



2010 Federal Election: a brief history

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Executive Summary

- The 2010 Federal election occurred in the wake of the Federal Parliamentary Labor Party's decision to remove Prime Minister Kevin Rudd and elect his deputy Julia Gillard to the prime ministership on 24 June 2010. Rudd had become Opposition Leader in December 2006, and his *Kevin07* election campaign saw the ALP sweep into office a year later after four terms of Coalition Government under Prime Minister John Howard.
- The Rudd Government faltered as perceptions grew that its promises were not being matched by outcomes and that Rudd's leadership style was inhibiting the government's effectiveness. Notwithstanding the Government's successful handling of the 2008 Global Financial Crisis, some of its financial stimulus programs were plagued by alleged roting, cost blow-outs and other controversies. The replacement of Malcolm Turnbull by Tony Abbott as Opposition Leader in December 2009 intensified the political dynamics around the Government's proposed Carbon Pollution Reduction Scheme. Rudd's deferral of climate change legislation in April 2010 was widely seen as a fatal blow to his prime ministership.
- Prime Minister Gillard, having been elevated to the post by her party, was keen to secure an electoral mandate in her own right, and called an election for 21 August 2010. The election campaign was especially challenging for Gillard as she sought to establish her prime ministerial credentials and assert her personal attributes and abilities in a hostile political environment.
- The election proved an extremely close contest, with neither of the major parties securing an absolute majority in the House of Representatives, and the Australian Greens winning the balance of power in the Senate. Protracted negotiations with Independent and Greens MPs finally resulted in an agreement that delivered minority government to the ALP, with Prime Minister Gillard confronting a hung parliament.
- The election campaign was also notable for a High Court decision striking down electoral provisions introduced by the Howard Government and enabling around 100 000 additional electors to participate in the 2010 election.

Introduction

This paper is a complementary publication to the Parliamentary Library's statistical account of the 2010 election in the Research Paper by Stephen Barber titled [Commonwealth election 2010](#). It provides an overview of the main features of the lead-up to the 2010 federal election, the issues that animated the election campaign itself, and the emergence of a hung parliament.

Electoral reform issues

In 2006 the Howard Government had made a number of changes to electoral legislation, including:

- raising the disclosure threshold for political donations from \$1500 to 'more than \$10,000' (CPI-indexed) and raising the limit for anonymous donations from \$1000 to donations exceeding \$10 000 (also indexed), and
- closing the electoral rolls at 8 pm on the third working day after the issue of the writ instead of the existing seven day grace period.¹

These and other measures were controversial and were opposed by the ALP—then in opposition—and by the minor parties.² In its *National Platform and Constitution 2007* the ALP had indicated its intention to make further changes to the electoral system. These included reversing many of the changes introduced by the Howard Government.³ The ALP *National Platform and Constitution 2009* broadly reiterated those commitments.⁴

In December 2008 the Rudd Government issued a green paper examining electoral finance reform followed by a second green paper in September 2009 examining broader electoral reform issues.⁵ The two green papers canvassed various reform options. In 2010 a raft of changes were made to electoral law including lowering the age of provisional enrolment from 17 to 16 years, increasing

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1. *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006* (Cth).
 2. See e.g. 'Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2006', Senate, *Debates*, 16 June 2006, pp. 1–93, viewed 16 June 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=id%3A%22chamber%2Fhansards%2F2006-06-16%2F0004%22>
 3. Australian Labor Party (ALP), *National Platform and Constitution 2007*, ALP, Canberra, 2007, pp. 181–82, viewed 10 November 2010, <http://pandora.nla.gov.au/pan/22093/20071124-0102/www.alp.org.au/platform/index.html>; ALP, *Cleaning up Government*, ALP, Canberra, 2007, p. 3, viewed 16 June 2011, <http://pandora.nla.gov.au/pan/22093/20071124-0102/www.alp.org.au/media/0807/msfinpaa080.html>
 4. ALP, *National Platform and Constitution 2009*, ALP, Canberra, 2009, p. 6, viewed 10 November 2010, <http://www.alp.org.au/getattachment/2337e801-5793-43fd-b3e7-583a0b246f3a/our-platform/>.
 5. Australian Government, *Electoral Reform Green Paper: Donations, Funding and Expenditure*, Australian Government, Canberra, 2008, viewed 10 November 2010, http://www.dpmc.gov.au/consultation/elect_reform/docs/electoral_reform_green_paper.pdf; Australian Government, *Electoral Reform Green Paper: Strengthening Australia's Democracy*, Australian Government, September 2009, viewed 10 November 2010, http://www.dpmc.gov.au/consultation/elect_reform/strengthening_democracy/docs/strengthening_australias_democracy.pdf

authorisation requirements for how-to-vote cards, and limiting the number of election candidates that can be endorsed by a political party in an electoral division.⁶

Other legislative changes—including reversing Howard’s roll closure provisions and re-establishing the seventh day after the issue of election writs for the closure of the electoral rolls—did not pass through parliament before it was prorogued for the 2010 general election.⁷ However, in July 2010 a challenge to the rolls closure provisions was mounted in the High Court of Australia, and on 6 August 2010 the Court declared these provisions to be invalid.⁸ This decision led to the enrolment of an additional 57 732 voters for the 2010 election, and a further 40 408 voters had their existing enrolment details updated, resulting in a revised total number of 14 088 260 enrolled voters.⁹

Background to the election

On 17 July 2010 the Prime Minister, Julia Gillard, announced that a general election for the federal Parliament would be held on 21 August 2010. If she had wished, the election could have been held as late as April 2011. Her announcement came less than a month after Gillard had replaced the former Labor Prime Minister, Kevin Rudd, in a leadership spill on 24 June 2010. Rudd had become leader of the parliamentary Labor party in December 2006, and his *Kevin07* election campaign saw the ALP sweep into office a year later after four terms of Coalition Government under Prime Minister John Howard.

Rudd had enjoyed record levels of popular support in 2008, but this declined dramatically in the ensuing eighteen months, largely due to the Government’s handling of climate change policy, some unintended consequences of the Government’s economic stimulus measures to deal with the global financial crisis (GFC)—notably a schools building program and a home insulation scheme—and a flawed ‘green loans’ scheme. There had been increasing public disquiet arising from the perceived gap between the Rudd Government’s numerous promises and its implementation of them. In calling the election, Gillard acknowledged that she had not become Prime Minister in the context of a general election, and that she now sought ‘a mandate from the Australian people to move Australia forward’.¹⁰

6. *Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010; Electoral and Referendum Amendment (How-to-Vote Cards and Other Measures) Act 2010; Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Act 2010.*

7. Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010; Electoral and Referendum Amendment (Close of Rolls and Other Measures) (No. 2) Bill 2010 were not dealt with before the end of the 42nd Parliament.

8. High Court of Australia, *Rowe & Anor v Electoral Commissioner & Anor*, media release, 6 August 2010, viewed 17 June 2011, <http://www.highcourt.gov.au/media/rowe.pdf>

9. A further 40 408 voters had their enrolment details updated. Australian Electoral Commission, *Updated figures on Australians enrolled to vote for 2010 election*, media release, 18 August 2010, viewed 17 June 2011, http://www.aec.gov.au/About_AEC/Media_releases/e2010/18-08b.htm

10. J Gillard (Prime Minister), ‘Opening statement at press conference’, speech 17 July 2010, Canberra, viewed 9 May 2011, <http://www.alp.org.au/federal-government/news/speech--julia-gillard--opening-statement-at-press/>

The Liberal-National Party Opposition had improved in the polls over the previous two years, as had the Australian Greens. To deprive the Labor party of its majority, the Opposition—now led by the Tony Abbott who replaced Malcolm Turnbull on 1 December 2009—required a uniform 1.9 per cent swing from the 2007 federal election to gain 14 seats in the House of Representatives. In order to win government in its own right, the Opposition required a swing of 2.3 per cent to gain 17 seats. A uniform swing towards the Coalition in the range of 1.9 and 2.3 per cent would result in a hung parliament.¹¹

The Rudd Labor Government 2007–10

Key aspects of the incoming Rudd Government's agenda included the signing of the Kyoto Protocol on climate change, a parliamentary apology for the treatment of Indigenous Australians—particularly the 'Stolen Generations'—the repeal of the previous government's *Work Choices* industrial relations reforms and a broader legislative response to climate change. Signalling a consultative style of government, Rudd declared that there would be a new emphasis on public engagement in the policy making process through broad 'social inclusion' policies, 'community Cabinet' meetings, and a 2020 Summit to gather the views and ideas from a large group of (mostly prominent) citizens. Later, the Government would commission Secretary of the Treasury, Dr Ken Henry, to undertake a review of options for reform of the Australian taxation system.

The Government's own list of achievements in its first 100 days included the creation of Infrastructure Australia, the commencement of the \$1 billion computers in schools package, the establishment of the National Health and Hospitals Reform Commission, initial work on an emissions trading scheme and moves to withdraw combat forces from Iraq.¹²

The Rudd Government's image of frenetic activity was reinforced by its response to the GFC only four months after its first budget.¹³ Towards the end of the year occasional press reports highlighted the high levels of staff turnover in ministerial offices. One report suggested that this indicated 'deep unhappiness, if not dysfunction, within the Government' and claimed that bureaucrats were 'amazed at the disconnect between Rudd's poll figures and what they see as a largely dysfunctional Government'.¹⁴

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11. ABC Elections, 'Australia Votes 2010: Antony Green's House of Reps Calculator', viewed 9 May 2011 <http://www.abc.net.au/elections/federal/2010/calculator/> and the Parliamentary Library's [Electoral Pendulum](http://www.abc.net.au/elections/federal/2010/calculator/) (2007 election on 2009 boundaries) at http://libiis1/Library_Services/electoralatlas/australia.htm (available only to senators and members).
 12. Australian Government, First 100 Days: Achievements of the Rudd Government, Department of the Prime Minister and Cabinet, Canberra, February 2008, viewed 9 May 2011, <http://gbytes.gsood.com/wp-content/uploads/2008/05/first-100-days.pdf>.
 13. B Cassidy, *The Party Thieves: The real story of the 2010 election*, Melbourne University Press, Melbourne 2010, p. 11; A Crabb, 'Stop at Nothing: The Life and Adventures of Malcolm Turnbull', *Quarterly Essay*, no. 34, 2009, p. 95.
 14. G Milne, 'Rudd rides high but wears out weary staffers', *The Australian*, 3 November 2008, viewed 10 May 2011, <http://www.theaustralian.com.au/news/opinion/rudd-wears-out-staffers/story-e6frg75x-111117925688>; ABC News, 'Rudd's staff leaving in droves', 7 December 2008, <http://www.abc.net.au/news/2008-12-07/rudds-staff-leaving-in-droves/231622>

The Global Financial Crisis

It was not until mid-September 2008, following the failure of several major international financial institutions, that the severity of the GFC became evident. The Reserve Bank of Australia (RBA) implemented Australia's initial macroeconomic policy response by cutting interest rates by one per cent, to six per cent, effective from 8 October 2008.¹⁵ The Strategic Policy Budget Committee of Cabinet comprising the Prime Minister, Deputy Prime Minister, Treasurer and Finance Minister led the development of the Government's response. While a number of measures had been put in place to address the changing macroeconomic conditions since May 2008, the Economic Security Strategy announced by the Prime Minister on 14 October 2008 was the Government's first major fiscal policy response. In announcing the \$10.4 billion strategy, Rudd described the economic conditions as the 'worst financial crisis in our lifetime', and the 'economic equivalent of a national security crisis'.¹⁶ Key aspects of the Strategy included pension reform, family support payments, first home buyer assistance and the creation of new training places.¹⁷

It soon became apparent that additional macroeconomic measures were required to address the predicted impact of the GFC. The RBA made a further four reductions to the official interest rate bringing its rates down to 3 per cent in April 2009.¹⁸ Additional Government measures announced included a \$300 million Regional and Local Community Infrastructure Program and a \$4.7 billion Nation Building Package. On 3 February 2009 the Government announced its second major stimulus package, the \$42 billion Nation Building and Jobs Plan including \$14.7 billion for school infrastructure ('Building the Education Revolution') and \$3.9 billion on energy efficiency measures which would include insulating 1.1 million household roofs with home insulation.¹⁹

For Prime Minister Rudd the GFC had marked the end of the prevailing economic orthodoxy. In an extensive essay published in the *Monthly*, Rudd wrote:

The time has come, off the back of the current crisis, to proclaim that the great neo-liberal experiment of the past 30 years has failed, that the emperor has no clothes. Neoliberalism and the free-market fundamentalism it has produced, has been revealed as little more than personal greed dressed up as an economic philosophy. And, ironically, it now falls to social democracy to prevent liberal capitalism from cannibalising itself.²⁰

15. Reserve Bank of Australia, *Minutes*, 7 October 2008, viewed 9 May 2011, <http://www.rba.gov.au/monetary-policy/rba-board-minutes/2008/07102008.html>

16. K Rudd, 'Prime Minister's Address to the Nation', speech, Parliament House, Canberra, 14 October 2008, viewed 9 May 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2FGXTR6%22>

17. Statement from the Prime Minister and Treasurer, 'Economic security strategy details', *The Australian*, 14 October 2008, viewed 9 May 2011, <http://www.theaustralian.com.au/news/economic-security-strategy-details/story-e6frgd0f-1111117748124>

18. Reserve Bank of Australia, *Cash Rate Target*, viewed 9 May 2011, <http://www.rba.gov.au/statistics/cash-rate.html>

19. Australian Government, *Nation Building Economic Stimulus Plan*, viewed 9 May 2011, <http://www.economicstimulusplan.gov.au/pages/theplan.aspx>

20. K Rudd, 'The Global Financial Crisis', *The Monthly*, February 2009, p. 25.

Australia's response to the GFC appeared to be a success. Of the 33 advanced economies surveyed by the International Monetary Fund (IMF), Australia was the only country to record positive economic growth in 2009.²¹ However, the role of government stimulus spending in contributing to Australia's exceptional economic performance was contested. Other factors such as the floating exchange rate, commodity prices and interest rates also served to buffer Australia from the full impact of the GFC.²² Further, as the Opposition highlighted, the period of sustained economic growth, budget surpluses and removal of federal debt by the previous Coalition government meant that Australia entered the GFC on a strong footing. It characterised the stimulus package as 'wasteful spending' adding to a 'mountain of debt'.²³

Climate change

The centrepiece of the Government's legislative response to climate change was 11 bills, including the proposed Emissions Trading Scheme (ETS) and the Carbon Pollution Reduction Scheme (CPRS), first introduced into the House of Representatives on 14 May 2009. These bills were opposed by the Opposition and rejected by the Senate on 13 August 2009.²⁴ The bills were reintroduced and passed by the House of Representatives on 16 November 2009. The Government negotiated a series of amendments to the legislation with the then Leader of the Opposition, Malcolm Turnbull, only to have the bills rejected after an extended sitting in the Senate on 2 December following a dramatic Coalition leadership change from Turnbull to Tony Abbott.²⁵

Leadership of the Opposition

Following the election of the Rudd government in 2007, when the former Deputy Leader of the Liberal Party and long-serving Treasurer Peter Costello announced that he would not contest the Liberal Party leadership, a three way contest for the position of Leader of the Opposition emerged between Brendan Nelson, Malcolm Turnbull and Tony Abbott. After the elimination of Abbott in the first round, the party room vote was won by Nelson 45 votes to 42, on 29 November 2007.²⁶ However, Nelson's period of leadership lasted less than a year. After a series of poor performances in the polls, Nelson lost to Turnbull in a party room challenge—41 to 45 votes—on 16 September 2008.²⁷

21. International Monetary Fund, *World Economic Outlook October 2009: Sustaining the Recovery*, IMF, Washington DC, 2009, p. 69.

22. *Ibid.*, pp. 82–83.

23. M Turnbull, 'A debt to the future', *The Australian*, 1 August 2009, p. 17, viewed 9 May 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query%3DId%3A%22media%2Fpressclp%2FDT9U6%22>.

24. Australia, Senate, *Journals*, no. 80, 2008–09, p. 2291.

25. Australia, Senate, *Journals*, no. 105, 2008–09, p. 3048–49.

26. J Pearlman, 'Nelson wins Liberal leadership', *Sydney Morning Herald*, 29 November 2007, viewed 9 May 2011, <http://www.smh.com.au/articles/2007/11/29/1196037040072.html>

27. D Harrison and M Dobbin, 'Malcolm Turnbull wins Liberal leadership', *The Age*, 16 September 2008, viewed 9 May 2011, <http://www.theage.com.au/national/malcolm-turnbull-wins-liberal-leadership-20080916-4hcr.html>

The key perceived characteristics of Turnbull's period as Leader of the Opposition were the level of aggression and impatience he brought to the role. These characteristics were most apparent in his pursuit of Rudd over allegations of inappropriate dealings relating to the \$2 billion 'OzCar' scheme, involving a Treasury official, Godwin Grech. The matter—also known as 'Utegate'—gained prominence following a heated Senate Economics Legislation Committee hearing on 19 June 2009, during which Grech referred to the possible existence of an email from the Prime Minister's Office requesting preferential treatment for a friend of Rudd.²⁸ Grech appeared unwell and gave inconsistent evidence in response to questioning led by Senator Abetz (then Deputy Liberal Leader in the Senate).

