of writers who pointed to his record as minister for education. Christoe claimed that he had "mucked up education, his income tax, and the Liberal Party; heaven help the environment".\textsuperscript{159} Others called on Metherell to apologise "for the problems and expenses he has put us to"\textsuperscript{160} and the "havoc he has caused this State".\textsuperscript{161}

There were no letters published in the Australian which directly focused on Metherell’s character. However there were a small number which suggested an act of betrayal on Metherell’s part - all published after the ICAC report had been handed down. One writer argued that Metherell had in fact done a better job on the Government than Carr could ever do and questioned whether he would now join or rejoin the ALP?\textsuperscript{162} Another questioned whether it was "fraudulent or corrupt for an individual to get elected to Parliament on the funds, policies, advertising and name of a political party on which the voters elected him/her?"\textsuperscript{163} Similarly, one reader suggested that Greiner had been "politically mugged" by Metherell’s decision to become an Independent MP.\textsuperscript{164}

DTM readers on the other hand appeared to take the Metherell appointment more as a personal affront than did readers of the Australian (perhaps reflecting the fact that it was a state-based issue).

\textsuperscript{157} D. R. Davis, SMH, May 25, 1992, 14.
\textsuperscript{158} G. Hakes, SMH, April 16, 1992, 12.
\textsuperscript{159} H. R. Christoe, SMH, April 16, 1992, 12.
\textsuperscript{160} R. Bryden, SMH, May 8, 1992, 12.
\textsuperscript{161} E. Egan, SMH, June 26, 1992, 13.
\textsuperscript{163} J. J. McDermott, Australian, June 26, 1992, 15.
\textsuperscript{164} R. Grech, Australian, June 26, 1992, 15.
Like SMH readers, DTM letter writers highlighted Metherell’s record. One, who had been critical of Greiner, described Metherell as “equally devious” and questioned how Metherell could not remain within the Government but yet months later could accept a job from it. He was also accused of having “blatantly disregarded his electorate”. A number of writers harked back to Metherell’s record as Education Minister, one saying that his [Metherell’s] child would not be attending the education system which he had “dismantled”. One writer also highlighted his tax problems, whilst another said he should have had the moral decency to resign when he “deserted his party, and ... effectively disenfranchised Liberal voters”.

A number of DTM and SMH writers personalised the appointment at another level. For example, Reid suggested there was an inequity in the fact that Metherell could enjoy a holiday whilst she, a sole parent, was made redundant because of cuts, and could not afford to take her son away even to a caravan park. Another told of how her family struggled when her husband was forced to pay his own legal costs, despite the fact that they had no assets and his salary did not cover living expenses. Lockley compared the process Metherell went through to get the EPA job with the more difficult process (set in place by Metherell as Education minister) his wife had to follow to get an extra $10 per week as an Advanced Skills Teacher. Higgins compared Metherell’s qualifications for the EPA job with his own situation, claiming that on the basis of qualifications he gained 25

165 See, for example, M. Stevens, DTM, May 14, 1992, 21.
166 E. Knel, DTM, April 16, 1992, 30.
169 G. Sidd, ibid.
171 P. Reid, DTM, April 22, 1992, 24.
173 T. Lockley, SMH, April 14, 1992, 10.
years earlier, the Premier would “have no problem at all in creating a Senior Executive Position for me in the Office of Energy”.174

Labelling the conduct: corrupt or not?

Despite their criticism of the appointment, letter writers, like the journalists, also appeared reluctant to pre-empt the findings of the ICAC inquiry and label the appointment ‘corrupt’, although there was an intimation in several early letters that some writers did believe that to be the case. For example, Wilson said that any attempt by a Premier to plot the removal of a Member of Parliament “can never be justified and is a gross example of how power corrupts and the lust for more power corrupts completely”.175 A number were prepared to describe the appointment as “amoral”176 and “morally ... indefensible”,177 or pointed to the “blatant immorality”178 involved. However once the report had been handed down, letter writers were prepared to engage in debate with each other over whether the conduct could or should be labelled ‘corrupt’. Robert Scott, in letters published in both the SMH and the DTM, said he had “always believed that jobs-for-the-boys was a self evidently corrupt indulgence and the argument that its always occurred simply implies that corruption is acceptable so long as it’s well established”.179 He said the creation of a position so as to encourage a MP to vacate a parliamentary seat and thereby establishing a personal or political advantage appears to take the concept a step further.180 Likewise, Henderson was prepared to label the appointment corrupt, although she said that there were shades of corruption.181 Henderson said her initial impression was that Greiner’s conduct constituted “venial” as

175 J. Wilson, DTM, April 29, 1992, 27.
176 D. M. Myers, SMH, April 14, 1992, 10; K. Thomas, SMH, April 16, 1992, 12.
179 ibid.
180 ibid.
opposed to "fires of hell mortal" corruption.\textsuperscript{182} That is, it was trivial. However she said that she was prepared to change this opinion following Yabsley’s attacks on the ICAC and the non-aligned Independents.\textsuperscript{183}

Other writers disputed the ICAC’s finding, however. Dunlop argued that political expediency, whilst deserving of censure in more serious cases, did not amount to corruption.\textsuperscript{184} Neal appeared to agree: “The Premier’s behaviour wasn’t corrupt, nor was it immoral. It was expedient, and isn’t that the name of the game?”\textsuperscript{185} Cryer described the appointment as “essentially a dubious administrative judgment”.\textsuperscript{186} Williams quoted an exchange between Humpty Dumpty and Alice in Lewis Carroll’s classic \textit{Through the Looking Glass}, to highlight how ‘corrupt conduct’ under the Act had been extended to include partial conduct:

‘When I use a word,’ Humpty Dumpty said in a rather scornful tone, ‘It means just what I choose it to mean - neither more nor less.’

‘The question is,’ said Alice, ‘whether you can make words mean so many different things.’

‘The question is,’ said Humpty Dumpty, ‘which is to be master - that’s all.’\textsuperscript{187}

According to Williams, the ICAC Act had been written in such a way that ‘corruption’ “now mean[s] something that would cause even Humpty Dumpty to fall off the wall” and that “most fair minded people would be aghast to learn that ‘corrupt conduct’ has been technically extended to include ‘partial conduct’”.\textsuperscript{188} S/he said that

\textsuperscript{181} M. Henderson, \textit{SMH}, June 23, 1992, 16.
\textsuperscript{182} ibid.
\textsuperscript{183} ibid.
\textsuperscript{184} R. Dunlop, \textit{SMH}, June 23, 1992, 16.
\textsuperscript{185} C. Neal, \textit{SMH}, June 24, 1992, 14.
\textsuperscript{186} W. J. Cryer, “Poor Nick and Tim,” \textit{SMH}, June 24, 1992, 14.
\textsuperscript{188} ibid.
this was not in line with a fair use of the word, a view also expressed by Kamaralli:

A deal made in a situation where all the conditions are certain to become public knowledge hardly fits the dictionary definition of corruption, even if it may be thought to comply with the wording of the Act.\textsuperscript{189}