Rudd denied the existence of the email and commissioned the Auditor-General and the Australian Federal Police (AFP) to investigate the origins of the alleged email and the possible leaking of material to the press.²⁹

On 22 June 2009 the AFP issued a media release to the effect that the email had been fabricated by Grech.³⁰ It later emerged that Mr Turnbull, Senator Abetz and Mr Grech met in Sydney prior to the hearing allegedly to discuss the line of questioning that was to be pursued at Estimates.³¹ During the final week in June 2009, the press reported a public backlash against the Opposition, and against Mr Turnbull in particular.³² The OzCar affair had undermined Turnbull's credibility and goodwill within the Opposition and added to party room disquiet about his willingness to compromise with the Government on its CPRS legislation.³³

Disagreements within the Opposition over the issue of climate change were highlighted in an episode of the ABC television program *Four Corners* where a former Howard Government Minister, Senator Nick Minchin, argued that most members of the Coalition did not agree that climate change was real or that it was caused by humans.³⁴ In November 2009, following weeks of negotiations between the Government and Turnbull and Ian Macfarlane on behalf of the Opposition, a revised

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28. Senate Privileges Committee, *142nd Report: Matters arising from the Economics Legislation Committee Hearing on 19 June 2009 (referred 24 June and 12 August 2009)*, Chapter 4, viewed 17 May 2011, http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=priv_ctte/report_142/index.htm
 29. ABC News, 'Grech questioned over faked OzCar email', 22 June 2009, viewed 17 May 2011, <http://www.abc.net.au/news/stories/2009/06/22/2604632.htm>
 30. Australian Federal Police, *Update regarding investigation*, media release, 22 June 2009, viewed 17 May 2011, <http://www.afp.gov.au/media-centre/news/afp/2009/june/update-regarding-investigation.aspx>
 31. G McManus, 'Turnbull's secret meeting with Treasury official', *The Daily Telegraph*, 25 June 2009, viewed 17 May 2011, <http://www.dailytelegraph.com.au/news/turnbulls-secret-meeting-with-treasury-official/story-e6freuy9-1225739828112>
 32. M Grattan, 'Support for Turnbull plunges', *The Age*, 29 June 2009, viewed 17 May 2011, <http://www.theage.com.au/national/support-for-turnbull-plunges-20090628-d19z.html>
 33. S Murphy, 'Balance of power: Malcolm does it again', *Business Spectator*, 6 October 2009, viewed 17 May 2011, <http://www.businessspectator.com.au/bs.nsf/Article/Malcolm-does-it-again-pd20091006-WJQYH!OpenDocument&Click=>
 34. S Ferguson, 'Malcolm and the Malcontents', *ABC Television Four Corners*, transcript, 9 November 2009, viewed 17 May 2011, <http://www.abc.net.au/4corners/content/2009/s2735044.htm>

version of the CPRS was announced.³⁵ The compromise triggered anger within the Opposition leading to a party room leadership vote on 1 December 2009.³⁶ After the elimination of Joe Hockey in the first round, Abbott defeated Turnbull by the smallest possible margin, 42 votes to 41.³⁷

Tony Abbott, leader of the emissions scheme critics within the Opposition described the CPRS as a 'great big new tax' on 'everything', signalling what was to become a key slogan of the 2010 election campaign.³⁸ During his first press conference as Leader of the Opposition, Abbott was forced to defend his comments to the Beaufort (Vic) Branch of the Liberal Party weeks earlier that the science on climate change was 'absolute crap'.³⁹ The following day the CPRS legislation was rejected by the Senate for a second time by a vote of 41-33, with Liberal Senators Judith Troeth and Sue Boyce crossing the floor to vote with the Government.⁴⁰ The Senate's second rejection of the CPRS provided the Rudd Government with further grounds to dissolve both Houses and call an early election if it so wished.⁴¹

Clouds gather for Prime Minister Rudd

During the closing months of 2009 the Prime Minister's personal and managerial style was again a matter of press comment. Reports drew attention to the high turnover of staff in the Prime Minister's office⁴²—noting, however, that 'dozens of employees have resigned from senior Government and Opposition offices in the past two years'.⁴³ Dubbing him 'Kevin 24/7', and portraying him as a very demanding manager and with an aggressive approach, newspapers reported allegations of fiery conflict between the Prime Minister and his staff.⁴⁴ Earlier, in April 2009,

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35. S Maiden, '\$7bn in industry assistance to secure Coalition support for ETS deal', *The Australian*, 24 November 2009, viewed 17 May 2011, <http://www.theaustralian.com.au/national-affairs/climate/bn-in-industry-assistance-to-secure-coalition-support-for-ets-deal/story-e6frg6xf-1225803268503>
 36. A Probyn, 'Feisty Turnbull still refuses to go quietly', *The West Australian*, 1 December 2009, viewed 17 May 2011, <http://au.news.yahoo.com/thewest/a/-/newshome/6533121/feisty-turnbull-still-refuses-to-go-quietly/>
 37. P Coorey, 'Abbott wins Liberal leadership by one vote', *Sydney Morning Herald*, 1 December 2009, viewed 17 May 2011, <http://www.smh.com.au/national/abbott-wins-liberal-leadership-by-one-vote-20091201-k1mc.html>
 38. L Taylor, 'Tony Abbott's next policy vow: anything but a "great big new tax"', *The Australian*, 2 December 2009, viewed 17 May 2011, <http://www.theaustralian.com.au/news/tony-abbotts-next-policy-vow-anything-but-a-great-big-new-tax/story-e6frg6n6-1225805927737>
 39. S Rintoul, 'Town of Beaufort changed Tony Abbott's view on climate change', *The Australian*, 12 December 2009, viewed 17 May 2011, <http://www.theaustralian.com.au/politics/the-town-that-turned-up-the-temperature/story-e6frgczf-1225809567009>
 40. Australia, Senate, *Journals*, No. 105, 2008–09, 2 December 2009, pp. 3048–9, viewed 17 May 2011, http://www.aph.gov.au/binaries/senate/work/journals/2009/jnlp_105.pdf
 41. The other legislation that fulfilled the constitutional requirement for a double dissolution election at that time was the Fairer Private Health Insurance Incentives Bill 2009 [No. 2], which had been rejected by the Senate for a second time on 9 March 2009.
 42. S Lewis and A Rehn, 'More than half Kevin Rudd's staff gone since the election', *Herald-Sun*, 17 October 2009, viewed 18 May 2011, <http://www.news.com.au/national/more-than-half-kevin-rudds-staff-gone-since-the-election/story-e6frfkvr-1225787738194>
 43. Ibid.
 44. G Milne, 'Rudd Tassie abuse furore', *The Mercury*, 13 December 2009, viewed 11 May 2011, http://www.themercury.com.au/article/2009/12/13/115481_national-news.html

there had been national headlines that Rudd had reduced a flight attendant to tears, leading Rudd to apologise and explain himself to the press.⁴⁵ A scholarly assessment of the Rudd government produced after the Prime Minister's eventual fall from grace in 2010 said the following about the effects of these attributes:

Most assessments of Kevin Rudd's demise as the twenty-sixth Prime Minister of Australia after two years and 204 days in power have tended to focus on the role of his 'troublesome' personality in undermining his power base and ultimately his legacy.⁴⁶

On the issue of Rudd's approach to the prime ministerial job, the book quoted a senior public servant as saying that: 'Before too long it became evident that the only time we were able to really move things on was when the Prime Minister was out of the country and Julia was in charge'.⁴⁷

In November 2009 there was heightened speculation that Rudd might call an early election if the climate change legislation failed. The Prime Minister, however, declared it was his 'strong and continuing resolve ... to serve our full elected term'.⁴⁸ As Rudd and ministers prepared to represent Australia at the Copenhagen climate change conference in December, Abbott challenged him to debate the ETS. Rudd refused, calling for the Opposition Leader to 'calm down' and develop a climate change policy.⁴⁹

Rudd's New Year's Eve address defended his government's 2009 record, especially the economic stimulus package in response to the GFC.⁵⁰ Notwithstanding the disappointment of the Copenhagen talks, Rudd highlighted the need for action on climate change; meanwhile Abbott reiterated his 'great big tax' message about carbon pollution reduction.⁵¹

Early in 2010, with climate, population, home insulation and healthcare issues receiving press coverage, editorials and opinion pieces began to emerge that questioned the Rudd Government's efficacy at delivering on policy promises.⁵² (Appendices 3 and 4 summarise opinion polls between

45. P Coorey, 'Kevin Rudd apologises for air hostess blast', *Sydney Morning Herald*, 3 April 2009, viewed 30 March 2011, <http://www.smh.com.au/national/kevin-rudd-apologises-for-air-hostess-blast-20090403-9lbp.html>

46. M Evans, 'The rise and fall of the magic kingdom: understanding Kevin Rudd's domestic statecraft', in C Aulich and M Evans (eds) *The Rudd Government*, ANU E Press, 2010, p. 261, viewed 12 May 2011, <http://epress.anu.edu.au/apps/bookworm/view/The+Rudd+Government%3A+Australian+Commonwealth+Administration+%092007+-+2010/5091/ch14.xhtml>

47. Ibid., p. 269.

48. 'Rudd hoses down early election talk', *news.com.au*, 28 November 2009, viewed 17 May 2011, <http://www.news.com.au/national/rudd-hoses-down-early-election-talk/story-e6frfkvr-1225804781895>

49. P Maley, 'Kevin Rudd calls off early dash to Copenhagen', *The Australian*, 7 December 2009, viewed 17 May 2011, <http://www.theaustralian.com.au/national-affairs/climate/kevin-rudd-calls-off-early-dash-to-copenhagen/story-e6frg6xf-1225807517896>

50. 'Climate deal, stimulus plan Govt's main achievements'. *The Canberra Times*, 1 January 2010, viewed 17 May 2011, http://parlinfo.parlinfo/download/media/pressclp/XZJV6/upload_binary/xzjv60.pdf;fileType=application/pdf#search=%22Rudd%22

51. Ibid.

52. M Franklin, 'Rudd saddled with high expectations he created', *The Australian*, 8 January 2010, viewed 17 May 2011, <http://parlinfo.aph.gov.au/parlinfo/search/display/display.w3p;query%3DId%3A%22media%2Fpressclp%2FNJLV6%2>

August 2009 and August 2010.) A mid-February *Newspoll* conducted for *The Australian* produced the headline 'Rudd hits new low'.⁵³ On 28 February 2010, on the ABC television program *Insiders*, Rudd said that his government deserved its 'whacking' in the polls. Referring to the problems with the home insulation scheme, broken commitments on health and hospitals, Japanese whaling, and computers in schools, Rudd said that he was taking 'personal responsibility' to spearhead a recovery.⁵⁴

At the National Press Club on 3 March 2010, Rudd announced a national plan to take control of Australia's hospital funding by clawing back \$50 billion of GST revenue from the states and territories. The Commonwealth would pay for 60 per cent of the running costs of hospitals and set up regional management networks to run them. Rudd warned that 'if the states and territories do not sign up to fundamental reform ... we will take this reform plan to the people at the next election'.⁵⁵

On the day of the Press Club address, the prominent political journalist Paul Kelly argued that Rudd's *mea culpa* 'only deepens the confusion that surrounds his government', and that overpromising was Rudd's key weakness.

Rudd has raised expectations more than any prime minister since Gough Whitlam. He has pledged to halve the homeless rate by 2020, bring about an education revolution, achieve fundamental health and hospital reform, introduce an emissions trading scheme, deliver a \$43 billion national broadband network, make the federation work via new deals with the states, move towards a seamless national economy, respond to a comprehensive tax reform report, seek a new Asia-Pacific community, achieve a fairer industrial relations system and cut indicators of indigenous disadvantage. The gap between promise and reality is guaranteed.⁵⁶

'There is', concluded Kelly, 'a confusion about this government's character, its convictions and its beliefs. If insiders are unsure about this, the public can hardly be expected to know'.⁵⁷

Having terminated the Home Insulation Program on 19 February 2010—due to alleged roting by contractors, a number of ceiling fires and some fatalities of workers—the Government appointed

2 ; Editorial, 'promises may yet bite Rudd', *The Courier Mail*, 9 January 2010, viewed 17 May 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F9OLV6%22>

53. D Shanahan, 'Voters go cold on climate and PM', *The Australian*, 16 February 2010, viewed 17 May 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2FSMWV6%22>

54. D Shanahan, 'Kevin Rudd's mea culpa carries risks', *The Australian*, 1 March 2010, viewed 17 May 2011, <http://www.theaustralian.com.au/news/opinion/kevin-rudds-mea-culpa-carries-risks/story-e6frg6zo-1225835375757>

55. K Rudd (Prime Minister), 'Better health, better hospitals: the national health and hospitals network', speech to the National Press Club, 3 March 2010, viewed 18 May 2011, <http://www.theaustralian.com.au/politics/kevin-rudds-better-health-better-hospitals-speech/story-e6frgczf-1225836509805>

56. P Kelly, 'Rudd's deeds need to be as bold as his ambitions', *The Australian*, 3 March 2010, viewed 21 May 2011, <http://www.theaustralian.com.au/national-affairs/commentary/rudds-deeds-need-to-be-as-bold-as-his-ambitions/story-e6frgd0x-1225836273887>

57. Ibid.

former senior public servant, Dr Allan Hawke, to conduct an independent review.⁵⁸ Hawke's report was presented to the Government on 6 April 2010, and released publicly on 22 April.

The report concludes a program of such size could never have been delivered without risk and a stronger management structure and better targeting of compliance earlier in the program could have 'mitigated risks to more acceptable levels'.

On allegations of widespread rorting, it said: 'Despite some safeguards against fraud, no one foresaw the possible extent of potential malfeasance which was simply alarming - a classic example of why governments need to regulate markets to ensure their proper functioning.'⁵⁹

Meanwhile, the economic stimulus initiative *Building the Education Revolution* had begun to receive critical press coverage over alleged cost blow-outs and rorts.⁶⁰ On 12 April 2010, the Building the Education Revolution (BER) Implementation Taskforce was announced to 'provide additional assurance about the implementation of the BER program'.⁶¹ The Taskforce was charged with receiving, investigating and responding to complaints, ensuring value for money, and recommending changes to policy, contracts or projects to ensure the objectives of the BER were realised.⁶²

Also in April—with the Government facing 'intensifying calls to act over the rising number of asylum seeker boats, which are landing at the remote Indian Ocean territory Christmas Island on an almost daily basis'⁶³— the Government suspended the processing of new asylum claims from Sri Lankan nationals for three months and Afghan nationals for a period of six months.

On 27 April 2010, Rudd announced that implementation of the CPRS was being delayed until the end of 2012. He reportedly 'cited the Opposition decision not to support an ETS and the slow global

58. G Combet (Minister Assisting the Minister for Climate Change and Energy Efficiency, 'Home Insulation Program', speech, viewed 24 May 2011,

<http://www.climatechange.gov.au/minister/previous/combet/2010/speeches/March/sp20100311.aspx>

59. J Kelly, 'Home insulation program flawed and risky, Hawke report finds', *The Australian*, 22 April 2010, viewed 24 May 2011, <http://www.theaustralian.com.au/politics/home-insulation-program-flawed-and-risky-hawke-report-finds/story-e6frgczf-1225857019940>

60. For example, J Ferrari, 'State probe into BER contracts', *The Australian*, 18 March 2010, viewed 18 May 2011, <http://www.theaustralian.com.au/news/nation/state-probe-into-ber-contracts/story-e6frg6nf-1225842065218;> R Browne and J Gordon, 'Teachers fear bullying if they tell of school building rorts', *Sydney Morning Herald*, 21 March 2010, viewed 18 May 2011, <http://www.smh.com.au/national/education/teachers-fear-bullying-if-they-tell-of-school-building-rorts-20100320-qn7h.html?skin=text-only>. *The Australian* newspaper ultimately established a 'Schools Watch' section on its website, viewed 24 May 2011, <http://www.theaustralian.com.au/in-depth/schools-watch>

61. Department of Education, Employment and Workplace Relations (DEEWR), 'Nation Building: Economic stimulus plan', DEEWR website, viewed 24 May 2011, <http://www.bertaskforce.gov.au/pages/default.aspx> http://www.deewr.gov.au/Schooling/BuildingTheEducationRevolution/Pages/berit_news.aspx

62. Australian Government, Building the Education Revolution Implementation Taskforce, website, viewed 24 May 2011, <http://www.bertaskforce.gov.au/pages/default.aspx>

63. B Malkin, 'Australia bans asylum seekers from Afghanistan and Sri Lanka', *The Telegraph*, 9 April 2010, viewed 24 May 2011, <http://www.telegraph.co.uk/news/worldnews/australiaandthepacific/australia/7571691/Australia-bans-asylum-seekers-from-Afghanistan-and-Sri-Lanka.html>

progress on a climate change response as key reasons for the delay'.⁶⁴ Journalist Paul Kelly described the move as 'one of the most spectacular backdowns by a prime minister in decades', and declared that Rudd was 'a prime minister without the courage to champion the policy that defined him'.⁶⁵

On 2 May 2010, the Government released its response to the Henry tax review, which included an overhaul of superannuation to be largely funded by a 40 per cent tax on above normal profits by mining companies.⁶⁶ The proposal generated considerable controversy. The Opposition declared it 'a \$9 billion slug on Australia's most successful industry ... another Great Big New Tax like the ETS'.⁶⁷ By mid-May, Opposition Leader Tony Abbott had 'put the tax on mining super-profits at the centre of the coalition campaign to win the next federal election, pledging to wind it back if he wins government'.⁶⁸ The Government launched an urgent advertising campaign 'to counter misinformation from the cashed-up mining industry which is impacting on share prices'.⁶⁹ It was a dispute that intensified as the year progressed.