However this view was not acceptable to all \textit{SMH} readers, with Olson citing from the \textit{Macquarie Encyclopedic Thesaurus} which he said listed ‘jobbery’ and ‘jobs-for-the-boys’ as synonyms for corruption.\textsuperscript{190} The fact that Greiner’s conduct was found to be corrupt because of the broad terms of the ICAC Act was acknowledged by Durant and Ashcroft.\textsuperscript{191} Hodge, however, described the application of such a label as “merely a matter of legal semantics”.\textsuperscript{192} He argued: “What remains unchallenged is that the people of NSW found there was something morally wrong with the behaviour of the parties involved”.\textsuperscript{193}

Writing in the \textit{DTM}, MacAdam also disputed the corrupt conduct finding. He said that Greiner may have been lacking in judgment, but was not corrupt. This opinion was reinforced by Powell, who likened Greiner’s appointment of Metherell to his own actions whilst working in the private sector:

I admit having found jobs outside my organisation for staff who were not going to progress inside it - the main aim being to protect and develop my team. Nick Greiner did the same thing with Dr Metherell and is called corrupt. How many others in the same situation feel as I do - are we also to be called corrupt?\textsuperscript{194}

\textsuperscript{189} A. Kamaralli, \textit{SMH}, June 24, 1992, 14.
\textsuperscript{193} ibid.
Also in support of Greiner, Joyce said it was important to notice that "no-one has said publicly he is corrupt". Although Cush responded to the findings with the following observation: "Shame, shame, shame."

The corrupt/not corrupt debate did not elicit much of a response from letter writers to either of the two national dailies. Only one letter to the editor in the \textit{AFR} talked about standards, but in so doing did not use the words 'corrupt' or 'corruption'. In the \textit{Australian}, one writer questioned whether Metherell's behaviour in leaving the Liberal Party to sit on the crossbenches was corrupt; another used a variation of Lord Acton's aphorism "power tends to corrupt and absolute power corrupts absolutely" to criticise the role of the Independents in demanding Greiner's resignation. But there were really only two letters to the editor which dwelt on the appropriateness of the 'corrupt conduct' label to describe his behaviour and his response thereto. The first referred to the Independents' "dubious interpretation of the word 'corrupt'". The second responded to Greiner's interpretation of the finding:

If you're technically corrupt you're not corrupt - just like when you're technically pregnant you're not pregnant, and when technically dead you're not dead. As the proverb says: only exceptionally rational men can afford to be absurd.

There was also a letter which criticised the coalition for not defending the charges more forcefully and for allowing Greiner to resign - a decision which the writer said amounted to an admission of guilt.

\begin{itemize}
\item \textsuperscript{196} S. Cush, \textit{DTM}, June 24, 1992, 35.
\item \textsuperscript{197} D. Svenson, \textit{AFR}, June 25, 1992, 17.
\item \textsuperscript{198} J. J. McDermott, \textit{Australian}, June 26, 1992, 15.
\item \textsuperscript{199} D. Brown, \textit{Australian}, July 1, 1992, 16.
\item \textsuperscript{200} B. Hor-Kwong, \textit{Australian}, June 30, 1992, 12.
\item \textsuperscript{201} F. Hainsworth, \textit{Australian}, June 27-28, 1992, 20.
\item \textsuperscript{202} M. Cooray, "Greiner's milksops were beaten by bully boys," \textit{Australian}, June 29, 1992, 8.
\end{itemize}
Attitudes towards the labelling of the conduct were also reflected in the responses of letter writers to the reactions of stakeholders. For example, Wal Murray’s statement likening the finding against Greiner to being found guilty of travelling at 70 kph in a 60 kph zone was seized upon by several writers. Woodward argued:

Mr Temby has found that Nick Greiner acted corruptly, and does not recommend prosecution on the grounds that it was not intentional ... Next time I receive a fine for inadvertently exceeding the speed limit, I will refer the matter to Mr Temby. Surely, as it was unintentional, I should not have to pay the fine.203

In a similar vein, Leigh argued:

Wal Murray has given everybody a perfect excuse if they are pulled over in a 60 zone. “But officer”, they can exclaim innocently, “surely its only the equivalent of being technically corrupt”.204

Similarly rejecting the Government’s interpretation of the report’s findings, McLachlan exclaimed: “Technically corrupt - but otherwise acting with integrity. This is the rot that is eating into our social structure - hypocrisy.”205

Attitudes towards the ICAC

Once again, letters writers were divided. One SMH writer criticised the ICAC only days after the inquiry had begun, claiming that it existed: “... not to flush out government corruption but to bury it”.206 He argued that the Commission had been slow to investigate claims of corruption put to it and said he had been told: “Your clothes will be out of fashion before you ever get a result from the ICAC.”207 This criticism was picked up by another reader, Paul Murphy, who called

204 A. Leigh, SMH, June 23, 1992, 16.
for the ICAC to be abolished forthwith.\textsuperscript{208} He argued that the ICAC had failed its original purpose (to investigate the alleged corruption in NSW over the 10 years leading up to the election of the Greiner Government in 1988). Further, he claimed that the ICAC had not investigated any of the 100 allegations referred to it by the head of the Cabinet Office and one of the driving forces behind the ICAC, Gary Sturgess, concentrating instead on “the slow torture of the Liberal Government”.\textsuperscript{209} Likening the Commission to a “Spanish inquisition” (language which was reminiscent of earlier criticisms of the ICAC by Deputy Premier Wal Murray) Murphy argued that NSW would be better served by a Fitzgerald type inquiry as adopted in Queensland. Murphy’s criticism of the ICAC was echoed up by other writers, at least one of whom compared it with a “kangaroo court”.\textsuperscript{210} Two \textit{SMH} readers highlighted the personal costs - financial and reputational - incurred by individuals appearing before the Commission.\textsuperscript{211} In fact Ashcroft argued that the ICAC was “an unnecessary and expensive adjunct to the NSW legal system”.\textsuperscript{212} S/he argued that the money allocated to the ICAC could be better spent on the Fraud Squad or Ombudsman.\textsuperscript{213} These views were similar to those expressed by Henderson in his weekly column in the \textit{Australian}.\textsuperscript{214}

Defending the ICAC, McArdle described Murphy’s suggestion as “ludicrous”.\textsuperscript{215} Arguing that the acronym ICAC does not stand for Independent Commission Against Labor Corruption, he said:

\begin{quote}
Although ICAC’s original purpose was to investigate the evil NSW Labor Party machine, it seems it was not only they who
\end{quote}

\begin{flushright}
\textsuperscript{207} ibid.
\textsuperscript{208} P. Murphy, “Abandon ICAC!” \textit{SMH}, May 20, 1992, 12.
\textsuperscript{209} ibid.
\textsuperscript{210} J. H. Cape, \textit{SMH}, June 23, 1992, 16.
\textsuperscript{212} P. J. Ashcroft, \textit{SMH}, August 6, 1992, 10.
\textsuperscript{213} ibid.
\end{flushright}
were prone to shady deals and jobs-for-the-boys. People in glass houses shouldn’t throw stones, as they say.\textsuperscript{216}