The *Galaxy Poll* and *Newspoll* on 17 May 2010 showed the major parties 'deadlocked at 50-50 on the two-party preferred vote', with growing support for Julia Gillard, and Rudd's approval under 50 per cent for first time.⁷⁰ By the end of May 2010, Rudd had lost 61 points on his net approval rating since September 2009.⁷¹

On 7 June 2010, a *Nielsen Poll* showed 'the Coalition ahead of Labor for the first time in more than four years and disillusioned voters flocking to the Greens and independents. The poll shows the Coalition leading Labor on a two-party-preferred basis by 53 per cent to 47 per cent, an increase of 3 percentage points to the Coalition in a month'.⁷²

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64. J Kelly, 'Kevin Rudd delays emissions trading scheme until Kyoto expires in 2012', *The Australian*, 27 April 2010, viewed 24 May 2011, <http://www.theaustralian.com.au/national-affairs/climate/kevin-rudd-delays-emissions-trading-scheme-until-kyoto-expires-in-2012/story-e6frg6xf-1225858894753>
 65. P Kelly, 'Rudd's dangerous climate retreat', *The Australian*, 28 April 2010, viewed 24 May 2011, <http://www.theaustralian.com.au/news/opinion/rudds-dangerous-climate-retreat/story-e6frg6zo-1225859076778>
 66. E Rodgers, 'Mining boom to pay for super revolution', *ABC News*, 2 May 2010, viewed 24 May 2011, <http://www.abc.net.au/news/stories/2010/05/02/2888088.htm>
 67. Liberal Party of Australia, 'Tony Abbott response to Henry tax review', statement, viewed 24 May 2011, <http://www.tonyabbott.com.au/News/tabid/94/articleType/ArticleView/articleId/7362/Comments-in-response-to-the-Henry-Tax-Review-2-05.aspx>
 68. AAP, 'Abbott puts mining tax at centre of election campaign', *WAtoday.com.au*, 13 May 2010, viewed 24 May 2011, <http://www.watoday.com.au/national/abbott-puts-mining-tax-at-centre-of-election-campaign-20100513-v1v5.html>
 69. S Balogh, 'Labor snubs own advertising rules over mining tax campaign', *The Courier-Mail*, 28 May 2010, viewed 24 May 2011, <http://www.couriermail.com.au/business/labor-snubs-own-advertising-rules-over-mining-tax-campaign/story-e6fregmx-1225872724200>
 70. P Hudson, 'Julia Gillard soars as preferred Prime minister for Australians', *Herald Sun*, 17 May 2010, viewed 19 May 2011, <http://www.heraldsun.com.au/news/julia-gillard-soars-as-preferred-prime-minister-for-australians/story-e6frf7jo-1225867480615>
 71. G Megalogenis, 'Prime Minister has only himself to blame for decline in ratings', *The Australian*, 21 June 2010, viewed 24 May 2011, <http://www.theaustralian.com.au/politics/prime-minister-has-only-himself-to-blame-for-decline-in-ratings/story-e6frgczf-1225882024178>
 72. P Coorey, 'Labor faces wipeout', *Sydney Morning Herald*, 7 June 2010, viewed 19 May 2011, <http://www.smh.com.au/national/labor-faces-wipeout-20100606-xn7v.html>

On 23 June 2010, the *Sydney Morning Herald* reported that ‘the Prime Minister’s most trusted lieutenant, his chief of staff, Alister Jordan, has been talking privately to almost half the caucus to gauge whether Mr Rudd has the support of his party’.⁷³ The following day, 24 June 2010, Julia Gillard was elected unopposed to the Labor leadership in what was described as a ‘bloodless Parliament House coup’ after Rudd decided not to contest a leadership ballot.⁷⁴

Mr Rudd’s sudden and spectacular downfall makes him the first Labor prime minister to be dumped from office before completing a first term. ... After hours of crisis meetings [23 June] ... Mr Rudd emerged ... to announce that Ms Gillard had challenged him to a ballot and that he would also stand. ... As the numbers were crunched it became clearer that Ms Gillard was going to prevail, with supporters on both sides agreeing that she would win.

Mr Rudd’s fall from the top has been swift, as his popularity among voters fell from stratospheric highs to disastrous lows in just a few months. Voters lost faith in Mr Rudd after a series of bungles and backflips, including the shelving of the emissions trading scheme.⁷⁵

The Gillard Government

The word ‘coup’ was frequently used in the media’s reporting of Julia Gillard’s ascension to the prime ministership, and many Australians regarded her elevation to be ‘undemocratic’—a case of party factional leaders determining who would be the country’s leader. In Rudd’s home state of Queensland, an opinion poll revealed that around 75 per cent of respondents said that Rudd had been treated harshly and ‘should have been given the chance to lead Labor to the next election’.⁷⁶

As the newly-appointed Prime Minister, Julia Gillard was reported to have ‘resisted a push to have key plotters rewarded’ with cabinet posts in her new ministry.⁷⁷ She declared that the Labor government ‘was a good government that had “lost its way” in some areas’ and during her first press conference she sought a truce with the mining industry in the advertising war over the mining super profits tax.⁷⁸

In early July 2010, it was reported that Gillard ‘had held talks with East Timorese President Jose Ramos-Horta about establishing an offshore regional processing centre that would handle new boat

73. P Hartcher and P Coorey, ‘Rudd’s secret polling on his leadership’, *Sydney Morning Herald*, 23 June 2010, viewed 20 May 2011, <http://www.smh.com.au/national/rudds-secret-polling-on-his-leadership-20100622-yvrc.html>

74. E Rodgers, ‘Gillard ousts Rudd in bloodless coup’, *ABC News*, 24 June 2010, viewed 24 May 2011, <http://www.abc.net.au/news/stories/2010/06/24/2935500.htm>

75. Ibid.

76. S Kearney and D Passmore, ‘Queensland voters angry at Kevin Rudd coup’, *The Sunday Mail (Qld)*, 27 June 2010, viewed 6 May 2011, <http://www.couriermail.com.au/news/queensland-voters-angry-at-kevin-rudd-coup/story-e6freon6-1225884678324>

77. S Benson and M Farr, ‘There’s no reward for coup plotters, says new PM Julia Gillard’, *news.com.au*, viewed 19 April 2011, <http://www.news.com.au/features/federal-election/no-reward-for-coup-plotters-says-pm-julia-gillard/story-e6frflr-1225884983086>

78. M Levy, ‘Labor Party was losing its way under Rudd: Gillard’, *The Age*, 24 June 2010, viewed 20 May 2011, <http://www.theage.com.au/national/labor-party-was-losing-its-way-under-rudd-gillard-20100624-z10q.html>

arrivals before they landed in Australia and other countries in the region'.⁷⁹ Gillard also announced the lifting of a freeze on the handling of Sri Lankan asylum claims, but that the processing of asylum seeker applications from Afghans would remain.⁸⁰ A week later, press reports were referring to the regional processing proposal as the 'non-specific solution'.⁸¹

On 14 July 2010, Treasurer Wayne Swan issued an economic update, 'forecasting a \$3.1 billion budget surplus in three years' time, larger than the \$1.0 billion anticipated in the May budget'.⁸²

The following Saturday, 17 July 2010, Prime Minister Gillard—no doubt keen to secure a mandate in her own right—announced that a federal election would be held on Saturday, 21 August 2010. The 42nd Parliament was prorogued and the House of Representatives dissolved at 5.00pm on Monday, 19 July 2010.

The election was the first winter election to be held since the double dissolution election of 11 July 1987, and only the second federal election to have been held in August (the first having occurred on 21 August 1943).

The 2010 election campaign

Prime Minister Gillard's election announcement on 17 July 2010 gave parties and candidates a five-week campaign period before polling day on 21 August 2010.⁸³ Candidates immediately embarked on a flurry of activity, but the major parties did not officially launch their campaigns until several weeks later. Opposition Leader Tony Abbott launched the Liberal Party's campaign at the Queensland Performing Arts Centre in Brisbane on 8 August 2010.⁸⁴ Gillard launched the ALP's campaign a week later on 16 August 2010.⁸⁵

79. M Levy, 'Gillard Timor policy "responds to xenophobia"', *The Age*, 6 July 2010, viewed 23 May 2011, <http://www.theage.com.au/national/gillard-timor-policy-responds-to-xenophobia-20100706-zy9m.html>

80. Ibid.

81. P Coorey and D Murphy, 'Gillard's Mission Improbable', *Sydney Morning Herald*, 10 July 2010, viewed 20 May 2011, <http://www.smh.com.au/national/gillards-mission-improbable-20100709-10411.html>; A Crabb, 'Gillard's Non-Specific Solution', *ABC The Drum*, 9 July 2010, viewed 20 May 2011, <http://www.abc.net.au/news/stories/2010/07/09/2948923.htm>

82. AAP, 'Govt forecasts \$3bn surplus in 3 years', *Perth Now*, 14 July 2010, viewed 20 May 2011, <http://www.perthnow.com.au/business/business-old/govt-forecasts-3bn-surplus-in-3-years/story-e6frg2qu-1225891616013>; W Swan (Treasurer), *Economic Statement 2010*, viewed 20 May 2011, http://www.budget.gov.au/2010-11/content/economic_statement/html/index.htm

83. Staff writers, 'Prime Minister Julia Gillard calls 2010 Federal Election for August 21', *News.com.au*, 17 July 2010, viewed 20 June 2011, <http://www.news.com.au/features/federal-election/prime-minister-julia-gillard-calls-federal-election/story-e6frfllr-1225893145471>

84. D Welch and K Needham, 'Abbott promises 'grown-up government'', *Sydney Morning Herald*, 8 August 2010, viewed 20 June 2011, <http://www.smh.com.au/federal-election/the-leaders/abbott-promises-grownup-government-20100808-11pvd.html>

85. J Gillard, ALP Campaign Launch, Brisbane speech, 16 August 2010, viewed 8 June 2011, <http://www.alp.org.au/federal-government/news/speech--julia-gillard,-alp-campaign-launch,-brisba/>

Nevertheless, Gillard was in full campaign mode from the 17 July announcement.⁸⁶ At that press conference Gillard introduced the campaign slogan 'Moving Australia Forward'—a slogan that attracted ridicule, not only for what was perceived as an unsubtle attempt to separate her leadership from that of her predecessor, but also for seeming to be patronising.⁸⁷ The media rebuked Gillard for using the phrase 'moving forward' 24 times in five minutes⁸⁸, forcing the ALP's campaign strategists to spend time defending the slogan.

At that press conference, Gillard deliberately distanced herself from Rudd's views on population by stating that her government would 'build a sustainable Australia – not a big Australia'.⁸⁹ Sustainable population and migration were to become hot topics during the campaign and, by association, the issue of asylum seekers and border protection. On this latter issue, the Labor and Coalition campaigns exchanged barbs throughout the campaign.

The ALP's campaign

From the outset there were a few unusual attributes to the ALP's campaign. Although Julia Gillard had become Australia's first female prime minister, the significance of that hallmark event was lost amidst the controversy surrounding the very quick and public downfall of her predecessor, Kevin Rudd. Without the strong continuity of leadership that governments usually enjoy at elections, the Gillard campaign had not only to reinforce the ALP's policy messages but also establish Gillard's credentials as a leader.⁹⁰

At the start of the campaign, *Newspoll* revealed a positive disposition towards Gillard, with 57 per cent preferring her as prime minister as against 27 per cent for Tony Abbott, and the ALP leading the Coalition 55 to 45 per cent on a two-party preferred basis.⁹¹ The same poll showed a closer gap after the first week of campaigning, with the ALP at 52 per cent to the Coalition's 48 per cent on a two-party-preferred vote⁹² possibly due in part to voters turning against Gillard's announcement on 24

86. J Gillard, 'Prime Minister: Opening Statement at Press Conference, Parliament House, Canberra', 17 July 2010, viewed 23 June 2011,

<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2FODEX6%22>

87. J Masanauskas, "'Moving forward" slogan treats us like imbeciles, says speechwriters', *Herald Sun*, 19 July 2010, viewed 19 July 2011, <http://www.heraldsun.com.au/news/special-reports/just-back-off-on-forward-advises-don-watson/story-fn5ko0pw-1225893671299>; T Wright, 'Forward ho! PM gets her campaign moving', *The Age*, 24 July 2010, viewed 19 July 2011, <http://www.theage.com.au/federal-election/forward-ho-pm-gets-her-campaign-moving-20100723-10owv.html>

88. ABC News Online, 'Gillard defends 'moving forward' mantra', 19 July 2010, viewed 20 June 2011, <http://www.abc.net.au/news/stories/2010/07/19/2958335.htm>

89. J Gillard (Prime Minister) Opening Statement at Press Conference, campaign speech, Parliament House, Canberra', 17 July 2010, viewed 23 June 2011, <http://tonyserve.wordpress.com/2010/07/17/australian-election-announcement-from-the-prime-minister-transcript-opening-statement-at-press-conference-canberra-17-july-2010/>

90. I McAllister, C Bean and J Pietsch, 'Leadership Change, Policy Issues and Voting in the 2010 Australian Federal Election', pre-publication draft abstract, (June 2011), provided to author.

91. *Newspoll*, 16-18 July 2010, viewed 4 June 2011, http://www.newspoll.com.au/cgi-bin/polling/display_poll_data.pl

92. *Newspoll*, 23-25 July 2010, viewed 4 June 2011, http://www.newspoll.com.au/cgi-bin/polling/display_poll_data.pl

July 2010 of a citizens' assembly on climate change.⁹³ The proposal damaged Labor's credibility on the subject and divided party members.⁹⁴

Media speculation about whether Rudd would join the campaign trail—and what his role, if any, might be in a future Gillard government—abounded.⁹⁵ A stilted, pre-scripted photo opportunity of a meeting between Julia Gillard and Kevin Rudd held in Brisbane on 7 August 2010 did not alleviate this distraction to the campaign.⁹⁶ Instead it gave rise to even more debate about whether the relationship between the two was salvageable.

Further controversy attached itself to the campaign when leaks about Cabinet discussions alleged that Gillard had opposed the paid parental leave scheme and had advocated a cut to the aged pension.⁹⁷ Media suggestions that it was Rudd who had leaked the documents⁹⁸—or other senior Labor figures⁹⁹—created a sense that the ALP was internally divided.¹⁰⁰ The leaks had the effect of Gillard being perceived in a less-than-favourable light, as someone who was manipulative and prepared to topple an incumbent leader. The leaks also appeared to hurt Gillard's polling amongst women, which hitherto had been quite high.¹⁰¹

The gender factor

From the beginning of the election campaign it was evident that Gillard was garnering a lot of votes from women. Labor led 58 to 42 per cent among women, with Gillard holding a 28 point lead

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93. T Leslie, 'Gillard to ask the people on climate change', *ABC News Online*, 23 July 2010, viewed 8 June 2011, <http://www.abc.net.au/news/stories/2010/07/22/2961744.htm>
 94. P Karvelas, 'Citizens' assembly on climate change a no-go zone for MPs', *The Australian* 13 August 2011, viewed 21 June 2011, <http://www.theaustralian.com.au/national-affairs/citizens-assembly-on-climate-change-a-no-go-zone-for-mps/story-fn59niix-1225904664683>
 95. B Packham and E Chalmers, 'Prime Minister Julia Gillard fends off questions about Kevin Rudd, Tony Abbott makes rate pledge', *Herald Sun*, 18 July 2010, viewed 19 June 2011, <http://www.heraldsun.com.au/news/special-reports/prime-minister-ready-for-a-fight/story-fn5ko0pw-1225892979023>
 96. S Maher, 'Julia Gillard and Kevin Rudd meet, but won't campaign together', *The Australian*, 7 August 2010, viewed 22 June 2011, <http://www.theaustralian.com.au/national-affairs/julia-gillard-meets-kevin-rudd-but-media-access-to-meeting-is-tightly-controlled/story-fn59niix-1225902409372>
 97. C Pearson, 'Cabinet leaks show depth of Gillard's problems', *The Australian*, 31 July 2010, viewed 12 July 2011, <http://www.theaustralian.com.au/national-affairs/polling-centre/cabinet-leaks-show-depth-of-gillards-problems/story-fn5asavh-1225899248390>
 98. S Balogh, 'Kevin Rudd denies leaks and pledges to fight for Julia Gillard', *Courier Mail*, 5 August 2010, viewed 12 July 2011, <http://www.couriermail.com.au/news/national/kevin-rudd-denies-leaks-and-pledges-to-fight-for-julia-gillard/story-fn5z3z83-1225901382332>
 99. AAP, 'Not a shred of evidence: Tanner dismisses leak speculation as 'nonsense'', *The Age*, 3 August 2010, viewed 4 July 2011, <http://www.theage.com.au/federal-election/not-a-shred-of-evidence-tanner-dismisses-leak-speculation-as-nonsense-20100803-113yn.html>
 100. AAP, 'Leaking Labor is a shambles: Abbott', *Sydney Morning Herald*, 29 July 2010, viewed 13 July 2011, <http://www.smh.com.au/federal-election/leaking-labor-is-a-shambles-abbott-20100729-10wix.html>
 101. G Richardson, 'Anti-PM leaks may prove a fatal blow', *The Australian*, 21 August 2010, viewed 13 July 2011, <http://www.theaustralian.com.au/national-affairs/commentary/anti-pm-leaks-may-prove-a-fatal-blow/story-e6frgd0x-1225907999024>

amongst women as preferred prime minister.¹⁰² Broadly speaking, the prospect of voting in a female prime minister resonated well with women.¹⁰³