The Murphy-McArdle exchange took place before the ICAC had handed down its report. In fact both letters were written, although not published, before Greiner had had an opportunity to respond to Metherell’s evidence. This debate continued, however, albeit through different letter writers, after the report had been handed down. Jay warned that politicians would use the finding in the Metherell inquiry to “spay the ICAC bitch”.\textsuperscript{217} Taber, writing on the same day, warned that the decision had already left the Commission “gelded”,\textsuperscript{218} whilst Durant said the Commission would become an “irrelevancy” unless Parliament acted on the report’s recommendations.\textsuperscript{219} Oag called on MPs not to “white ant” the Commission and to give an assurance that they would not amend the ICAC Act for 10 years, arguing there was a risk that politicians would at the first opportunity introduce amendments so as to protect themselves from repeat inquiries.\textsuperscript{220} He said that such a guarantee was necessary to ensure that “the movement towards higher standards of ethics, propriety and accountability from all people in public office” in NSW is maintained.\textsuperscript{221}

There was no discussion of the ICAC’s future, or its powers amongst readers of the \textit{Australian} or the \textit{AFR} and only one in the \textit{DTM}. In that instance, Ruthven rephrased Greiner’s “death of politics” statement to claim that the decision could lead to the “death of real government in NSW”.\textsuperscript{222} Nonetheless, he did advocate the ICAC’s retention:

\begin{footnotesize}
\textsuperscript{216} ibid.
\textsuperscript{218} K. Taber, \textit{SMH}, June 23, 1992, 16.
\textsuperscript{219} A. P. Durant, \textit{SMH}, June 24, 1992, 14.
\textsuperscript{220} I. Oag, “Protect ICAC from being ‘white anted’,” \textit{SMH}, June 25, 1992, 22.
\textsuperscript{221} ibid.
\end{footnotesize}
I do not dispute the need for ICAC - history has demonstrated that Governments cannot be trusted, but flexibility must be part of its charter and it must demonstrate that it is effective in matters other than those with a political theme.223

There was also implied criticism of the ICAC in the comments of writers who supported Greiner and Moore’s decision to appeal the finding. For example, Cape questioned whether the ICAC was operating as a kangaroo court in defiance of the “rules of British justice whereby an accused person has the right to be tried by a jury of his peers and, if found guilty, has the right of appeal to a higher court”.224 Webber also saw the benefits of an appeal, arguing that it may help to uncover the Common Law concept of unclean hands which she said had been lost in the debate.225 As a result, she said, it had been found to be “bad to cut a deal in politics (Greiner) and not bad to cut a deal in life for personal gain (Metherell).226 Webber said she hoped there was “... a serious version of Emerald City in the making in this not altogether fair city of ours”.227 Against this, there was the letter which described the decision to appeal the finding as a “stunt”.228 There was also a letter from a political scientist, Hal Colebatch, who described the Court of Appeal process as a “sideshow”, and said that Greiner’s fate had been decided when he lost the confidence of the Parliament.229 He said Parliament had decided that the Premier’s conduct in the Metherell appointment was unacceptable and that the MPs involved had said they would not be swayed by the Court of Appeal finding.230

Writers were not only critical of Greiner or Metherell, however. A number adopted more of a broad brush approach. For example, one

223 ibid.
224 J. Cape, SMH, June 23, 1992, 16.
225 E. D. Webber, SMH, July 6, 1992, 14.
226 ibid.
227 ibid.
228 B. Davidson, SMH, July 6, 1992, 14.
230 ibid.
was critical of what he described as the Government’s “arrogant, born to rule attitude”.231 There were even criticisms of the Labor Party,232 particularly from supporters of Greiner. A number of readers reminded people of the appointment of former Labor leader, Bill Hayden as Governor General, describing that as the ultimate job-for-the-boys.233 Another criticised the ALP for not fielding a candidate in the Davidson by-election, suggesting that its stated ‘abhorrence’ at the appointment was not genuine.234 There was also considerable criticism of Michael Yabsley, particularly over his attacks on Clover Moore235; and there was criticism of Wal Murray,236 John Valder237 and Bronwyn Bishop.238 Yabsley did, however receive support from one reader.239 Also, the AFR published a letter from Valder explaining his criticism of Temby.240

Much of the criticism was directed at the non-aligned Independents. This was a major issue in letters to the editor, with correspondents divided over whether the Independents acted appropriately or not. In an early SMH letter one writer called on the Independents to “come clean”.241 Calling for an early election, he said: “They were elected to keep the bastards honest, not to prop up the government that gives them the best deal.”242 The “keeping the bastards honest” theme was adopted by another writer the same day, who called for a motion of

234 C. Moore, DTM, April 23, 1992, 27.
237 R. J. Burn, SMH, June 24, 1992, 14; D. Svenson, Australian, June 29, 1992, 8; D. Svenson, “Must read for all politicians,” AFR, June 25, 1992, 17.
238 D. Svenson, Australian, June 29, 1992, 8.
241 C. Joyce, SMH, April 14, 1992, 10.
no confidence in the government. Writing in the *Australian* two weeks after Metherell's resignation, one writer was critical of John Hatton for portraying himself as the “champion of democracy” over the Metherell affair when just months earlier he had:

[A]pplauded Dr Metherell's arrival on the crossbenches and spoke of the defection of Dr Metherell from the Liberal Party - and the consequent disenfranchisement of the voters of Davidson - as a great step forward for democracy. When the ICAC report was handed down, the *SMH* published one letter from a correspondent which urged the four Independents to restore his faith in democracy and take heed of Temby’s conclusion that: “The Commission is not of the opinion that consideration should be given to action to dismiss the Premier or the Minister.” Williams went further, and warned against “Parliament descending to the level of a Spanish inquisition”. Following Greiner’s resignation, another writer, whose letter was published in both the *SMH* and the *Australian*, accused them of “throw[ing] the baby out with the bath water”. In the *Australian*, another writer referred to the NSW Independent Party and the “revenge” they had “wreaked” for the loss of their fourth member. Writing in even stronger terms, Steele argued:

The disgraceful abuse of power by the three Independents in NSW must surely bring home to people all over the country the folly of electing renegade monuments to their own self-esteem, who really have no conception of the will of the people, nor of stable government.

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242 ibid.
245 ibid.
247 ibid.
Another writer, whose letter was also published in the *Australian*, accused the Independents of having “forsaken the will of the people and the future of the State in favour of political expediency”.251 He accused them of “hypocritical kangaroo court tactics” and of displaying a “contempt for democracy”.252 This theme was also developed by a NSW Liberal Senator, David Brown. In a letter published by the *Australian*, Brown accused the Independents of acting as an “informal lynch mob”, and of an abuse of power.253 According to Brown, the Independents, with just 1.29 percent of the vote, could not claim a mandate to act as they had.254 He said that they should have allowed the full Parliament to debate the matter.255 Also expressing concern at the ability of Independents to hold such power given the share of the vote they command, Everingham said that Independents had always been “superfluous” to parliamentary processes:

> They operate from the worm’s eye level; they hinder the legislative processes and of course they are past masters and mistresses of pragmatism in its worst form.256

Another reader of the *Australian* was likewise critical, describing the non-aligned Independents as “three miserable people who could not bring themselves to resist using the power they found thrust into their hands”.257 Thus it can be seen that writers of letters to the editor in the *Australian* on this theme were without exception critical of the Independents.