In what many considered typically sexist style, the media made frequent reference to Julia Gillard's physical attributes—her hair, clothes¹⁰⁴, voice¹⁰⁵ and even her de facto relationship and child-free status.¹⁰⁶ The prevalence of this type of media scrutiny, some commentators noted, was not faced by past male prime ministers or candidates.¹⁰⁷ Following the leaks that suggested Gillard had questioned the paid parental leave scheme, debate emerged amongst female commentators about the tensions between political pragmatism and feminists' expectations of a female leader.¹⁰⁸

With polls showing Labor benefitting from the female vote, the Coalition endeavoured to attract female voters. This was hampered somewhat, not only by Tony Abbott's past record on women's issues such as abortion¹⁰⁹—and by his urging women to 'save their virginity for marriage'¹¹⁰—but also by gaffes committed by other key Coalition figures. Shadow Treasurer Joe Hockey quipped during a radio interview on 20 July 2010 that 'Wayne Swan is to budget surpluses what Paris Hilton is to celibacy'.¹¹¹ In a similar vein, Abbott responded to a journalist's question about debating Gillard with the remark: 'Are you suggesting to me that when it comes from Julia "no" doesn't mean

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102. M Grattan, 'Women rally to Gillard as ALP leads poll', *The Age*, 24 July 2010, viewed 24 June 2011, <http://www.theage.com.au/federal-election/women-rally-to-gillard-as-alp-leads-poll-20100723-10ow7.html>
 103. C Stewart, 'Julia Gillard hot but women cool on Tony Abbott', *News.com.au*, 22 July 2010, viewed 6 July 2011 <http://www.news.com.au/features/federal-election/julia-gillard-hot-but-women-cool-on-tony-abbott/story-fn5tas5k-1225895364173>
 104. E Power, 'Julia Gillard wins followers in the style stakes', *Herald Sun*, 29 June 2010, viewed 6 July 2011, <http://www.heraldsun.com.au/news/julia-gillard-wins-followers-in-the-style-stakes/story-e6frf7jo-1225885416332>
 105. J Drape, 'Tony Abbott not a rabbit, says Julia Gillard after being picked up on her diction', *News.com.au*, 6 August 2010, viewed 7 July 2011, <http://www.news.com.au/breaking-news/tony-abbott-not-a-rabbit-says-julia-gillard-after-being-picked-up-on-her-diction/story-e6frfku0-1225901999355>
 106. M Farnsworth, 'Day 10: Rituals, women and a moment to behold,' *Blog*, 27 July 2010, viewed 24 June 2011, <http://blogs.abc.net.au/drumroll/2010/07/day-10-rituals-women-and-a-moment-to-behold.html>
 107. M Freedman, 'Critiquing Julia's clothes is wearing thin', *Sydney Morning Herald*, 2 August 2010, viewed 6 July 2011, <http://www.smh.com.au/opinion/politics/critiquing-julias-clothes-is-wearing-thin-20100802-111pf.html>
 108. E Cox, 'Cox: The tricky gender issue facing Gillard', *Crikey*, 28 July 2010, viewed 13 July 2011, <http://www.crikey.com.au/2010/07/28/cox-the-tricky-gender-issue-facing-gillard/>; and T Spicer, 'Julia Gillard and the problem with women', *The Punch*, 4 August 2010, viewed 4 July 2011, <http://www.thepunch.com.au/articles/the-problem-with-women/>
 109. T Eastley, 'Abortion rate worries Abbott', *AM*, 1 November 2001, viewed 24 June 2011, <http://www.abc.net.au/am/content/2004/s1231924.htm>
 110. S Maiden, 'Tony Abbott warns women against sex before marriage', *The Australian*, 25 January 2010, viewed 24 June 2011, <http://www.theaustralian.com.au/politics/tony-abbott-warns-women-against-sex-before-marriage/story-e6frgczf-1225823300045>; G Coslovich, 'Memo Abbott: Virginity debate is no man's land', *The Age*, 28 January 2010, viewed 24 June 2010 <http://www.smh.com.au/opinion/memo-abbott-virginity-debate-is-no-mans-land-20100127-mz0y.html>
 111. J Faine, 'Election – The Official Day 2: Joe Hockey Channels Paris Hilton and Union Leaders Turn Up the Heat', *Mornings with Jon Faine*, Australian Broadcasting Corporation (ABC), 20 July 2010, viewed 27 June 2011, http://blogs.abc.net.au/victoria/2010/07/election-the-official-day-2-joe-hockey-channels-paris-hilton-and-union-leaders-turn-up-the-heat.html?site=melbourne&program=melbourne_mornings

“no”?’.¹¹² This helped reinforce the sense that a ‘jock’ culture was permeating the Coalition. In an apparent attempt to counter his negative image with women, Tony Abbott used an address in Western Australia to talk about the strong women in his life and the strong women in his party.¹¹³

The ‘real’ Julia

The Labor campaign tried to capitalise on the Labor Government’s successful handling of the GFC but this was undermined by accusations of project mismanagement, rorts and waste, especially around the home insulation and school building programs.¹¹⁴ With a public perception growing that Julia Gillard was an increasingly unknown quantity, and that her engagement with the electorate was being too carefully controlled, the party opted for a change in campaign tactics.

After dealing with the ‘Cabinet leaks’ issue, Julia Gillard announced on 2 August 2010 that she was moving away from the pre-scripted, stage-managed campaign and going to show Australians her real self.¹¹⁵ This was a formal declaration that the ‘real Julia’ had emerged. The announcement gave the Coalition new ammunition for scathing attacks on the Prime Minister, asking if the previous Julia was a ‘fake’.¹¹⁶

The subsequent *ACNielsen* poll showed that voters had turned against the ALP with the two-party-preferred vote showing the ALP at 49 per cent and the Coalition at 51 per cent.¹¹⁷

By the time Gillard officially launched the ALP campaign on 16 August 2010, the campaign had canvassed key issues such as:

- the roll-out of the National Broadband Network (NBN)¹¹⁸ which promised high-speed internet coverage across Australia and greater access for those in regional and rural Australia¹¹⁹

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112. AAP, ‘Abbott criticised over ‘no means no’ gaffe’, *Sydney Morning Herald*, 3 August 2010, viewed 24 June 2011, <http://www.smh.com.au/federal-election/abbott-criticised-over-no-means-no-gaffe-20100803-114hz.html>
113. AAP, ‘Abbott thanks the women in his life’, *News.com.au*, 24 July 2010, viewed 27 June 2011, <http://www.news.com.au/features/federal-election/abbott-thanks-the-women-in-his-life/story-fn5tas5k-1225896437823>
114. AAP, ‘School building costs blew out by up to 12 per cent: inquiry’, *Sydney Morning Herald*, 6 August 2010, viewed 4 July 2011, <http://www.smh.com.au/federal-election/school-building-costs-blew-out-by-up-to-12-per-cent-inquiry-20100806-11lpi.html>; AAP, ‘Scheme ‘terrible’: Macklin’, *Sydney Morning Herald*, 21 July 2010, viewed 4 July 2011, <http://www.smh.com.au/federal-election/scheme-terrible-macklin-20100720-10jir.html>
115. AAP, ‘“Real Julia” vows to throw rule book out window’, *The Age*, 2 August 2010, viewed 7 June 2011 <http://www.smh.com.au/federal-election/the-leaders/real-julia-vows-to-throw-rule-book-out-window-20100802-111pv.html>
116. H Ewart, ‘The ‘real’ Julia Gillard’, *The 7.30 Report*, transcript, Australian Broadcasting Corporation, 2 August 2010, viewed 4 July 2011, <http://www.abc.net.au/7.30/content/2010/s2971415.htm>
117. *Nielsen* Poll, 3–5 August 2010, viewed 4 May 2011, <http://au.acnielsen.com/news/documents/NielsenPoll2010.pdf>.
118. J Chessell, ‘NBN to be election battleground in federal election’, *The Australian*, 19 July 2010, viewed 4 July 2011, <http://www.theaustralian.com.au/business/media/nbn-to-be-election-battleground-in-federal-election/story-e6frg996-1225893655828>
119. Australian Labor Party, *National Broadband Network Factsheet*, viewed 4 July 2011, <http://www.alp.org.au/agenda/nbn/>

- education policies emphasising individual improvements of schools¹²⁰, and
- enhanced welfare arrangements including a National Disability Strategy.¹²¹

The ALP campaign launch

The nature of Gillard's ascendancy to the prime ministership meant that questions about whether she was a legitimate prime minister and Labor leader dogged her campaign.¹²² At her campaign launch, Gillard sought to address the issue of legitimacy by conveying her links with former significant prime ministers. She was introduced by Bob Hawke; she formally acknowledged the legacies of Whitlam and Keating; and she described Kevin Rudd as 'a man of great achievement'.¹²³

The speech highlighted her values, her family and upbringing, and emphasised Labor policies—particularly education policies.¹²⁴ By listing various policies associated with her previous ministerial portfolios Gillard emphasised a record of sound administration. Gillard closed with a reference to Ben Chifley's 'light on the hill'.¹²⁵

Thus Gillard presented herself as a successor to past ALP prime ministers and re-introduced herself to the electorate in terms of being one of the many 'hard-working' Australians seeking a 'fair go'.

The results of the *ACNielsen* poll on 17 August 2010 suggested that people had reacted well to Gillard's approach with the ALP at 52 per cent of the two-party-preferred vote.¹²⁶ But *Newspoll* told a different story, showing the ALP and Coalition almost neck and neck with the ALP at 50.2 per cent of the two-party-preferred and the Coalition at 49.8 per cent.¹²⁷

120. A Crabb, 'Gillard campaign goes back to school', *ABC News Online*, 10 August 2010, viewed 5 July 2011, <http://www.abc.net.au/news/stories/2010/08/10/2978650.htm?site=news>

121. PerthNow, 'Labor and Liberals' key policies for federal election 2010', *PerthNow*, 21 August 2010, viewed 5 July 2011, <http://www.perthnow.com.au/news/labor-and-libs-key-election-policies/story-e6frg12c-1225908351075>

122. D Emerson, 'Barnett questions Gillard's legitimacy', *The West Australian*, 2 August 2010, viewed 5 July 2011, <http://au.news.yahoo.com/thewest/a/-/breaking/7688716/barnett-questions-gillards-legitimacy/> and D Shanahan, 'Election focus lost as Gillard stands accused', *The Australian*, 16 July 2010, viewed 5 July 2011 <http://www.theaustralian.com.au/national-affairs/election-focus-lost-as-gillard-stands-accused/story-fn59niix-1225892380697>

123. J Gillard (Prime Minister), ALP Campaign Launch, speech, Brisbane, 16 August 2010, viewed 10 July 2011, <http://www.alp.org.au/federal-government/news/speech--julia-gillard,-alp-campaign-launch,-brisba/>

124. J Gillard, 'Speech: Julia Gillard, ALP Campaign Launch, Brisbane', 16 August 2010, viewed 8 June 2011, <http://www.alp.org.au/federal-government/news/speech--julia-gillard,-alp-campaign-launch,-brisba/>

125. Ibid.

126. *Nielsen Poll*, 17–19 August 2010, viewed 8 May 2011, <http://au.acnielsen.com/news/documents/NielsenPoll2010.pdf>

127. *Newspoll*, 17–19 August 2010, viewed 10 May 2011, http://www.newspoll.com.au/cgi-bin/polling/display_poll_data.pl

The Coalition's campaign

The Coalition's campaign began with Tony Abbott acknowledging the issue that caused their downfall at the 2007 election, the industrial relations legislation known as WorkChoices.¹²⁸ On 17 July 2010, Abbott announced that a Coalition government would operate under current industrial relations legislation and would not make any changes to laws for the next three years.¹²⁹ Abbott declared that WorkChoices was 'dead, buried and cremated'.¹³⁰

Abbott's personal interest in sports was highlighted throughout the election campaign both as a point of humour for satirists¹³¹, and to emphasise his ability to lead. Terms like 'real action' appeared frequently.¹³² In an opinion piece for *The Australian*, former Prime Minister, John Howard, described the election campaign as a 'contest', stating that Abbott was 'well furnished' for it.¹³³

The Coalition's campaign included commitments to large spending cuts in some areas and proposed spending increases in others. The Coalition announced that it would save \$46.7 billion through spending cuts in the bureaucracy—including the dismantling of climate change initiatives—and ending Australia's bid for a seat on the United Nations Security Council.¹³⁴ Although Julia Gillard had—according to the Channel 7 and Channel 9 'worms'—ostensibly won the Leaders' debate on 25 July 2010¹³⁵, the *Newspoll* released on 26 July 2010 showed that the Coalition was at 42 per cent of the primary vote with Labor attracting 40 per cent.¹³⁶

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128. ABC News Online, 'WorkChoices lost Coalition the election: Combat', 24 November 2007, viewed 5 July 2011, <http://www.abc.net.au/news/stories/2007/11/24/2100290.htm> and 'Mr Squiggle: Abbott's scrawl over the WorkChoices finish line', 19 July 2010, viewed 5 July 2011, <http://www.theage.com.au/federal-election/mr-squiggle-abbotts-scrawl-over-the-workchoices-finish-line-20100719-10gpr.html>
 129. D Barbeler, 'Tony Abbott cremates WorkChoices, promises to keep Fair Work Act', *News.com.au*, 17 July 2010, 23 June 2011, <http://www.news.com.au/tony-abbott-cremates-work-choices-promises-to-keep-fair-work-act/story-fn5z3z83-1225893134335>
 130. AAP, 'Mr Squiggle: Abbott's scrawl over the WorkChoices finish line', 19 July 2010, viewed 5 July 2011, <http://www.theage.com.au/federal-election/mr-squiggle-abbotts-scrawl-over-the-workchoices-finish-line-20100719-10gpr.html>
 131. The Chaser, 'Yes We Canberra: A Day in the Life of Tony Abbott', 3 August 2010, viewed 16 June 2011, http://www.youtube.com/watch?v=rbkwFlg_Vqk&feature=player_embedded
 132. 'Action man Tony Abbott – first Liberal TV election ad goes to air', *Australian Conservative*, 24 June 2010, viewed 23 June 2011, <http://australianconservative.com/2010/05/action-man-abbott-tv-ads-go-to-air/>
 133. J Howard, 'Just the man for the job', *The Australian*, 14 August 2010, viewed 17 June 2011, <http://www.theaustralian.com.au/national-affairs/commentary/just-the-man-for-the-job/story-e6frgd0x-1225905087861>
 134. Staff writers, 'Federal Election 2010: It's all about the debt, says Tony Abbott', *News.com.au*, 20 July 2010, viewed 22 June 2011, <http://www.news.com.au/features/federal-election/greens-preferences-deal-puts-doubt-on-gillards-policies-says-abbott/story-e6frflr-1225894369741>
 135. L Archer, 'Leaders debate verdict: Tony Abbott vs Julia Gillard – so who won?', *News.com.au*, 26 July 2010, viewed 24 June 2011, <http://www.news.com.au/features/federal-election/leaders-debate-verdict-tony-abbott-vs-julia-gillard/story-e6frflr-1225896746893>
 136. D Shanahan, 'Coalition narrows the gap', 26 July 2010, viewed 23 June 2011, <http://www.theaustralian.com.au/national-affairs/coalition-narrows-the-gap/story-fn59niix-1225896788276>

It is interesting to note that in 2007 the Coalition lost the election with 41.8 per cent of the primary vote, and the ALP won it with 43.4 per cent. In 1990 the Coalition received a comparable level of primary votes (43.2 per cent) but lost to Labor which won the election with just 39.4 per cent of the primary vote.¹³⁷ Thus, even an apparently favourable primary vote advantage at this stage of the campaign was not necessarily a strong indication that the Coalition was headed for victory in 2010.