Criticism of the Independents was also evident in letters to the editor published in the *DTM*. One reader expressed disquiet in the form of a

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251 B. Hor-Kwong, “Will the other ‘corrupt’ MPs resign?” *Australian*, June 30, 1992, 12.
252 ibid.
254 ibid.
255 ibid.
question and answer: “When is an Independent not an Independent? When he or she gets elected.” Another accused them of putting their own prospects of re-election ahead of any plans to bring the Government down. He said: “They should support a vote of no-confidence in Nick Greiner over the Metherell affair.” The day Greiner’s resignation was announced, the DTM published a letter which accused the Independents of “having ego trips at our expense”. The writer also highlighted the fact that they held the balance of power and yet could claim only a “small portion” of votes. This criticism continued in later DTM letters, with one writer using the “gang of three” descriptor. He also urged voters not to support Independents in the future after they had “destroyed the greatest Premier NSW has ever had”. Another published in the DTM questioned the independence of the three non-aligned MPs, arguing that they had been too hesitant when determining Greiner’s fate and claiming that they appeared more concerned about the fate of the Government than the well-being of NSW.

Whilst the overwhelming share of DTM letters on this issue were critical of the Independents, the newspaper did publish one from Clover Moore and another from Peter Macdonald in which they defended their right to speak out on issues affecting people beyond their own electorates. It also published a letter in which the author reminded:

[T]hose heaping scorn on the three Independents that each of these members represent an electorate of NSW and therefore have one vote equal to any other elected member. We should

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259 J. Galloway, DTM, April 25, 1992, 17.
260 M. Colley, DTM, June 24, 1992, 35.
261 B. Thomas, “Belated bouquet in praise of Nick,” DTM, July 10, 1992, 32. This descriptor was also used by D. Brown in the Australian, July 1, 1992, 16.
262 ibid.
also remember that this Government has only survived the past year with the support of these Independents.265

There was also some support for the non-aligned Independents amongst SMH letter writers. One SMH correspondent described the Independents as "sincere" and said that "the forced resignation" of Greiner "was correct".266 Clover Moore was defended by a number of writers, following Michael Yabsley's attack on her in Parliament, one from the treasurer of her campaign fund.267 The strongest criticism of the three non-aligned Independents came after the Court of Appeal found that the ICAC had acted in excess of its powers. One writer asked "when can we expect the resignations from the Parliament of this State of Mr Hatton, Dr Macdonald and Ms Moore?"268 However four days later the SMH ran another letter supportive of the Independents. The writer, Mac Gudgeon, applauded the three Independents for carrying on the tradition set by "the so-called common man", namely "set[ting] the parameters for honesty, morality and the great Australian sense of fair play".269 Gudgeon went so far as to compare the place of the three non-aligned Independents in Australian history with the Tolpuddle Martyrs.270

In fact it is interesting that in the post report period there appeared to be considerable support for Greiner amongst letter writers, with a number, not only in the SMH and the DTM, but also in the Australian, opposing calls for him to be sacked/forced to stand down, but also laudatory of his achievements as Premier. Although again opinions were divided, with other readers calling for his resignation or questioning his suitability as Premier.271 There were also letters

265 V. Emerton, DTM, July 10, 1992, 32.
270 ibid.
which offered solutions which extended beyond the Metherell appointment. For example, there were a small number of letters, mainly in the SMH, which argued that MPs who retired mid-term should be forced to fund the cost of the by-election their decision caused. One writer suggested that if the retiring MP was not prepared to fund the subsequent by-election then that electorate should be disenfranchised for the remainder of the parliamentary term.\footnote{R. McDonald, SMH, April 17, 1992, 8.} Another suggested that such MPs should pay a heavy financial price for resigning mid term.\footnote{P. Gerber, “MPs should pay penalty,” SMH, May 1, 1992, 10.} He suggested that the Parliament could legislate to allow for early retirement on compassionate grounds, including medically-certified physical incapacity, but argued that MPs who resign for other reasons incur a financial penalty. The writer said:

> Our representatives know how long they will be elected for. They are not slow in coming forward to offer themselves for election. Once elected, they should serve the full term or pay a heavy price. After all, they don’t knock back their pensions and other lurks and perks.\footnote{ibid.}

Also expressing concern at the benefits MPs receive on retirement, a reader of the Australian suggested that the Metherell affair provided an opportunity to revise the “grossly inflated payouts all politicians receive when they leave the game”.\footnote{C. Manning, Australian, April 21, 1992, 21.} There was also criticism of the system which allowed MPs to change their party allegiances. For example, writing in the DTM, one reader argued:

> You get elected to public office because of the political party you represent, or your views as an Independent. Once in public office, should you change your political stance, then you no longer represent the people who put you there and you should be made to resign.\footnote{G. Cass, “A sacking offence,” DTM, April 18, 1992, 19.}
He said that in the private sector "anyone who so totally and selfishly disregarded the requirements of the corporate body that installed him as their representative would have been fired on the spot.277

A number of readers expressed concern that the ICAC decision in the Metherell case would dissuade people from entering politics. This concern was expressed by Dossor, who said that Greiner’s resignation would:

[R]emind those most competent potential leaders of the future to avoid engagement in the services, political or otherwise, of the State. In short, a victory for mediocrity in politics and bureaucracy”.278

In a similar vein, Lusby expressed concern at the impact media coverage of the Metherell appointment specifically and on public figures generally was having “on the minds of young Australians who may be tempted toward a career in the public service”.279 Lusby quoted from Cardinal Richelieu to reinforce his views: “To live the life of a statesman is to be condemned to eternal torture.” Like Lusby, Doyle criticised the media for: “demeaning those in public life”.280 He warned:

Unless journalists become more responsible in their reporting of politicians’ activities we will reach the stage, if we haven’t already, when decent men will shrink from preselecting for a vocation in which, if they are successful, they will immediately be branded as charlatans. You will then start to get the brand of politician you currently portray.281

This was likewise the view of Roberts, whose letter was published in the Australian.282

277 ibid. See also S. Karam, “Seat switch,” DTM, July 1, 1992, 32.
280 K. Doyle, SMH, August 21, 1992, 8.
Finally, a number of writers expressed concern at the impact the Metherell appointment would have on the image of politics generally. Two letters published in the *Australian* reflected on the experience of immigrants to Australia who had become disenchanted with the corruption of politics (amongst other things). Others pointed to the low standard of politics generally, and the fact that the behaviour of some individuals involved in the Metherell affair would further add to public cynicism of politicians. In a similar vein, writers pointed to the double standards and "self-serving hypocrisy" displayed by politicians. According to one writer, this led them to "mislead the poor nongs in the electorate". Another said that future students of Australian history would respond to accounts of the Metherell affair with "incredulity or helpless laughter".

**Conclusion**

From this study of letters to the editor, it can be seen that the Metherell affair generated considerable public debate, with writers divided in their attitudes regarding the labelling of conduct, the actions of the Government (particularly Greiner) and Metherell, and the political consequences that flowed from the appointment. The study shows that letter writers in the two Sydney dailies - the *SMH* and the *DTM* - seemed more interested in, and more likely to express an opinion on, the labelling of Greiner's conduct than readers of the two national dailies. This highlights the fact that it was a state-based issue, even though it did involve one of the nation's highest profile politicians. It can also be argued that the views expressed in letters to

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the editor support the model constructed in chapter 2 and reinforce the views of theorists regarding the difficulty of attaching labels to conduct which will satisfy everyone. In this case, it was clear that some readers were prepared to label the conduct of Greiner and Moore as corrupt because, in their view, it was not morally appropriate. Others, however, did not accept that their conduct could be labelled corrupt because it was a normal part of politics in Australia. Not even the existence of a definition of ‘corrupt conduct’ entrenched in an Act of Parliament was sufficient for these people. As such it can be argued that the attitudes of letter writers reinforce the findings of Peters and Welch, Heidenheimer, Jackson et al, Atkinson and Mancuso, the ICAC and other researchers. That is, people employ a range of often personal factors when labelling conduct, including motive and context.

Significantly, the letters to the editor reflected the attitudes of journalists and editorial writers in a number of key respects. First, they were reluctant to label the conduct of Greiner and Moore as corrupt until after the report had been handed down. This is not to say that critics of the appointment were loathe to condemn the appointment, because they were not. From the outset, the appointment was labelled “immoral”, “amoral” and “morally reprehensible”. The range of descriptors employed by letter writers also indicated widespread disaffection at the appointment and the role of Greiner and others.

Second, letters writers tended to focus on the involvement of Greiner and Metherell. There was little mention in letters to the editor of the roles of Moore, Hazzard or Humphry. The focus on Greiner reinforces the comments of Finn (outlined in chapter 2) regarding role expectations and illustrated in Figure 2.3. It was obvious that the expectations of individual letter writers coloured their responses to the appointment, their labelling of the Premier’s involvement and
particularly their reaction the ICAC finding and outcomes thereof. Greiner's supporters played down the finding and pointed instead to his record as an economic manager. His critics, on the other hand used the ICAC ruling to criticise his overall performance whilst in Government. As such, the coverage of the metherell affair in letters to the editor provides an interesting insight into MP-constituent relations. Overall, the Premier appeared to receive more support amongst letter writers than he did from journalists and editorial writers.

Third, letters writers were divided over the future of the ICAC. Whilst this again reflected the debate which took place in the general news pages, letter writers appeared more vitriolic in their criticism of the ICAC than were the journalists. This suggests a sense of community unease at the powers wielded by anti-corruption agencies such as the ICAC, particularly when empowered to deal with practical politics as such. On the other hand, there was a core of support for the ICAC amongst letter writers who were concerned at the impact of 'corruption' in politics and the need for public sector standards to be scrutinised by an independent body. Like journalists, a number of letter writers were concerned that MPs would use the finding against Greiner to wind back the ICAC's activities.

Finally, and significantly in the context of the aims of this thesis, the letters to the editor columns revealed public disillusionment with the media. The discussion in the first part of this chapter suggests that the letters to the editor columns were used to criticise not just the host publication, but the media generally. However it is difficult to draw too much from this particular aspect of the study, given that the newspapers exercise total control over the publication of letters to the editor. In fact that is one of the problems with an analysis of published letters to the editor. There is no way of telling whether the editor allows a particular bias to influence the selection of letters. In
this case, for example, letters to the editor that were critical of the appointment clearly out-numbered those that were supportive and as such reinforce the impression that the public was opposed to it.

Despite the uncertainty about the extent of editorial influence on letters to the editor, it is clear that these columns do play an important role and enable members of the public to participate in debates. Such columns provide members of the public with an outlet through which they can vent their frustration, anger or views about a particular issue and, as such, participate in the political process, albeit from a distance. As such, the letters to the editor columns help to promote the image of the media as a conduit between public officials and their constituents. It also reinforces the image of the media’s accountability or “fourth Estate” function, albeit one which has been criticised in those self same columns.
Conclusion

Introduction

This thesis set out to explore a number of interlocking issues to do with corruption, accountability and the media. Its objectives were: to (1) explain how politicians charged with 'corruption' seek to account for their actions to a hostile Parliament and a divided public; (2) probe the difficulties they experience in justifying their behaviour within different arenas; (3) analyse the role of the media as an accountability mechanism; and (4) determine if there were any differences in the attitudes of MPs, journalists and voters towards the labelling of conduct as corrupt or not corrupt.

As the case study shows, the Metherell affair provides an important insight into Australian politics. Firstly, it highlights the conflictual and competitive nature of politics, both between and within different political groupings. It portrays politics as a struggle to win and hold power at a number of different levels. At an inter-party level, it highlights the tactics parties use to win power, including the discrediting of one's political opponents by questioning their integrity and motives against previously set criteria (in this case, the attempts by the Opposition and the non-aligned Independents to measure Greiner’s conduct against his 1984 and 1988 election promises). At the intra-party level, the study shows the difficulty individual leaders experience in: (1) holding potential challengers at bay; and (2) keeping their party or coalition of parties united in the face of a crisis which threatens not just the individual’s, but more importantly, the party’s hold on power.
This chapter links the theoretical discussions of corruption, accountability and the media in chapters two and three to the case study, which was the focus of parts II and III of the thesis. Following this analysis, it offers a few brief suggestions on future directions for research on this topic.

The definitional quagmire – an impossible task

The Metherell affair confirms the findings to emerge from the literature study undertaken in the first part of chapter 2, namely the view that it is virtually impossible to produce a definition of corrupt conduct that will be universally accepted. An analysis of the Metherell affair shows that not even the existence of a formal-legal definition of corrupt conduct such as that contained in the ICAC Act will necessarily produce agreement on the labelling of conduct. In line with the findings of Peters and Welch, Heidenheimer, Johnston, Atkinson and Mancuso, Jackson et al, Jackson and Smith, Mancuso and the ICAC, this thesis found that people will employ a range of factors when classifying behaviour as corrupt or not corrupt and that this can produce tensions between public attitudes and formal-legal definitions of corruption.

A study of the parliamentary debates, ICAC transcripts, Court of Appeal judgments, newspaper articles and letters to the editor on this issue suggests that whilst attitudes towards conduct may be highly personal and subjective, they fit in with the four-fold typology developed by Peters and Welch in the 1970s and confirmed by later researchers. These are: (1) the public figure involved; (2) the favour provided by that person; (3) the pay-off they received in return; and

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(4) the donor of the pay-off and/or the recipient of the favour. In this particular case all of the necessary elements were in place. Both Greiner and Moore were high profile public figures; the favour they provided was the $110,000-a-year job within the NSW public service; the pay-off they received in return was the prospect of winning back the seat of Davidson (and thereby strengthening their hold on government). Finally, the donor of the pay-off and the recipient of the favour was the controversial Dr Metherell, the man who had been blamed by some of his former colleagues for the Government losing its majority at the previous election. Thus it was inevitable that the appointment and the circumstances surrounding it would be both controversial and subjected to minute scrutiny.