The Coalition announced a range of measures including extending the welfare quarantine arrangements that applied in the Northern Territory so that those on unemployment benefits would receive half of their pension via a 'basics card'.¹³⁸ It pledged to address the issue of violent gangs¹³⁹ and to improve funding to support school students with disabilities.¹⁴⁰ The Coalition also announced a paid parental leave scheme, which Abbott attempted to sell as a higher paying alternative to the ALP's scheme. However, it was later reported that fathers accessing paid parental leave would be paid at the mother's rate of pay, leaving families out of pocket.¹⁴¹

Policy Costings

The Coalition pushed an economic message that emphasised its ability to save, promising savings of \$45.8 billion (an adjusted figure from earlier proposals) and delivering a higher surplus than Labor over three years by cancelling several current Labor programs.¹⁴²

As the Coalition continued to announce both budget savings measures and spending commitments it faced increased pressure to have these costed by Treasury or the Department of Finance and Deregulation.¹⁴³ This stemmed from the *Charter of Budget Honesty Act 1998*, designed to ensure that fiscal policies are scrutinised, checking that parties' costings are valid.¹⁴⁴

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137. See Appendix 2a of S Barber, *Commonwealth Election 2010*, Research paper, no. 2, 2011–12, Parliamentary Library, Canberra, 2011, viewed 26 September 2011, http://parlinfo.aph.gov.au/parlinfo/download/library/prspub/1003427/upload_binary/1003427.pdf;fileType=application/pdf
 138. T Shepherd, 'Coalition government would consider holding back pension for necessities', 28 July 2010, viewed 20 June 2011, <http://www.heraldsun.com.au/news/special-reports/coalition-government-would-consider-holding-back-pension-for-necessities/story-fn5ko0pw-1225897730472>
 139. AAP, 'Coalition Leader Tony Abbott promises to crack down on gangs', *News.com.au*, 29 July 2010, viewed 20 June 2011, <http://www.news.com.au/features/federal-election/coalition-leader-tony-abbott-promises-to-crack-down-on-gangs/story-fn5tar6a-1225898374041>
 140. AAP, 'Disabled get better dollar-value funding offer from Coalition', *News.com.au*, 30 July 2010, viewed 23 June 2011, <http://www.news.com.au/breaking-news/disabled-get-better-dollar-value-funding-offer-from-coalition/story-e6frfku0-1225898937029>
 141. S Dunlevy, 'Stay-home fathers to face pay cut', *The Daily Telegraph*, 27 July 2010, viewed 24 June 2011, <http://www.dailytelegraph.com.au/election/home-fathers-to-face-pay-cut/story-fn5zm695-1225897205100>
 142. M Grattan and A Morton, 'Abbott carves out \$1.2bn of savings', *The Age*, 21 July 2010, viewed 13 July 2011, <http://www.theage.com.au/federal-election/abbott-carves-out-12bn-of-savings-20100720-10jqp.html>
 143. T Colebatch, 'Cocky Coalition has costed just 1% of policy promises', *The Age*, 9 August 2010, viewed 13 July 2011, <http://www.theage.com.au/federal-election/cocky-coalition-has-costed-just-1-of-policy-promises-20100808-11qfj.html>
 144. The Treasury, 'Charter of Budget Honesty Act 1998', Treasury website, viewed 13 July 2011, <http://www.treasury.gov.au/contentitem.asp?ContentID=70&NavID=>

The *Charter of Budget Honesty Act 1998* (the Charter) outlines arrangements under which the Secretaries to the Treasury and of the Department of Finance and Deregulation (the Secretaries) may be requested to cost Government and Opposition election commitments during the Caretaker Period prior to a general election.¹⁴⁵

After a Treasury costing was leaked to the media saying that the Coalition's plan to cancel the National Broadband Network would achieve \$800 million less than the savings predicted¹⁴⁶, the Coalition submitted their policy costings to an independent auditor.¹⁴⁷ They released their costings on 18 August—three days before polling day. This gave the ALP an opportunity to criticise the Coalition on the grounds both of a delay in releasing their costings¹⁴⁸ and their accuracy.

The Coalition's official campaign launch on 8 August 2010 was pitched to reinforce the Coalition's strong stance on key policy issues. Abbott phrased his campaign message as 'end the waste, pay back the debt, stop the big new taxes, stop the boats and help struggling families'.¹⁴⁹ This slogan highlighted the main issues of the campaign but also reinforced the 'tough' image that Abbott was seeking to project—an image that was further accentuated when Abbott declared that he would campaign for 36 hours straight in the lead-up to polling day.¹⁵⁰

Asylum Seekers

The Abbott 'action man' image was especially prominent in the Coalition's approach to dealing with asylum seekers. The Coalition's 'stop the boats' mantra was part of a 'tough' stance on refugee issues, and blended in with Coalition statements about the need for a sustainable population in Australia and concerns over migration figures.¹⁵¹ The Coalition's asylum seeker policies were controversial. They included the re-opening of Nauru's asylum seeker processing centre as part of a

145. Department of Finance and Deregulation, 'Charter of Budget Honesty – Costing Election Commitments', Department of Finance and Deregulation website, viewed 13 July 2011, <http://www.finance.gov.au/publications/charter-of-budget-honesty/index.html>

146. N Berkovic and S Maiden, 'Tony Abbott stands by election costings', *The Australian*, 10 August 2010, viewed 13 July 2011, <http://www.theaustralian.com.au/national-affairs/treasury/tony-abbott-stands-by-election-costings/story-fn59nsif-1225903328746>

147. AAP, 'Joe Hockey defends Coalition costings', *News.com.au*, 19 August 2010, viewed 14 July 2011, <http://www.news.com.au/business/breaking-news/joe-hockey-defends-coalition-costings/story-e6frfkur-1225907147168>

148. L Taylor, 'Abbott caught short by \$800m', *Sydney Morning Herald*, 10 August 2010, viewed 14 July 2011, <http://www.smh.com.au/federal-election/abbott-caught-short-by-800m-20100809-11u62.html>

149. T Abbott, '2010 Federal Coalition Campaign Launch', 8 August 2010, viewed 8 June 2011, <http://www.liberal.org.au/Latest-News/2010/08/08/Coalition-Campaign-Launch.aspx>

150. B Malkin, 'Iron Monk' Tony Abbott vows to campaign for 36 hours straight in 'cliffhanger' election', 19 August 2010, viewed 24 June 2011, <http://www.telegraph.co.uk/news/worldnews/australiaandthepacific/australia/7953925/Iron-Monk-Tony-Abbott-vows-to-campaign-for-36-hours-straight-in-cliffhanger-election.html>

151. D Knight, 'Stopping the boats, but not the migrants', *The Drum: ABC Online*, 13 August 2010, viewed 14 July 2011, <http://www.abc.net.au/unleashed/35884.html> and AAP, 'We're tougher on asylum seekers, says Abbott', *The Age*, 18 July 2010, viewed 15 July 2011, <http://www.theage.com.au/federal-election/were-tougher-on-asylum-seekers-says-abbott-20100718-10fm8.html>

re-engineered Pacific Solution¹⁵² and the proposal that, as Prime Minister, Abbott would personally make the decision to turn back any asylum seeker boats based on a real-time conversation with the commander of the navy vessel at the scene of an interception.¹⁵³

Minor parties and other candidates

Australian Greens

The Australian Greens party had been for some time a prominent player in the Senate elections. During the 2010 campaign they appeared to be increasing their standing even further, polling between 12 to 14 per cent of the primary vote in the lead-up to polling day.¹⁵⁴

On 19 July 2010 it was reported that Australian Greens' leader Senator Bob Brown had negotiated a preference deal with the ALP, with Labor directing Senate preferences to the Greens, and the Greens directing key lower house votes to Labor.¹⁵⁵ This preference deal would see the Greens further cement their position in the Senate and hold the balance of power. However, both parties emphasised that the deal was not dependent upon policy positions.¹⁵⁶

On 25 July 2010, Senator Brown joined Queensland Senate candidate Larissa Waters to launch the Australian Greens Queensland campaign, where he reiterated remarks about his lack of inclusion in the leaders' debate.¹⁵⁷ Brown emphasised that this was yet another sign that the major parties had not realised the level of influence that the Greens would have in the new parliament.¹⁵⁸

The Australian Greens were the first party to officially launch their campaign—on 1 August 2010—with Senator Brown highlighting their policy focus on improved dental care, action on climate change, marriage equality and euthanasia.¹⁵⁹ Many saw the speech 'as an eloquent statement from

152. AAP, 'Nauru ready and willing to reopen asylum seeker boat processing centre –Abbott', *News.com.au*, 7 August 2010, viewed 15 July 2011, <http://www.news.com.au/features/federal-election/nauru-ready-and-willing-to-reopen-asylum-seeker-boat-processing-centre-abbott/story-fn5tar6a-1225902467555>

153. P Hudson, 'Holy asylum seekers! Tony Abbott to take charge of boat people hotline', *News.com.au*, 16 August 2010, viewed 15 July 2011 <http://www.news.com.au/features/federal-election/holy-asylum-seekers-tony-abbott-to-take-charge-of-boat-people-hotline/story-e6frfllr-1225905657522> ; AAP, 'Commander Abbott takes charge of stopping boats', *The Age*, 16 August 2010, viewed 15 July 2011, <http://www.smh.com.au/federal-election/commander-abbott-takes-charge-of-stopping-boats-20100816-125nk.html>

154. *Newspoll* 'Federal voting intention', 30 July–1 August, 6–8 August, 13–15 August 2010, http://www.newspoll.com.au/cgi-bin/polling/display_poll_data.pl, viewed 6 July 2011.

155. E Rodgers, 'Labor, Greens seal preferences deal', *ABC News online*, 19 July 2010, viewed 22 June 2010, <http://www.abc.net.au/news/stories/2010/07/19/2957323.htm>

156. N Berkovic and S Maher, 'Preference deal a game-changer: Abbott', *The Australian*, 20 July 2010, viewed 22 June 2011, <http://www.theaustralian.com.au/national-affairs/abbott-warns-greens-preference-deal-a-game-changer/story-fn59niix-1225894330263>

157. AAP, 'Bob Brown kicks off Greens' Queensland federal election campaign and target climate change', *Courier Mail*, 25 July 2010, viewed 23 June 2010, **Error! Hyperlink reference not valid.**

158. Ibid.

159. AAP, 'Greens warn of deadlocked Senate', *Sydney Morning Herald*, 1 August 2010, viewed 23 June 2011, <http://www.smh.com.au/federal-election/greens-warn-of-deadlocked-senate-20100801-11153.html>

a politician of passion and commitment, a man arguing for positions he has long held'.¹⁶⁰ Journalist Malcolm Farnsworth described it as 'a cry from a party that knows what it stands for' and as such constituted a marked difference from the major parties.¹⁶¹

Opinion poll support for the Greens increased throughout the country but nowhere was this more significant than in the lower house electorate of Melbourne.¹⁶² With an increasing likelihood that the Greens would win more seats in the Senate as well as its first seat in the lower house at a general election¹⁶³, public interest in, and media commentary about, the Greens intensified. The ABC television program *Gruen Nation* even ran a mock advertising pitch on 11 August 2010, with a commercial company devising an election advertisement for the Greens.¹⁶⁴ The mock advertisement was so successful that the Greens tried, but failed, to gain the rights to screen it.¹⁶⁵

As Greens support in the polls increased, media commentary focused on how the Greens might act should they hold the balance of power after the election and what this would mean for Australian federal politics and the elected government's agenda.¹⁶⁶

Democratic Labor Party (DLP)

The Democratic Labor Party (DLP) has not had representation in federal Parliament since the double dissolution election of 1974, but was a significant minor party prior to that election, having had five members in federal parliament at the height of their success.¹⁶⁷

The DLP regained federal representation at the 2010 election with the successful win of a Victorian Senate seat by John Madigan, the DLP Victorian State president and federal first vice-president. The DLP ran fourteen candidates for the Senate and seven for the House of Representatives. The same proportional representation electoral system that facilitated their entry into the Senate through the 1950s, 60s and 70s, paved the way for John Madigan to win his seat in 2010.¹⁶⁸ Madigan won only

160. M Farnsworth, 'The ALP is losing and they know it', *Blog*, 2 August 2010, viewed 8 June 2011, <http://blogs.abc.net.au/drumroll/2010/08/the-arp-is-losing-and-they-know-it.html>

161. Ibid.

162. A Green, 'Can the Greens Win Melbourne?' *Antony Green's Election Blog*, 10 June 2010, viewed 4 July 2011, <http://blogs.abc.net.au/antonygreen/2010/06/can-the-greens-win-melbourne.html>

163. The Greens had won the seat of Cunningham at a by-election in 2002 but lost it at the next election in 2004.

164. 'Gruen Nation: The Pitch: The Greens', *Gruen Nation*, Australian Broadcasting Corporation (ABC), 11 August 2010, viewed 24 June 2011, <http://www.youtube.com/watch?v=HozcMGOCASE&NR=1&feature=fvwp>

165. P Tatnell, 'ABC won't come to the party over Gruen Greens ad', *Sydney Morning Herald*, 12 August 2010, viewed 24 June 2011, <http://www.smh.com.au/entertainment/tv-and-radio/abc-wont-come-to-the-party-over-gruen-greens-ad-20100812-120sn.html>

166. K Wiltshire, 'Dangerous hands to be holding balance of power', *The Australian*, 23 July 2010, viewed 5 July 2011, <http://www.theaustralian.com.au/national-affairs/dangerous-hands-to-be-holding-balance-of-power/story-fn59niix-1225895823244>

167. C Madden, *The Democratic Labor Party: An overview*, Background Note, Parliamentary Library, Canberra, July 2011, p.1, http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/932780/upload_binary/932780.pdf;fileType=application%2Fpdf#search=%22library/prspub/932780%22

168. Ibid, p. 6.

2.33 per cent of the primary vote in Victoria, but with preferences from One Nation, the Christian Democrats and the Liberal Democrats, he managed to emerge victorious against Family First Senator Steve Fielding and Liberal Senator Julian McGauran.

Independents

In the 42nd Parliament, the lower house had three sitting Independents— Bob Katter, Tony Windsor and Rob Oakeshott (who had won the seat of Lyne at a by-election in 2008). All were considered safe to be returned at the 2010 election. They were joined in the 43rd Parliament by two more Independents, Tony Crook (Western Australia) and Andrew Wilkie (Tasmania).

Nationals WA candidate Tony Crook stood against Liberal candidate Wilson Tuckey in the seat of O'Connor and looked to be a close challenger after the electoral redistributions extended O'Connor's boundaries to include 36 per cent of the State, including the southern mining region.¹⁶⁹ Tuckey had held the seat for the Liberals on a margin of 16.6 per cent prior to redistribution, but thereafter it dropped to 12.8 per cent.¹⁷⁰ Crook won the seat with a 19.68 per cent swing.¹⁷¹

After the election, Crook announced that he would sit as an independent member representing the Nationals WA rather than with the Coalition.¹⁷²

Former intelligence officer Andrew Wilkie stood as an Independent candidate and won the previously Labor-held seat of Denison. Wilkie had previously stood as an Australian Greens candidate at the 2004 federal election in the seat of Bennelong against the former Prime Minister John Howard.¹⁷³ Wilkie stood again in the 2007 federal election, but this time as a candidate for the Senate, in the number 2 Greens spot behind Senator Bob Brown. Wilkie resigned from the Australian Greens party in 2008. Prior to winning a seat at the federal election in 2010, he ran in the 2010 Tasmanian state elections as an Independent candidate but just failed to obtain a quota.¹⁷⁴

169. ABC Elections, 'O'Connor', ABC website, viewed 21 September 2011, <http://www.abc.net.au/elections/federal/2010/guide/ocon.htm>

170. Ibid.

171. Australian Electoral Commission, 'WA Division – O'Connor: Virtual Tally Room', Australian Electoral Commission website, viewed 22 September 2011, <http://results.aec.gov.au/15508/Website/HouseDivisionFirstPrefs-15508-243.htm>

172. N Horne, *Hung parliaments and minority governments*, Background Note, Parliamentary Library, Canberra, December 2010, p. 4–5, http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/449692/upload_binary/449692.pdf;fileType=application/pdf#search=%222010s%22

173. T Nolan, 'Andrew Wilkie campaigns against PM for Bennelong', transcript, *The World Today*, Australian Broadcasting Corporation (ABC), 30 August 2004, viewed 23 September 2011, <http://www.abc.net.au/worldtoday/content/2004/s1188096.htm>

174. Tasmanian Electoral Commission, 'Division of Denison – distribution of preferences', Tasmanian Electoral Commission website, viewed 26 September 2011, <http://www.electoral.tas.gov.au/pages/HouseOfAssembly/HoA2010/Results/Denison/DenisonDist.html>

Campaign innovations

The previous federal election campaign in 2007 had seen some politicians begin to use social media. The *Kevin07* campaign in particular was noted for the way it embraced online methods to reach out to the Australian public, in particular young voters.¹⁷⁵ Some candidates in 2007 had personal websites and in rare instances Facebook pages, but the 2010 election saw a marked increase in the use of social media for campaign purposes.¹⁷⁶

The Australian political scientist Jim MacNamara evaluated the change in social media use from the 2007 election to 2010 election. He observed that of the 206 federal candidates re-contesting their seats at the 2010 election, 157 had a personal website, 92 were on Twitter and 146 had a Facebook page. This was up from the 2007 election where 137 had a personal website, Twitter was not in use and only 8 candidates had a Facebook page.¹⁷⁷

While politicians increased their use of social media, so did journalists, with various media outlets posting live blogs, 24-hour news coverage, tweets and interactive television programs. The essential feature of social media is to engage in a conversation and to encourage a two-way and even multiple interactions, whether between politicians, journalists or the general public.¹⁷⁸ While journalists appeared to have embraced this 'dialogue' aspect of social media, politicians were still mainly using social media to disseminate information rather than to interact.¹⁷⁹ Farnsworth notes

... it must be said that Australian political parties would be electorally broke if they relied on their online activities to survive. They still exist in an off-line world where engagement consists of pumping out one-way, pre-packaged messages.