Analysis of the Metherell affair shows that this disagreement over the labelling of conduct can exist at a number of levels. In this case, it was established that there can be differences of opinion within the elite (thereby reinforcing Mancuso’s findings from her UK study). For example, in the Metherell affair there were differences of opinion over the labelling of the appointment between Greiner and Moore on the one hand and the Opposition and the non-aligned Independents on the other. There was also some evidence of disagreement within the Government’s own ranks. Furthermore, there was a disagreement between the labelling of the conduct in question by Temby and Clark on the one hand, and counsel for the various witnesses on the other. And there was disagreement between members of the public who participated in this debate through the letters to the editor columns in the newspapers. This finding is significant, because it not only highlights the difficulty (discussed in chapter 2) in reaching agreement over a definition, but, more importantly, points to the gulf that can exist between formal-legal standards and public expectations.

2 Peters and Welch, “Political Corruption in America,” 974-84.
3 Mancuso, “The Ethical Attitudes of British MPs.”
Initially, the appointment was labelled a job-for-the-boys, a description Greiner and Moore were prepared to accept, even though Metherell could not be described as one of the boys, following his defection from the Liberal Party to the crossbenches. Nonetheless, Greiner and Moore argued that the appointment was to a position for which Metherell was qualified, rather than to one for which he was unsuited. Whilst this label carried pejorative overtones, it was preferable from the Government's perspective to the other labels which suggested illegal behaviour on the part of the Premier and Environment minister. The possibility that the appointment may have been in breach of the law and thus could not be explained away as simply a job for the boys or 'just politics' was raised by the Opposition and entertained by the non-aligned Independents.

Situational morality rejected

The thesis also found, in line with the conclusions of Chibnall and Saunders, that because of the differences of opinion over the labelling of conduct (or the potential thereof), the task confronting individuals who seek to apply a situational morality when justifying their actions can be problematic.4 In this case Greiner and Moore attempted, but failed, to apply a situational morality. They failed to convince their political opponents, some colleagues, the media and some letter writers that the appointment could be justified on the grounds that it was in line with the behaviour of earlier NSW Premiers. Greiner's 'just politics' argument — whilst in line with the findings of Peters and Welch — was widely rejected because of the expectation that he would not be a party to, or even sanction, such behaviour. Nor was he able to justify it on the grounds that it would produce benefits for the electors of Davidson, the people of NSW generally, and the Government. The Premier's own moral argument — that his

4 Chibnall and Saunders, "Worlds Apart."
Government was in fact entitled to Metherell’s seat given that at each election he contested Metherell won Davidson as a Liberal candidate – also failed to convince the Opposition and the non-aligned Independents that the appointment was justified so as to pave the way for a by-election. Whilst the Liberals won back Davidson, Greiner had argued that such an outcome was not guaranteed, and thus there was an element of risk involved. Furthermore, the Premier and Moore’s argument that the appointment was initiated by Metherell, not the Government, was also rejected, with critics, including the ICAC, arguing that the outcome – the exchange of a parliamentary seat for a job, thereby changing the balance of numbers in the Parliament – could not be justified. The negative reactions focused on the benefit to the Government and individual participants (that is, it was presented as an example of self interest over-riding the public interest). In this sense the Metherell affair highlights the potential dangers confronting political leaders who misread the political and public mood and fail to monitor changes in opinion.

The Metherell affair also supports Chibnall and Saunders’ findings in another respect too. That has to do with the difficulty involved in transferring a situational morality from an arena that could be expected to be generally supportive (the Parliament) to one which operates according to different standards (the ICAC). Whilst Greiner struggled within both arenas to justify the appointment and his involvement therein, his task within the parliamentary arena was dictated by political realities, including the balance of power situation in which he found himself, and the prospect of a change of government which provided the Opposition with the incentives to reject his situational morality argument. In the ICAC his challenge was somewhat different. Within that arena, his conduct was judged by different – formal-legal standards - rather than political.

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5 ibid.
conventions and practices and thus he struggled to justify the appointment and his involvement therein.

**Accountability and corruption**

Clearly one of the problems confronting Greiner and Moore in seeking to justify the appointment had to do with what Finn and Vogelsang-Combs and Bakken refer to as the discretionary nature of politics. That is, often there is some ambiguity surrounding the responsibilities of a particular office and it is this lack of a job description so to speak which can lead to debates over the morality or appropriateness of particular conduct, even if such behaviour has been previously sanctioned. In this case such an ambiguity existed. The ambiguity related to the promise Greiner was believed to have made when he won office in 1988 – namely that he would eschew jobs-for-the-boys. Greiner's attempts to distinguish between political appointments for which the individual was qualified and those for which he was not did nothing to appease his political opponents, journalists and some letter writers. The appointment was seen to be in breach of a number of key principles which underpin our attitudes towards politics. The first is the fiduciary principle – the belief that political power is held in trust for and on behalf of the people by public officials. That is, political power is expected to be applied to the public good, rather than self interest. Not only that, however, but public office carries with it both rights and obligations, as represented by the principles of responsibility and accountability, which are designed to ensure good government.

Part of Greiner's difficulty was attributed to the problem identified by Finn, Zimmerman and others, namely that our expectations of public

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7 Finn, “Integrity in Government,” 243.
figures are linked to the office they hold. These are our ‘role expectations’ and they are based on our relationship with the officeholder. Greiner, as Premier, faced contradictory demands from different people, and this led to what Goode and Sieber have termed ‘role conflict’. This is the situation whereby the individual knows that by meeting the expectations of one role partner, s/he may fail to meet the expectations of another. In this case, by endeavouring to meet the expectations of his political colleagues (by shoring up the Government’s hold on office), he risked alienating the non-aligned Independents (who held the balance of power) and some constituents (who believed that he had eschewed appointments such as that of Metherell). Greiner’s handling of the Metherell affair showed how difficult this juggling act can be. That is, it is virtually impossible to keep all (or even most) people happy all of the time.

Role conflict is an inevitable part of politics, particularly for people in leadership positions. However, as Goode argued, when deciding whether to meet the demands of his role set, the individual is guided by his ‘role price’. This is influenced by three factors: (1) his pre-existing norm commitment; (2) a perception of how role partners will respond (punish or reward him); and (3) the expected reaction from important reference groups. In the case of Greiner, the pre-existing norm commitment was well-known and would have influenced the responses of different people to the appointment. More problematic, however, were criteria (2) and (3) and in both cases the Premier misread or miscalculated the prevailing mood, particularly in the case of his own party, but also in relation to the non-aligned Independents and sections of the public.

8 See, for example, Uhr, “Redesigning Accountability,” 4; Freckleton and Selby, 75; Harman, “Accountability Challenges,” 4; Crable, “Ethical Codes,” 26.
10 Toby, “Some Variables in Role Conflict Analysis,” 324.
11 Ibid.
12 Goode, “Role Strain,” 489.

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A failure to manage the issue

Greiner acknowledged his obligation to politically and publicly account for his behaviour. This is in line with the arguments of Freckleton and Selby, Crable, and Harman outlined in chapter 2.14 However the study found that not only did Greiner and Moore fail to account for their behaviour in a way which was ultimately accepted, they lost control of the situation. They failed to seize the early window of opportunity to control the debate, thereby allowing their political opponents to feed the media with information which was then passed on to the public. As such, the Metherell affair tends to support the findings of Dyer who argued that successful crisis management was incumbent upon seizing this window of opportunity. It also supports the findings of McGraw and Bennett. It reinforces McGraw’s argument that the effectiveness of an account may be influenced by its timing, and that poor early accounts are likely to result in public disapproval.15 In this case, not only did Greiner and Moore withhold information that might have helped them to end the crisis quickly, but they antagonised the media by not acceding to their demands. Accordingly, media coverage of the Government’s handling of the dispute was critical from the outset. Further, the thesis supports Bennett’s finding that accounts can help to define a situation and shape the possible responses of opponents and/or spectators.16 Clearly the information that the Government released (both under pressure from the media and the non-aligned Independents, and later during the ICAC inquiry) became one of the key variables in the conflict and provided the normative basis from which the appropriateness of the appointment and the conduct of individual participants was judged.

13 ibid.
The media as an accountability mechanism

The thesis clearly establishes the important role played by the media both as a political watchdog and an anti-corruption mechanism. Despite the discussion in chapter 3 regarding the potential for a clash between the media’s public service and profit-making obligations, and between the informational and entertainment objectives, the thesis found that the media plays an important and influential role within the community, both as a two-way conduit between public figures and voters, and by helping to shape community attitudes on issues. As such, it confirms the agenda-setting model proposed by McCombs and Shaw.17

The powerful media model was highlighted by the strategies adopted by the Opposition to push their line to the media and in the efforts of Metherell and Moore (particularly in the immediate aftermath of the announcement) to avoid the media. It was also reflected in Greiner’s attempts to manage the media by limiting the amount of information they received during that early period, whilst appearing to be cooperative by being accessible to journalists. The acknowledgement of the media’s role as an accountability mechanism and a partner in the fight against corruption was confirmed by: (1) the decision to conduct a public inquiry, rather than to hear evidence behind closed doors; (2) the Commission’s decision to allow journalists access to all exhibits, including the Metherell diaries; and (3) Temby’s reluctance to antagonise journalists and media organisations by criticising their coverage during the hearing, despite the efforts of counsel for Greiner and Metherell to have him do so.

17 McCombs and Shaw, “The Agenda-setting Function.”
Using Masterton's criteria of newsworthiness, the thesis found that the media could be expected to cover stories involving corruption. It concludes that political corruption satisfies all the core values - interest, timeliness and clarity - and at least four of the news values - consequence, conflict, prominence and proximity - and therefore is likely to be covered by the media. Importantly, the thesis found that Masterton's criteria of newsworthiness dovetail with at least two of the elements Peters and Welch identified as influencing attitudes towards behaviour. In this case the public figures involved (Greiner and Moore) and the donor of the pay-off and recipient of the favour (Metherell) satisfied the criterion of prominence; the favour provided and the pay-off received satisfied the criterion of consequence.

Not surprisingly, therefore, the thesis found that the media was 'interested' in the Metherell affair. Media interest was established through the use of two measures: (1) the number of stories published; and (2) total square centimetres devoted to the issue. Significantly, the discussion in chapter seven established that the media's interest in the Metherell affair was instantaneous. Media coverage began on the first potential publication day after Moore and Metherell's press conference, and continued thereafter. This is in line with (1) an agenda-setting role; and (2) a traditional watchdog or fourth estate role.

Perhaps more significantly, the media's coverage of this issue established that there is a definite link between the publication of stories and the timing of key events. As the discussion in the second part of chapter seven reveals, the media's interest in the Metherell affair was not artificially prolonged. The media did not publish stories on this issue unless they were warranted either by a new development or the timing of a key event such as the censure motion against Greiner and Moore, the ICAC Inquiry, the handing
down of the ICAC report, the Court of Appeal hearing and judgment, the Independents’ demands that Greiner and Moore resign and finally, Greiner and Moore’s resignations from Parliament. These findings are presented in charts 7.10(a) to 7.14(d).

This study also shows that not only was the media ‘interested’ in the Metherell affair, but that it considered the issue an important one. This conclusion is reinforced by the number of serious news and opinion pieces and editorials published on this issue during the survey period. Whilst the thesis found that there were a small number of light-hearted or entertainment-focused pieces, they represented a small percentage of the total and thus were not likely to influence readers’ attitudes to the extent that the serious articles and editorials did.

The importance of this issue is also reflected in the attitudes of reporters and editorial writers towards the appointment and particularly the involvement of Greiner therein. Editorial writers, reporters and columnists alike were critical of the appointment. They also focused on the role of Greiner in the appointment process. This is not surprising. Despite Greiner’s attempts to play down his involvement as ‘minor’, the fact was that he was Premier of NSW and as such he was obliged to accept ownership of the issue. That is, he was ultimately accountable for the appointment, a factor which he and the media acknowledged.

A responsible media?

One of the concerns raised in the introduction to the thesis, and reiterated in chapter three, was the possibility that the media would treat this issue from an entertainment perspective, rather than from a public service approach. On the whole it was found that the media’s coverage of the Metherell affair was responsible, and in line with a
public service rather than entertainment approach. The conclusion that media coverage of the Metherell affair was responsible was supported by a number of factors: (1) the linkage of coverage to the timing of key events; (2) the overwhelming proportion of 'serious' stories which were published on this issue; (3) the media's decision to abide by Temby's request regarding the publication of comments from people who were not directly involved in the inquiry whilst the hearing was in progress; and (4) their use of non-journalistic authority to comment on different aspects of the Metherell affair.

Against this, however, there were a number of complaints – from Greiner, Metherell, Clover Moore, counsel for various witnesses, one journalist and a number of letter writers. These criticisms reflected the concerns outlined in chapter 3 – namely that journalists would concentrate on the personalities involved rather than the detail of the particular inquiry, or that they would seek sensational headlines rather than adopt a dispassionate approach to coverage of the issue. In some instances these criticisms appeared justified. For example, Kathryn Greiner's 'drama queen' barb at Metherell was widely and prominently reported during the inquiry stage and yet was not made within the precincts of the ICAC. This, and the decision of media organisations to publicise Alan Jones' criticism of the ICAC for granting journalists access to the Metherell diaries, is interesting, particularly in light of the convention which Temby himself had appealed to on day one of the inquiry that MPs not comment on proceedings.

This is not to say that Temby's decision to grant journalists access to the diaries should not be criticised. His decision provided journalists and media organisations with an incentive to focus on entertainment rather than information. In fact his decision to do so was somewhat perplexing, given his concerns (reported in chapter three) that journalists often focused on personalities at the expense of
the issues. Equally justified was the criticism of the SMH’s “Greiner misleads ICAC” headline. This highlighted one of the problems discussed earlier, namely the coverage of complex issues involving specialist knowledge by generalist reporters.