In reality, political engagement with the voters is a risk-averse business. There is a fear of the unguarded moment, of the picture opportunity that goes wrong. The party leaders appear instead on television, accompanied by a retinue of advisers and managers all devoted to constructing an acceptable message for the evening news bulletins.¹⁸⁰

The Australian Greens, however, were notable during the campaign for using social media to engage in conversation rather than to simply disseminate and broadcast information, likening it to

175. G Howell and B Da Silva, 'New media, first time voters and the 2007 Australian federal election', *Public Communication Review*, vol. 1, 2010 pp. 27–36.

176. J MacNamara and G Kenning, 'E-electioneering 2010: Trends in social media use in Australian political communication', *Media International Australia*, no. 139, 2011, pp. 2, 5 (provided to author)

177. *Ibid.*, p. 5.

178. *Ibid.*, p. 1.

179. See analysis in J MacNamara, 'Pre- and post-election 2010 online: What happened to the conversation?', pre-publication draft abstract (June 2011), provided to author.

180. M Farnsworth, 'Day 18: Bloggers galore and not a swinging voter in sight', *Blog*, 4 August 2010, viewed 17 June 2011, <http://blogs.abc.net.au/drumroll/2010/08/day-18-bloggers-galore-and-not-a-swinging-voter-in-sight.html>

an 'Obama style campaign'.¹⁸¹ By accessing existing platforms such as Twitter, Greens candidates were able to contribute to existing conversations as well as initiating conversations.¹⁸²

In the electorate of Melbourne, Greens candidate Adam Bandt was running a close race to become the Australian Greens first lower house member at a general election. His chances had improved as a result of the retirement of ALP sitting member and prominent front-bencher, Lindsay Tanner, who had fended off the Greens in the 2007 election.

After winning the seat with a swing of 13 per cent in the first preference vote and a 10.75 per cent swing in the two candidate preferred vote¹⁸³, Bandt claimed that the success of his campaign was due to its grass-roots nature and that it embraced 'creative and innovative communication'.¹⁸⁴

In a speech to the State Library of Victoria on 7 September 2010, Bandt spoke about decentralised suburb based groups within his electorate that ran campaigns using social enterprise initiatives such as creating 'keep cups' sporting the slogan 'I'm another inner-city, latte sipping, Greens voter', along with coasters to leave at pubs.¹⁸⁵ Bandt also pointed out both his and the groups' use of social media to encourage dialogue and disseminate information and having 'vote winning twitter conversations'.¹⁸⁶ The Greens campaign success was rewarded by large wins. As well as Bandt in the lower house, the Greens won 6 Senate seats giving them a total of 9 Senate seats and the 'balance of power'.

The election process

The election was held on Saturday 21 August 2010, conducted by the Australian Electoral Commission (AEC), and regarded by the Commission as 'undeniably the most difficult and complex election which the AEC has faced in some time'.¹⁸⁷ One significant impact was the 6 August decision of the High Court in *Rowe v. Electoral Commissioner* which allowed around 100 000 additional

181. P Hudson, 'Rise of the Greens as voters fed up with Labor and the Liberals', *Herald Sun*, 3 June 2010, viewed 24 June 2011, <http://www.heraldsun.com.au/news/national/the-rise-of-the-greens-as-voters-are-just-fed-up-with-labour-and-the-liberals/story-e6frf7l6-1225875219050>

182. C Herrick, 'Federal Election 2010: The Australian Greens' social networking strategy', *ComputerWorld*, 2 August 2010, viewed 27 June 2011, http://www.computerworld.com.au/article/355348/federal_election_2010_australian_greens_social_networking_strategy/

183. Australian Electoral Commission, 'Virtual Tally Room: House of Representatives: Vic Division – Melbourne', AEC website, 29 September 2010, viewed 28 June 2011, <http://results.aec.gov.au/15508/Website/HouseDivisionFirstPrefs-15508-228.htm>

184. A Bandt, 'Adam Bandt on his political campaign', State Library of Victoria, viewed 28 June 2011, <http://www.slv.vic.gov.au/node/2960>

185. Ibid.

186. Ibid.

187. Australian Electoral Commission, *Submission to the Joint Standing Committee on Electoral Matters on the Conduct of the 2010 Federal Election*, 21 February 2011, p. 8, viewed 17 June 2011, http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=em/elect10/subs.htm

eligible voters to vote.¹⁸⁸ Among other things, the AEC had to pursue mail contact with affected voters, and print and distribute supplementary lists of voters to polling places.

Of the 14 086 869 people entitled to vote at the 2010 federal election, 13 131 667 (representing 93.22 per cent of the enrolment) cast either formal or informal votes for the House of Representatives election; 6.78 per cent of the enrolled voters therefore did not cast a vote. In 2007 this latter figure was 5.24 per cent, so 2010 saw a decline in voter turnout of 1.54 percentage points. There were 729 304 informal votes cast at the House of Representatives election nationwide, representing 5.55 per cent of total votes cast, an increase of 1.6 percentage points over the 2007 figure.¹⁸⁹

In its account of the election provided to the Joint Standing Committee on Electoral Matters, the Commission declared that:

The 2010 federal election in virtually all respects met the community's expectations. Polling proceeded as scheduled. Against the background of the closest federal election since 1940, results were delivered credibly and expeditiously, and none of the parties represented in the Parliament petitioned the Court of Disputed Returns.

There were, however, two cases in which the AEC's performance did not match expectations: the mishandling of a number of pre-poll votes in the Divisions of Boothby and Flynn. Both episodes were matters of deep regret to the organisation, but were dealt with openly and transparently once they came to light.¹⁹⁰

The AEC included in its submission the following notable points:

- The period from the announcement of the 2010 federal election until polling day was equal to the second shortest in the organisation's history: 35 days, in contrast to the 41 days available in 2004 and 2007.
- As a consequence of the decision in *Rowe v. Electoral Commissioner* there were in effect three enrolment cut-offs, more than doubling the enrolment transactions for the 2007 election.
- As at 30 June 2010, the estimated number of people 'missing' from the roll was approximately 1.59 million. (By December 2010 this had dropped to 1.4 million.)
- The cumulative total of calls received by the AEC through to polling day was 730 311 in 2010, compared to 579 594 in 2007—an increase of over 25 per cent, but in a six day shorter period. Email traffic more than quadrupled.
- Postal voting increased by 25 per cent compared with 2007, with approximately 1.03 million electors choosing to vote by post.

188. AEC 'Election 2010: Updated advice for voters affected by High Court decision', AEC website, viewed 17 June 2011, http://www.aec.gov.au/About_AEC/Media_releases/e2010/14-08a.htm

189. Ibid., p. 12.

190 Ibid., p. 7.

- In 2010, the trend towards early voting continued. Over 2.5 million votes were issued prior to polling day, compared to around 1.86 million in 2007, and 1.41 million in 2004.¹⁹¹

With over 1.5 million people casting pre-poll votes, an increase of 37.9 per cent from the 2007 election¹⁹², it seems reasonable to ponder the implications of this for election campaign strategy. Indicative data for out-posted Pre-poll Voting Centres (PPVC) and Divisional Office Pre-polls show that by the launch of the Abbott campaign on 8 August, almost 100,000 votes had been cast and by the launch of the Gillard campaign on 16 August, almost 450,000 votes had been cast.¹⁹³ The total number of votes cast by the end of 16 August rose to approximately 580,000 with 130,000 votes cast on 16 August itself.

As more voters take the opportunity to vote at their convenience, and as pre-poll trends increase at each election, the question arises as to whether the official campaign launches have the impact on voters' choices—and thus on the electoral outcome—that might be expected. Does the trend to pre-poll voting encourage poll-driven approaches to campaigning that seek to micro-manage campaign messages on a day-to-day basis in response to perceived voter mood or the latest media issue? Or are pre-poll voters largely rusted-on party supporters unaffected by campaign messages, or else swinging voters who have nevertheless settled on their choice before campaigning commences? It will be interesting to monitor the nature of campaigning and any correlations with pre-polling in future elections.

191. Ibid., pp. 8–11.

192. Australian Electoral Commission, *Submission to the Joint Standing Committee on Electoral Matters on the Conduct of the 2010 Federal Election*, AEC, Canberra, 21 February 2011, pp. 76–7, viewed 20 June 2011, http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=em/elect10/subs.htm

193. Data provided to the authors from the Australian Electoral Commission. The data is considered indicative only as it is manually captured and collated by each divisional office.

The outcome

In the decades since World War 2, Australian federal governments have held absolute majorities (more than half of the seats) in the House of Representatives.

With the general election of 21 August 2010 this pattern was disrupted. A hung parliament eventuated, with neither the Australian Labor Party (ALP) nor the Coalition of the Liberal Party, Country Liberal Party and the Nationals obtaining an absolute majority. Indeed, the Coalition and the ALP emerged with an equal number of seats. The composition of the House of Representatives after the 2010 election is set out in Table 1 below.

Table 1. Composition of the House of Representatives following the 2010 general election¹⁹⁴

Party / affiliation	No. of members
Australian Labor Party	72
Coalition	72
—Liberal Party of Australia	60
—The Nationals	11
—Country Liberal Party	1
Cross-bench members	6
—Independents (<i>T Windsor, R Oakeshott, A Wilkie, B Katter</i>)	4
—Australian Greens (<i>A Bandt</i>)	1
—The Nationals WA (<i>T Crook</i>)	1
TOTAL	150

Source: Compiled by Nicholas Horne (Parliamentary Library) from Australian Electoral Commission (AEC) 2010 election result data.

The phrase ‘hung parliament’ generally refers only to the house of parliament where government is formed. In the Senate, for instance, the absence of an absolute majority for the major parties is nothing new. From 1981 to 2005 neither the ALP nor the Coalition, in government or in opposition, had an absolute majority in the Senate. For most of the last 61 years governments have not enjoyed absolute majorities in the Senate.

In a Senate of 76 seats, a party must have at least 39 senators in order to have an absolute majority. Neither the ALP nor the Coalition has had an absolute majority in the Senate, and the 2010 election results ensured that this remained the case.

From July 2008 to 30 June 2011, the balance of power in the Senate was shared between the Australian Greens, Family First, and independent Senator Nick Xenophon. After 1 July 2011, the Australian Greens assumed the balance of power in the Senate in their own right (a similar position to the Australian Democrats during the period 1999–2001).

194. The total for the Liberal Party of Australia (LP) includes 16 Queensland Liberal National Party (LNP) members and the total for the Nationals includes five Queensland LNP members. Comprehensive House of Representatives and Senate results data for the 2010 election are available at the Australian Electoral Commission website: <http://results.aec.gov.au/15508/Website/default.htm>

The composition of the Senate both before and after 1 July 2011 is set out in Table 2 below.

Table 2. Composition of the Senate before and after 1 July 2011¹⁹⁵

Party / affiliation	No. of senators to 30 June 2011	No. of senators from 1 July 2011
Australian Labor Party	32	31
Coalition	37	34
—Liberal Party of Australia	32	28
—The Nationals	4	5
—Country Liberal Party	1	1
Cross-bench senators	7	11
—Australian Greens	5	9
—Family First Party	1	—
—Democratic Labor Party	—	1
—Independents	1	1
TOTAL	76	76

Source: Compiled by Nicholas Horne (Parliamentary Library) from AEC 2010 election result data and senators' terms data.

A brief discussion of the politics surrounding the Greens crucial role in the Senate appears later in this paper.

Establishing the hung parliament

Because there are 150 seats in the House of Representatives, the minimum number of votes required to have an absolute majority in the House and form government is 76 votes. As described above, following a general election a party will usually emerge with an absolute majority in the House, and the Governor-General appoints the leader of that party as Prime Minister and its frontbench as the ministry.

The Constitution does not provide a mechanism for resolving a hung parliament. Rather, unwritten conventions work to resolve the situation. Fortunately, these conventions are clear and well tested. If, after an election no party emerges with an absolute majority in the House of Representatives, 'the incumbent Prime Minister, as the last person to hold the confidence of the House, has the right to remain in office and test his or her support on the floor of the House'.¹⁹⁶

The 2010 election left Julia Gillard as caretaker Prime Minister while negotiations took place as to which party would form government. As the ALP and the Coalition had each emerged with 72 seats in the House of Representatives, both parties needed the support of at least four other MPs in order to attain a majority in the House and form government.

195. The totals for the LP and the Nationals to 30 June 2011 include five Queensland LNP senators and two Queensland LNP senators respectively. The totals for the LP and the Nationals from 1 July 2011 include four Queensland LNP senators and two Queensland LNP senators respectively.

196. A Twomey, *The Governor-General's Role in the Formation of Government in a Hung Parliament*, Legal studies Research Paper No. 10/85, Sydney Law School, August 2010, p. 2, viewed 30 November 2010, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1666697##

The agreements with the Australian Greens and Independents

In the weeks immediately following the election there was frenzied activity as both major parties sought to secure agreements with the independent and Australian Greens MPs that would deliver the voting support on the floor of the House required for either party to form and maintain government. Negotiations took place over 17 days, largely in the public spotlight.

The ALP secured an early agreement with the Australian Greens for the support of the Member for Melbourne (Adam Bandt), and both parties continued to pursue negotiations with the four non-aligned Independent members. One outcome the Independents and Greens sought was to ensure the stability of the Government, and that the Government should run its full term.¹⁹⁷

Shortly after the election, the Nationals WA member, Tony Crook, had indicated that he would be sitting on the cross-benches as an independent member representing the Nationals WA.¹⁹⁸ This stance was reiterated in early September 2010, although it was also reported that Crook had expressed qualified support for a Coalition minority government.¹⁹⁹

Ultimately the ALP secured agreements for the support of three of the four other Independents (Tony Windsor, Robert Oakeshott, and Andrew Wilkie). The remaining Independent, Bob Katter, had indicated that he would support the formation of a Coalition minority government, although it remained unclear at the time whether he had established a formal agreement with the Coalition.²⁰⁰ As a result of the ALP successfully negotiating agreements, Gillard was able to reach the requisite 76 votes and form a minority government, which was duly appointed on 14 September 2010.²⁰¹

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197. This outcome was articulated in the formal agreements finally arrived at: J Gillard, W Swan, B Brown, C Milne, A Bandt, *The Australian Greens & The Australian Labor Party ('The Parties')—Agreement*, viewed 16 June 2011, http://greens.org.au/sites/greens.org.au/files/Australian%20Greens_ALP%20agreement.pdf; J Gillard, W Swan, R Oakeshott, T Windsor, *The Australian Labor Party & the Independent Members (Mr Tony Windsor and Mr Rob Oakeshott) ('the Parties')—Agreement*, viewed 16 June 2011, http://www.minister.regional.gov.au/files/Regional_Agreement.pdf
198. T Crook, *Tony Crook Media Conference August 23*, speech, 23 August 2010, viewed 30 November 2010, <http://www.tonycrook.com.au/News/Speeches/tabid/74/articleType/ArticleView/articleId/2/Tony-Crook-Media-Conference-August-23.aspx>
199. T Crook, *Crook Will Remain on Cross-Benches*, media release, 7 September 2010, viewed 30 November 2010, <http://www.tonycrook.com.au/News/MediaReleases/tabid/73/articleType/ArticleView/articleId/1/Crook-Will-Remain-On-Cross-Benches.aspx>; A Probyn, 'Crook throws Abbott a lifeline', *West Australian*, 7 September 2010, viewed 30 November 2010, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F176360%22;> D Crowe, 'Parliamentary reforms clear way for kingmakers', *Australian Financial Review*, 7 September 2010, viewed 30 November 2010, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F175225%22>
200. R Katter, 'Transcript of Bob Katter's announcement', The Age website, viewed 30 November 2010, <http://www.theage.com.au/federal-election/transcript-of-bob-katters-announcement-20100907-14zf5.html>
201. *Commonwealth of Australia Gazette*, no. S161, 16 September 2010, viewed 30 November 2010, ; <http://152.91.15.12/portal/govgazonline.nsf/a51e77a0661e155cca256cf4001d02d9/ca8a2135132ed995ca2577a0001d84f1!OpenDocument>; *Commonwealth of Australia Gazette*, no. S162, 16 September 2010, viewed 30 November 2010,

A 'new paradigm' for parliamentary politics

The agreements between Gillard, the Independents and Australian Greens encompassed a broad range of matters including working relationships between the parties, reforms to parliamentary processes, the establishment of a Parliamentary Budget Office, and some specific policy agendas. The proposed procedural reforms sought to facilitate greater engagement by backbench MPs in parliamentary business. The outcome was generally referred to as a 'new paradigm' for the parliament.²⁰² It was touted as facilitating a 'kinder, gentler' parliament, and responding to the public's wish for 'leaders who ... concentrate on making this country a better place to live'.²⁰³

The preamble to the *Agreement for a Better Parliament* (the Agreement) drawn up by Windsor and Oakeshott—the essence of which was largely reflected in agreements separately arrived at between the ALP and the Australian Greens and Wilkie—declared:

This document is a combined effort to increase the authority and opportunities for participation for all MPs, regardless of their political party or their status of office. The principles behind this document are twofold; to confirm 150 local MPs (and by extension their communities) as the foundation blocks of our Australian system of democracy, and increasing the authority of the Parliament in its relationship with the Executive. For these improvements to work, it will take a commitment by all MPs to respect the cultural change that these changes bring.