Some of the criticisms of the media – particularly those from Greiner and Metherell and their counsel - tended to highlight the adversarial relationship between MPs and journalists discussed in chapter 3. In particular they reinforce the comments of Bennett. Significant, the thesis also found that criticism of the media was not confined to participants. As chapter 10 establishes it was also evident in letters to the editor. Letter writers were critical of different aspects of the media’s coverage of this issue, including the nature of the coverage. A number of criticisms of the media which appeared in letters to the editor reinforced the findings of the honesty and ethics polls detailed in chapter 3. However as other aspects of the study revealed, the criticism was not one way. The journalists were equally critical of the Government’s attempts at managing the issue.

The thesis found that some of the criticisms were justified, particularly given the way in which the issue was presented to journalists. As the thesis found, generally the task confronting journalists was not a difficult one, with the exception of stage one, when the Government resisted calls to release the background data. However there were no such problems during the second stage when most of the criticisms of the media were aired. During this period the journalists were effectively spoon fed. All they had to do was attend the hearing and report on the various exchanges between counsel and the witnesses. In fact the criticisms aired do raise important questions about the ability of generalist reporters to deal with highly complex issues such as corruption. Perhaps that helps to explain why the media appeared reluctant to treat the Metherell affair as a

18 Bennett, “The Paradox of Public Discourse.”
corruption issue, even after the ICAC had handed down its finding. At all times it was regarded as a political issue, albeit one involving questionable political standards.

The letters in focus

The final objective of the thesis was to explore the relationship between letters to the editor and journalists. The thesis found that like journalists and editorial writers, letter writers were 'interested' in the Metherell affair. That was reflected in the number of letters to the editor which appeared in three of the four newspapers over the life of this issue. The study also found that letter writers were divided in their attitudes towards the appointment, the involvement of Greiner and Moore therein, and the political consequences thereof. In fact the study showed that whereas there tended to be unanimity amongst journalists and editorial writers across most of the key themes, there was less concurrence amongst letter writers. This was particularly noticeable when it came to the labelling of Greiner and Moore's conduct. Herein lies the significance of Peters and Welch's findings and later research by other writers. The attitudes of letter writers reflected a more personal and subjective approach to the labelling of conduct than appeared to be the case with journalists and editorial writers. The attitudes of journalists and editorial writers on the other hand appeared to reflect a greater – perhaps less idealistic – insight into the realities of politics. Significantly, there was also a difference in focus between letter writers and journalists. Letter writers ignored a number of themes which appeared to preoccupy journalists (and to a lesser extent editorial writers). They also tended to personalise the appointment in terms of their own experiences and circumstances.

The attitudes of letter writers can also be distinguished from those of MPs in one significant respect. Whereas most of the MPs whose views were reported by the media had a direct interest in the
outcome of this issue (in terms of their hold on government, or prospects of attaining government), the letter writers did not have the same level of involvement (although it could be argued, and this was certainly evident in some letters that the political efficacy of individuals and their confidence in the political system would potentially be affected).

Media coverage of the Metherell affair suggests that the process involved was ritualistic. There was an undercurrent which characterised the media’s coverage of this issue. That was the view that corruption was anti-democratic and that evidence of wrongdoing should be stamped out so as to maintain public faith in the institutions of government. There was also an element of ritualism in the media’s calls for the inquiry process to be open to the public. Furthermore, the media encouraged the public to participate in this ritual: (1) by providing extensive coverage of the affair; and (2) by participating in the process via the letters to the editor columns and newspaper funded public opinion polls. That was reciprocated by letter writers who indicated a desire to participate in what Gronbeck termed the “ritualistic deposition”. Furthermore, the responses of those letter writers who criticised the appointment and the involvement of Greiner and Moore therein supported the conclusions of the public opinion polls discussed earlier in the thesis which pointed to community concern about public sector standards.

Concluding remarks

This study of the Metherell affair suggests a number of things. Firstly, it supports the thesis that formal-legal definitions of corruption cannot necessarily be reconciled with community attitudes. Secondly it argues that because of this, individuals charged with corruption will struggle to justify their conduct, particularly if they seek to apply
a situational morality outside of the relevant institutional setting, and in some cases, they will struggle to justify that conduct even within that setting. Thirdly, it argues that the media can play a responsible watchdog role when covering political corruption, despite there being a number of constraints which work against an investigative function. This links back to its accountability function, which journalists and media organisations alike continue to embrace, despite the criticisms of Schultz and others.20

As this thesis has shown, the media can provide an important data base for corruption researchers. Whilst researchers acknowledge the role the media can play, to date its effectiveness has not been analysed in any detail. It is hoped that this thesis will provoke, or at least encourage, other researchers to further investigate the role which journalists and media organisations can fruitfully play in the fight against corruption.

Based on the findings of this thesis, it is suggested that the case study approach provides an ideal methodology for further investigation of the role of the media as an anti-corruption mechanism. As the Metherell affair reveals, the case study approach provides an opportunity to explore complex issues in detail. Whilst the Metherell affair is unique – in terms of the events which combined to create it – and thus it is difficult to argue that the particular findings will necessarily translate to future inquiries, this study does raise some interesting issues which warrant further research. In particular, there is scope to further explore the question of media responsibility from the perspective that issues are event driven. The link between media ‘interest’ and responsibility is an important one and the methodology developed for this thesis provides an avenue for further research.

19 Gronbeck, "The Rhetoric of Political Corruption."
20 See, for example, J. Schultz, Reviving the Fourth Estate.
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Appendix G:
Coverage of issue by number of stories per day.

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Note: The table represents the coverage of an issue by the number of stories per day in two different months, April and May, and further broken down by specific days within those months.
## Appendix H:

Coverage of issue by square centimetres per day.

| Date       | SMH 7-Ma | 8-Ma | 9-Ma | 10-Ma | 11-Ma | 12-Ma | 13-Ma | 14-Ma | 15-Ma | 16-Ma | 17-Ma | 18-Ma | 19-Ma | 20-Ma | 21-Ma | 22-Ma | 23-Ma | 24-Ma | 25-Ma | 26-Ma | 27-Ma | 28-Ma | 29-Ma | 30-Ma | 31-Ma |
|------------|----------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total      | 232.75   | 438.75| 925.56| 309.70| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |
| June       | 1397.00  | 2254.85| 1285.00| 633.50| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |
| Average    | 323.00   | 1227.04| 1450.65| 1397.00| 2254.85| 1285.00| 633.50| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |
| Standard   | 427.27   | 1597.33| 1742.53| 1450.65| 1397.00| 2254.85| 1285.00| 633.50| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |
| Deviation  | 206.37   | 908.50| 960.12| 1397.00| 2254.85| 1285.00| 633.50| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |
| Minimum    | 84.96    | 259.67| 132.02| 633.50| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |
| Maximum    | 2628.57  | 5010.62| 2821.25| 309.70| 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |

Note: The table provides a detailed breakdown of the coverage in square centimetres for each day of the month, including totals and averages.
Appendix I: List of journalists who received bylines.

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On behalf of T. Metherell.
On behalf of R. G. Humphry.
On behalf of B. R. Hazzard.

By Peter Clark, counsel assisting.

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