While the community demands a 'feisty' and 'testing' parliamentary floor, there will be a need for recognition by all to allow more MPs to be involved in various roles and debates, to allow more community issues to be tested through private members voting, and to allow a Speaker (in particular) to rule with a firm hand as debate tests the boundaries of the Standing Orders on the floor.

The Executive will also need to show a commitment to the cultural change that this moment brings, and will need to be more flexible, more consultative, and more engaged with all MPs if these new arrangements are to work.²⁰⁴

Key elements of the Agreement included:

- a more independent role and status for the Speaker
- tighter time limits for questions, answers and ministerial statements

<http://152.91.15.12/portal/govgazonline.nsf/a51e77a0661e155cca256cf4001d02d9/e941c77c0b7a1df4ca2577a0001d84c1!OpenDocument>

202. M Gawenda, 'The "new paradigm" will die in parliament', *Business Spectator*, 10 September 2010, viewed 13 June 2011, <http://www.businessspectator.com.au/bs.nsf/Article/Election-2010-Abbott-Gillard-Labor-Coalition-pd20100910-95SY4?opendocument&src=rss>

203. S Dunlevy, 'It's up to Parliament to heed wishes of electorate', *The Daily Telegraph*, 15 September 2010, viewed 16 June 2011, <http://www.dailytelegraph.com.au/news/opinion/its-up-to-the-parliament-to-heed-wishes-of-electorate/story-e6frezz0-1225922842915>

204. House of Representatives, *Agreement for a Better Parliament*, tabled paper, 20 October 2010, viewed 15 June 2011, http://parlinfo.parlInfo/download/library/jrnart/640272/upload_binary/640272.pdf;fileType=application/pdf#search=%22agreement%20for%20a%20better%20parliament%22

- better enforcement of 'relevance' in ministerial answers
- more time allocated for debate on Matters of Public Importance
- enhanced opportunities for private members to speak and make constituency statements, and
- more resources for parliament, including the establishment of a Parliamentary Budget Office.

The emergence of the 'new paradigm' drew considerable comment from pundits and journalists that ranged from applause and optimism to pessimistic declarations that it simply would not be realised.

Question Time has become theatre ... Governments have adopted a near monopoly on what is said and done in Parliament from Bills to debate topics. This has changed with the hung Parliament and the creation of a minority Government which has to bow to the demands of MPs on the crossbenches, and consequently to the founding principles of the Parliament itself. Non-government MPs have demanded and been given greater scope and capacity to bring forward their own legislation ... It's not just the independents who will benefit.²⁰⁵

But the new paradigm is still fresh from the box and like a self-assembly Ikea cabinet, no one is exactly sure how it works.²⁰⁶

I assumed, for instance, that written agreements between the parties would be honoured and that the longstanding conventions would be upheld — that decent and civilised behaviour would prevail. And for this naiveté and optimism I must now apologise.²⁰⁷

Forget all the talk of kinder, gentler - this Parliament will be war without the guns.²⁰⁸

The first week of sitting of the new parliament was animated by, among other things, controversy around the election of Speaker and the application of rules concerning supplementary questions. Indeed, the Speaker was himself stirred to express to the House his frustration at both the genesis and implementation of the new arrangements:

I was not privy to the elite three members of this House who made the agreement ... Can I tell you the difficulty that the presiding officer has about this agreement, because, as time has gone on, there has been a lot of interpretation about this agreement—a lot. It continues about

205. M Farr, 'Parliament will now get power back from the PM', blog, *thetelegraph.com.au*, 17 October 2010, viewed 12 June 2011, http://blogs.news.com.au/dailytelegraph/malcolmfarr/index.php/dailytelegraph/comments/parliament_will_now_get_power_back_from_the_pm/

206. J Maley, 'Questions for greater minds than these', *Sydney Morning Herald*, 1 October 2010, viewed 12 June 2011, <http://www.smh.com.au/opinion/politics/questions-for-greater-minds-than-these-20100930-15zcv.html>

207. M MacCallum, 'Mungo: pig drama, an anagram of paradigm, seems appropriate', *Crikey*, 27 September 2010, viewed 16 June 2011, <http://www.crikey.com.au/2010/09/27/mungo-pig-drama-an-anagram-of-paradigm-seems-appropriate/>

208. M Grattan, 'Numbers on a knife edge', *The Age*, 24 September 2010, viewed 16 June 2011, <http://www.theage.com.au/opinion/politics/numbers-on-a-knife-edge-20100923-15or3.html>

matters that are important for getting business rolling for the next sitting Monday, I might add as an aside.²⁰⁹

The Government lost a vote on the floor of the House when the Opposition, with Independents' support, successfully amended a new procedural rule.²¹⁰ This was the first time that the government had lost a vote on the floor since the early 1960s, when the Menzies Government had a majority of one and 'suffered a number of defeats'.²¹¹ That government's precarious majority 'was a factor which led to the early dissolution of the House'.²¹²

The instability of a hung parliament entails the possibility of the electorate going to the polls earlier than would otherwise be expected. Under section 28 of the *Constitution* the maximum term of the House of Representatives is three years from the date of its first meeting following an election. As the House of Representatives first met after the 2010 election on 28 September 2010, its term will expire on 27 September 2013 unless it is dissolved earlier—which is usually the case. If an election were to take place prior to 3 August 2013 it would only be for the House of Representatives and the Australian Capital Territory (ACT) and Northern Territory (NT) senators. State senators would only go to the polls at an election held before 3 August 2013 if it was a double dissolution election.²¹³

In its agreements with the Australian Greens, and with Windsor and Oakeshott, the minority ALP Government agreed that the 43rd Parliament 'should serve its full term'. The agreement with Windsor and Oakeshott further specified that 'the next election will be held on a date to be agreed in September or October 2013'.²¹⁴ The Government's agreement with Wilkie did not cover the parliamentary term or the timing of the next election. In late November 2010 it was reported that

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209. H Jenkins (Speaker), Questions without Notice, House of Representatives, *Debates*, 30 September 2010, p. 344, viewed 21 June 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansard%2F2010-09-30%2F0125%22>
210. M Franklin, 'PM Julia Gillard mugged by "new paradigm"', *The Australian*, 30 September 2010, viewed 16 June 2011, <http://www.theaustralian.com.au/national-affairs/pm-julia-gillard-mugged-by-new-paradigm-on-carbon-tax/story-fn59niix-1225932017075>
211. I Harris (ed.), *House of Representatives Practice*, fifth edn, Department of the House of Representatives, 2005, p. 318.
212. Ibid.
213. See Table 2 in R Lundie, *Australian Elections Timetable*, Background Note, Parliamentary Library, Canberra, 2011, viewed 26 September 2011, http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/HU1T6/upload_binary/HU1T6.pdf;fileType=application%2Fpdf#search=%22library/prspub/HU1T6%22
214. J Gillard, W Swan, B Brown, C Milne, A Bandt, *The Australian Greens & The Australian Labor Party ('The Parties')—Agreement*, viewed 16 June 2011, http://greens.org.au/sites/greens.org.au/files/Australian%20Greens_ALP%20agreement.pdf; J Gillard, W Swan, R Oakeshott, T Windsor, *The Australian Labor Party & the Independent Members (Mr Tony Windsor and Mr Rob Oakeshott) ('the Parties')—Agreement*, viewed 16 June 2011, http://www.minister.regional.gov.au/files/Regional_Agreement.pdf

both the Prime Minister and the Leader of the Opposition expected that the minority ALP Government would serve a three-year term.²¹⁵

While the agreements between the Government and the cross-bench members might appear to be a constraint on the Government's ability to call an election at a time of its choosing, the Prime Minister can make such a request of the Governor-General at any time. The Governor-General is, as Professor Twomey has noted, 'entitled to refuse a dissolution if an election has only recently been held and there is an alternative, viable government'.²¹⁶

The Australian Greens and the 'balance of power'

With nine senators from 1 July 2011, the Australian Greens occupy an influential position in that, whenever the Government and Opposition are at odds over a proposal in the Senate, the votes of the Greens will determine the outcome. This is commonly described as 'holding the balance of power'. Minor parties and independents have together held the balance of power in the Senate from 1981–2005 and since 2008.

Assuming that all 76 senators are present on the Senate floor, a minimum 39 votes in favour is needed to pass a proposal (usually expressed in the form of a question or motion). To block or reject a proposal, 38 votes against are all that is needed, because if votes are tied 38–38 the matter is always resolved in the negative. (Section 23 of the *Constitution* provides that the President of the Senate has a deliberative vote only and not a casting vote.) On the assumption that, from 1 July 2011, the Greens senators vote as a bloc, a tied vote cannot occur. The only situation in which the Greens votes will not determine the outcome is when the Government and Opposition concur and vote together on a proposal. The votes of the DLP senator (John Madigan) and Independent senator (Nick Xenophon) cannot directly affect the success or failure of a proposal on the floor of the Senate chamber unless there is a significant disruption to usual voting behaviour, such as division within the ranks of the Australian Greens senators over a vote.

The holding by the Greens of the balance of power has long prompted public debate about the implications for governance. Especially with a hung chamber in the House of Representatives, the Greens balance of power in the Senate takes on added significance. One senior political journalist characterised the post-1 July 2011 parliamentary situation as follows:

Come July 1 the soft-spoken Bob Brown ... will lead a federal party room of nine senators and one MP, who will hold the balance of power in the Senate as well as having Adam Bandt's crossbench vote in the House of Representatives. Brown's band of 10 will determine the fate of

215. D Shanahan, 'Government will run its full term, the leaders say', *The Australian*, 27 November 2010, viewed 16 June 2011,

<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F391181%22>

216. A Twomey, 'How to Succeed in a Hung Parliament', *Quadrant*, vol. 54, no. 11, November 2010, p. 39, viewed 16 June 2011.

Labor and everything it wants to legislate, including the mining tax, the carbon tax and most of the budget.²¹⁷

The Coalition has consistently portrayed the Australian Greens as extreme, and argued that the Labor Government is beholden to them. In a speech to the Senate in November 2010, Nationals Senator Ron Boswell opined:

Australia needs to work out very quickly that the Greens are the One Nation of the Left. Bob Brown is the socialist Pauline Hanson. The big and alarming difference between them lies in the public's perception. ... The Greens are still far too widely perceived as a benign political force. This should not obscure the reality that the Greens and Bob Brown are at least as dangerous to Australia as One Nation and Pauline Hanson were... The Greens are the political equivalent of the Trojan horse, and the danger they represent is enhanced mightily by the paralysis of their host party. ... The Australian Labor Party is like a rabbit in the spotlight. The Greens have divided Labor—they have played with their collective minds. ... Labor is bleeding from the right and the left but seems hypnotised by the Greens, who are the extreme Left. Even the Labor Party's Left is lurching towards fringe Greens preoccupations such as gay marriage in order to try to recover its credentials.²¹⁸

During the intense negotiations with House independents prior to the formation of government in the hung parliament, Coalition figures repeatedly warned of the dangers of a 'Green-Labor alliance'.²¹⁹ One Coalition senator subsequently lamented:

[Once] the new Parliament is sworn in, Labor and the Greens will have an outright majority in the Senate. As a result, the Government and the Greens will effectively be able to ram through whatever legislation they like without having to negotiate with the Independents or the Coalition. As a result, the alliance between the Government and the Greens is likely to strengthen as Labor finds itself even more reliant on the support of the Greens.²²⁰

Reacting to the election result which delivered the Senate balance of power to the Australian Greens, along with its first lower house seat, the party's leader, Senator Brown, was reported as saying that the Greens had become 'the "undisputed third party" in Australian politics'. He declared, however, that the Greens 'will use this vote from the Australian people responsibly ... We will use it

217. L Taylor, 'Reality of power a fine balance for the Greens', *brisbanetimes.com.au*, 28 May 2011, viewed 20 June 2011, <http://www.brisbanetimes.com.au/opinion/politics/reality-of-power-a-fine-balance-for-the-greens-20110527-1f885.html>

218. R Boswell, 'Adjournment Speech: Australian Greens', Senate, *Debates*, 16 November 2010, p. 1399, viewed 20 June 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansards%2F2010-11-16%2F0164%22>

219. AAP, 'Liberals warn of "leftist, green government"', *SBS World News*, 3 September 2010, viewed 20 June 2011, <http://www.sbs.com.au/news/article/1344542/liberals-warn-of-leftist-green-government>

220. M Fifield, 'The Senate turns a deeper shade of Green', *Goldstein News*, 15 June 2011, viewed 20 June 2011, <http://www.mitchfifield.com/Media/Articles/tabid/72/articleType/ArticleView/articleId/456/The-Senate-turns-a-deeper-shade-of-Green--Goldstein-News--June-2011.aspx>

to innovate'.²²¹ On another occasion he stated: 'We will use the balance of power responsibly, and we are much better practiced at it than any other entity in this parliament'.²²²

Since the federal election, Labor has continued to be taunted with accusations that the Government is in alliance with the Greens—even its puppet.²²³ In her Whitlam Oration in April 2011—described by a senior journalist as 'scathing and scornful'²²⁴ of the Greens—Prime Minister Gillard sought to rebut such accusations.

The differences between Labor and the Greens take many forms but at the bottom of it are two vital ones. The Greens wrongly reject the moral imperative to a strong economy. The Greens have some worthy ideas ...

They have good intentions but fail to understand the centrepiece of our big picture—the people Labor strives to represent need work. And the Greens will never embrace Labor's delight at sharing the values of every day Australians, in our cities, suburbs, towns and bush, who day after day do the right thing, leading purposeful and dignified lives, driven by love of family and nation.²²⁵

Notwithstanding the vexed politics of their relationship, an indication of the usual level of the Greens' practical support to the Government in the Senate is the extent to which they have voted with the Government during divisions on the floor of the chamber. During the period from September 2010 to May 2011 (Gillard Government), of 119 divisions the Greens have voted with the Government on 86 occasions—or 72 per cent of occasions.²²⁶ These divisions related to a range of votes, on both procedural and legislative matters.

Holding the balance of power makes considerable demands on the senators concerned. A study of MPs and senators in 2010 reported 'a constant and high level of constituent correspondence' for cross-bench senators, with claims that 'ministers have it easier compared to senators holding the

221. C Nader, 'Brown declares "Greenslide" with Senate balance of power', *Sydney Morning Herald*, 22 August 2010, viewed 20 June 2011, <http://www.smh.com.au/federal-election/brown-declares-greenslide-with-senate-balance-of-power-20100822-13aa0.html>

222. P Osborne, 'Greens prepare for Senate power role', *Sydney Morning Herald*, 25 May 2011, viewed 20 June 2011, <http://news.smh.com.au/breaking-news-national/greens-prepare-for-senate-power-role-20110525-1f444.html>

223. S Maiden, 'Julia Gillard and Bob Brown are carbon copies', *Adelaide Now*, 6 March 2011, viewed 20 June 2011, <http://www.adelaidenow.com.au/ipad/julia-and-bob-carbon-copies/story-fn6bqphm-1226016383225>

224. M Grattan, 'Gillard bites the Green hand she needs to help her', *Sydney Morning Herald*, 3 April 2011, viewed 20 June 2011, <http://www.smh.com.au/opinion/politics/gillard-bites-the-green-hand-she-needs-to-help-her-20110402-1cseu.html>

225. J Gillard (Prime Minister), *Gough Whitlam Oration: speech to the Inaugural Whitlam Institute*, media release, 30 March 2011, viewed 20 June 2011, <http://www.pm.gov.au/press-office/speech-inaugural-whitlam-institute-gough-whitlam-oration-sydney>

226. Calculated by the author from statistics available on the Department of the Senate website, *Statsnet*, viewed 20 June 2011, http://www.aph.gov.au/Parliamentary_Business/Statistics/statsnet

balance of power’ because ministers have substantial resources at their disposal, yet ‘crossbench senators often have to negotiate with key ministers over budgets and important legislation’.²²⁷

Diversity in the 43rd Parliament

The 2010 election delivered to the House of Representatives its first Indigenous member, Ken Wyatt, and its first Muslim member, Ed Husic. But female representation remained ‘stuck at around 25 per cent’.²²⁸

In time, no doubt, analysts will explain the behaviour of male and female voters and examine the campaigning styles of Julia Gillard and Tony Abbott. What is immediately apparent, though, is that the fortunes of male and female party candidates fitted into a well-established pattern.²²⁹

The following table shows the success rates for male and female candidates.

Table 3. House of Representatives candidate success rates

	Nominations	Elected	Percentage elected
Males	619	113	18.3
Females	230	37	16.1
Total	849	150	17.7

Table 4. Senate candidate success rates

	Nominations	Elected	Percentage elected
Males	226	23	10.2
Females	123	17	13.8
Total	349	40	11.5

Source: T Smith, ‘The forty-third parliament: how’s it hanging?’, *Inside Story*, 29 September 2010.

As Table 5 hereunder shows, the proportion of women in the House of Representatives decreased by 2.6 percentage points as a result of the 2010 election.

227. S Brenton, *What lies beneath: the work of senators and members of the Australian parliament*, Parliamentary Library, Canberra, 2010, pp. 68–9.

228. T Smith, ‘The forty-third parliament: how’s it hanging?’, *Inside Story*, 29 September 2010, viewed 21 June 2011, <http://inside.org.au/the-forty-third-parliament-how%e2%80%99s-it-hanging/>

229. Ibid.

Table 5. House of Representatives by gender and party (42nd and 43rd Parliament)

	42 nd Parliament			43 rd Parliament		
Party	Males	Females	% females	Males	Females	% females
ALP	56	27	32.5	49	23	31.9
LP	41	13	24.1	47	13	21.7
NATS	8	1	11.1	11	0	0
NATS (WA)				1		
CLP #				0	1	100
GRN				1	0	0
IND	4	0	0	4	0	0
TOTAL	109	41	27.3	113	37	24.7

Source: Drawn from tables prepared by Janet Wilson, Parliamentary Library.

Country Liberal Party

Among the major parties, the ALP reduced its female representation by 4 women, while the Liberal Party retained the same number of women in its parliamentary ranks—although as a smaller percentage of its representation overall.

From 1 July 2011 the proportion of women in the Senate increased by 4 percentage points to 39.5 per cent. The proportion of Labor senators who are female rose by 1.4 percentage points; the proportion of Liberal senators who are female fell by 0.5 percentage points. The proportion of Greens senators who are female rose by 6.7 percentage points.

Table 6. Senate by gender and party (42nd and 43rd Parliament from 1 July 2011)

	42 nd Parliament and 43 rd Parliament to 30 June 2011			43 rd Parliament from 1 July 2011		
Party	Males	Females	% females	Males	Females	% females
ALP	18	14	43.8	17	14	45.2
LP	23	9	28.1	20	8	27.6
NATS	3	1	25	3	2	40
FFP	1	0	0	-	-	-
DLP	-	-	-	1	0	0
CLP	1	0	0	1	0	0
GRN	2	3	60	3	6	66.7
IND	1	0	0	1	0	0
TOTAL	49	27	35.5	46	30	39.5

Source: Drawn from tables prepared by Janet Wilson, Parliamentary Library, and from AEC election figures.

Post-election analysis of the outcome

On the basis of their findings from the 2010 Australian Election Study, its authors characterised the election in the following terms:

Leadership change formed the backdrop to the 2010 Australian federal election, with the replacement of Kevin Rudd as prime minister by Julia Gillard, the country's first female prime minister. ... The results [of the study] show that the predominant influence on the vote was how voters rated the leaders.

Julia Gillard was particularly popular among female voters and her overall impact on the vote was slightly greater than that of Tony Abbott. Defectors from Labor to the Greens disapproved of Kevin Rudd's dismissal from office and rated Bob Brown highly. Policy issues were second in importance after leadership, particularly for those moving from the Coalition to Labor, who were concerned about health and unemployment. Labor defectors to the Greens particularly disliked Labor's education policies.

Labor was also unable to convince the electorate that Australia's successful weathering of the global financial crisis was a consequence of its policies. Overall, the results point to the enduring importance of leaders and leadership change as the predominant influence on how voters cast their ballot.²³⁰

In the post-poll analysis of the various factors that had shaped the election outcome, two seemed to stand out, and are consistent with those identified earlier in this Research Paper.

The 'Rudd factor'

In post-poll accounts of Labor's poor showing at the 2010 election, reference was often made to what was dubbed the 'Rudd factor'—both his prime ministerial legacy and the public's reaction to his being deposed as leader. This had also been a theme during the election campaign itself.

Disquiet over the way Rudd was removed—even amongst those who supported Gillard, and particularly amongst Queensland voters in Rudd's home state—burdened Labor's election campaign.²³¹ In April 2011, *The Age* interpreted the above-mentioned Australian Election Study as showing that 'an overwhelming majority of voters who swung away from Labor' were 'unhappy with the way Kevin Rudd was dumped as Prime Minister':

The Australian Election Study - a detailed "exit survey" of voters from last year's election - found that one in four people who had voted Labor in 2007 changed their first preference to another party at the 2010 poll. The survey found that 79 per cent of these voters switching support away

230. I McAllister, C Bean and J Pietsch, *Leadership change, policy issues and voting in the 2010 Australian federal election*, pre-publication draft abstract (June 2011) provided to author.

231. N Maynard and E Chalmers, 'Readers vent anger at Julia Gillard's apology for knifing Kevin Rudd', *The Courier-Mail*, 5 August 2010, viewed 16 June 2011, <http://www.couriermail.com.au/news/national/readers-vent-anger-at-julia-gillards-partial-apology-for-knifing-kevin-rudd/story-fn5z3z83-1225901521154>

from Labor disapproved of the way the ALP handled its leadership change when Julia Gillard replaced Mr Rudd last June.²³²

In terms of his prime ministerial legacy, we have already noted that in the months preceding his ousting as leader, Rudd had suffered dramatic falls in his popularity—notwithstanding the Government's success in dealing with the global financial crisis. Commonly cited reasons, apart from reversals on the CPRS, included his failure to deliver promised outcomes in health reform and other key policy areas; controversies surrounding the home insulation and school building programs; and his perceived heavy reliance on 'spin'. As Rudd's popularity waned, so did the Labor Government's public support, and in June 2010 polls had shown the Opposition ahead of Labor for the first time in more than four years on a two-party-preferred basis.²³³

Climate change and the Greens factor

Rudd's decision to defer the introduction of the CPRS was widely regarded as fatally wounding his credibility.²³⁴ An exit poll conducted for the Climate Institute led to its concluding that 'Labor could have won two extra seats and perhaps the election had it not deferred its [CPRS] ... The poll ... showed 32 per cent of those who voted Green would have voted Labor if it weren't for the decision to postpone the introduction of the CPRS'.²³⁵

According to election analyst Antony Green, 'most of the vote lost by Labor in NSW went to the Coalition, but in most other states it was the Greens who were major beneficiaries of Labor's decline'.²³⁶ Disenchantment with what many voters regarded as Labor's abandoning of its principles appears to have played an important role in the election outcome.

The big structural shift in the past election was that Labor handed its bloc of progressive voters to the Greens. Without the half million extra votes the Greens took on August 21, Labor found itself unable to govern in its own right. ... Under Kevin Rudd, Labor lost voters to the Greens by abandoning its emissions trading scheme and by toughening its stance on asylum seekers.²³⁷

But as authors of the 2010 Australian Election Study have pointed out, as in past elections, most of the Green votes returned to Labor through preferences:

232. M Davis, 'Rudd dumping cost votes: survey', *The Age*, 8 April 2011, viewed 16 June 2011, <http://www.theage.com.au/national/rudd-dumping-cost-votes-survey-20110407-1d6cu.html>

233. P Coorey, 'Labor faces wipeout', op. cit.

234. L Archer, 'Kevin Rudd Julia Gillard leadership spill FAQ', *news.com.au*, 24 June 2010, viewed 16 June 2011, <http://www.news.com.au/features/federal-election/kevin-rudd-julia-gillard-leadership-spill-faq/story-e6frflr-1225883529409>

235. AAP, 'Climate change delays cost Labor election – says a poll by the Climate Institute', *news.com.au*, 29 August 2010, viewed 16 June 2011, <http://www.news.com.au/features/federal-election/climate-change-action-delays-cost-labor-election-says-a-new-poll-by-the-climate-institute/story-e6frflr-1225911516606>

236. A Green, 'How Australia voted', *Antony Green's Election Blog*, 20 September 2010, viewed 16 June 2011, <http://blogs.abc.net.au/antonygreen/2010/09/how-australia-voted.html>

237. P Hartcher, 'Labor fails to stop slide to Greens', *Sydney Morning Herald*, 25 October 2010, viewed 16 June 2011, http://parlinfo.parlInfo/download/media/pressclp/312063/upload_binary/312063.pdf;fileType=application%2Fpdf#search=%22Labor%20lost%22

For example, when asked the eventual destination of their House of Representatives vote in 2010, 73 percent of Green voters said that their vote returned to Labor, 10 percent said that their vote went to the Coalition, and 17 percent did not know. ... Thus, while around one in 10 voters cast a ballot for the Greens, around three out of every four of those votes eventually ended up with Labor, thus minimizing the overall defections from the party.²³⁸

Conclusion

The 2010 federal election proved to be one of the most dramatic in decades. The emergence of a hung parliament from the 2010 election created a very new environment in which politics would be played out during the 43rd Parliament.

The risks for a minority government emerged very early with the Government losing a vote on the floor over a procedural matter—the first such loss since the Menzies government of the early 1960s.²³⁹ With a ‘new paradigm’ agreed that did not have the unqualified support of some key players, including the Speaker, Harry Jenkins, it would be some time before MPs could settle into the new way of doing their parliamentary business.

The House Standing Committee on Procedure, which had been directed to ‘monitor and report on procedural changes implemented in the House of Representatives in the 43rd Parliament’, tabled an interim report on 13 May 2011.²⁴⁰ The report cited the words of Prime Minister Gillard in her opening address to the new parliament:

Mr Speaker, the result of the 21 August election is a salutary reminder that parliament is not a creature of the executive and that every piece of legislation will require, and should be given, careful and thoughtful deliberation. It is also a reminder that our colleagues on the crossbench have their own rights as legislators which must be protected and upheld. For the government’s part we accept these realities and welcome the opportunity for reform that they present. We want this parliament to be productive both in its rules and procedures but also in its outcomes for the nation, and we pledge to uphold the spirit of consensus and goodwill at every possible turn.²⁴¹

The Procedure Committee report noted that the early periods of sitting ‘could largely be viewed as a period of ‘bedding in’ for the reforms’ and ‘that trends may change over the course of the 43rd Parliament’.²⁴² Members were reported as holding ‘significant concerns over the increase in weekly sitting hours and the adverse impact of longer sitting days on the health and wellbeing of Members,

238. McAllister, op. cit., p. 4.

239. Department of the House of Representatives, *House of Representatives Practice*, (5th edn), Canberra, 2005, p. 318.

240. House of Representatives Standing Committee on Procedure, *Inquiry into procedural changes implemented in the 43rd Parliament: Interim report No.1*, viewed 10 June 2011, http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=proc/proceduralchanges/report1.htm

241. J Gillard, ‘Speaker–election’ House of Representatives, *Debates*, 28 September 2010, p. 7, viewed 30 July 2011, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansard%2F2010-09-28%2F0011%22>

242. House of Representatives Standing Committee on Procedure, op. cit., p. 4.

their staff and parliamentary staff'.²⁴³ The report noted 'less flexibility in pairing arrangements which enable Members to be absent from the House for periods of time to attend to other business'²⁴⁴ and the Committee recommended the preparation of some 'draft amendments' to standing orders in order to 'enhance the operations of the House and correct oversights and inconsistencies'.²⁴⁵

The Committee concluded its report as follows:

As the 43rd Parliament progresses, the Committee will continue to monitor and review the changes. It will provide further opportunities for input on all aspects of the reforms. The Committee intends to report in more detail to the House on matters associated with the procedural reforms after there has been a greater opportunity for assessment. It may then make further recommendations on aspects of the reforms that require fine tuning, or more substantial amendment.²⁴⁶

The 2010 federal election ushered in a new era of parliamentary politics, and a changed political landscape for Australia's citizens. The 43rd Parliament remains a work in progress.

243. Ibid., p. 45.

244. Ibid., p. 48.

245. Ibid., p. 59.

246. Ibid., p. 60.

Further reading

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Appendix 1

Event	Federal election 2010
Election announced	Saturday 17 July 2010
Issue of writs	6 pm Monday 19 July 2010
Close of rolls - cut-off time for new enrolments	8 pm Monday 19 July 2010
Cut-off time for changes to enrolment	8 pm Thursday 22 July 2010
Close of rolls as determined by the High Court decision	8 pm Monday 26 July 2010
Cut off time for inclusion in supplementary certified lists	8 pm Monday 26 July 2010
Close of nominations	12 pm Thursday 29 July 2010
Declaration of nominations	12 pm Friday 30 July 2010
Commencement of pre-polling	Monday 2 August 2010
Polling day	Saturday 21 August 2010
Return of writs	On or before 27 October 2010
Senate writ for Tasmania	Friday 10 September 2010
Senate writ for Queensland	Wednesday 15 September 2010
Senate writ for Western Australia	Wednesday 15 September 2010
Senate writ for New South Wales	Thursday 16 September 2010
Senate writ for South Australia	Thursday 16 September 2010
Senate writ for Victoria	Friday 17 September 2010
Senate writs for the Australian Capital Territory and Northern Territory	Friday 17 September 2010
House of Representative writs for all states and territories	Friday 17 September 2010
Closing date for the lodgement of petitions to the Court of Disputed Returns	Wednesday 27 October 2010

Source: Australian Electoral Commission, *Submission to the Joint Standing Committee on Electoral Matters on the Conduct of the 2010 Federal Election*, February 2011

Appendix 2

	2010 federal election	2007 federal election	2004 federal election
EXPENSES	as at 31 Jan 2010*	as at 30 June 2008	as at 30 June 2005
Employee expenses	\$51 329 171	\$42 466 087	\$37 087 564
Property, Office Supplies & Services (inc. Venue/Equip Hire, Security, Stationery)	\$7 925 429	\$6 186 750	\$2 902 706
Election Cardboard & Supplies (inc. Electoral Forms, Envelopes, Ballot Paper, Screens)	\$6 418 078	\$4 560 189	\$13 281 786
Contractors (inc. DFAT services, NTR, Scrutiny)	\$5 506 810	\$1 930 722	(not reported separately)
Consultancy	\$786 213	\$1 244 097	\$983 656
Travel	\$2 895 864	\$2 747 900	\$1 150 282
Advertising, Promotion & Media Services	\$10 054 113	\$29 544 339	\$10 193 445
ICT Services	\$8 961 469	\$10 682 556	\$2 871 445
Mailing & Freight Services	\$6 374 932	\$8 215 186	\$1 610 372
Printing and Publications	\$6 060 288	\$4 610 041	\$5 583 441
Legal Services	\$346 915	\$342 148	\$230 208
Other Expenses	\$622 267	\$632 844	\$93 023
Sub total	\$107 281 550	\$113 162 860	\$75 987 928
Public funding	\$53 163 385	\$49 002 639	\$41 926 159
Total expenses	\$160 444 935	\$162 165 498	\$117 914 087
*The figures provided above for the 2010 federal election are considered almost final.			

Source: Australian Electoral Commission, *Submission to the Joint Standing Committee on Electoral Matters on the Conduct of the 2010 Federal Election*, February 2011

Appendix 3

Two-party preferred voting intentions August 2009 – August 2010

Fortnight Ending approx.	Newspoll		Morgan		AC Neilsen	
2009	ALP	LP/NP	ALP	LP/NP	ALP	LP/NP
Aug 15	57	43	59	41	56	44
Aug 29	55	45	61.5	38.5	-	-
Sep 13	55	45	63	37	55	45
Sep 27	55	45	59.5	40.5	-	-
Oct 10	58	42	61	39	57	43
Oct 24	59	41	61	39	-	-
Nov 6	52	48	55	45	56	44
Nov 20	56	44	57	43	-	-
Dec 1 Tony Abbott elected Leader of Opposition						
Dec 4	56	44	53	47	-	-
2010	ALP	LP/NP	ALP	LP/NP	ALP	LP/NP
Jan 17	54	46	56	44	-	-
Jan 31	52	48	56.5	43.5	-	-
Feb 14	53	47	58	42	54	46
Feb 28	52	48	57.5	42.5	-	-
Mar 14	52	48	56	44	53	47
Mar 28	56	44	57	43	-	-
Apr 18	54	46	56.5	43.5	51	49
May 2	49	51	55	45	-	-
May 16	50	50	48.5	51.5	-	-
May 30	51	49	49.5	50.5	-	-
Jun 14	51	49	51.5	48.5	47	53
Jun 24 Julia Gillard elected Prime Minister						
Jun 28	53	47	49	51	55	45
Jul 18	55	45	56	44	52	48
Aug 1	50	50	53	47	48	52
Aug 15	52	48	51	49	53	47
Aug 19	50.2	49.8	51	49	52	48
Aug 21 Election Day	50.1	49.9	50.1	49.9	AEC figures 50.12	AEC figures 49.88

Source: *Newspoll*, *Morgan Poll*, *AC Neilsen Poll* viewed at
<http://libis1/Library/Services/opinionpolls/index.htm>

Appendix 4

Party leader approval ratings and preferred PM: August 2009 – August 2010

Month ending approx.	Newspoll Party Leaders				AC Neilsen Poll Party leaders			
2009	Prime Minister approval Rudd	Opposition Leader approval Turnbull	Preferred Prime Minister		Prime Minister approval Rudd	Opposition Leader approval Turnbull	Preferred Prime Minister	
			Rudd	Turnbull			Rudd	Turnbull
Aug 23	61	30	66	19	68	31	67	24
Sep 20	65	33	65	17	70	35	69	23
Oct 18	63	32	65	19	71	35	69	23
Nov 15	56	34	63	22	68	37	68	24
Nov 30	56	36	65	14	66	41	67	21
Dec 1 Tony Abbott elected Leader of the Opposition								
Dec 6	Rudd 58	Abbott	Rudd 60	Abbott 23	Rudd -	Abbott -	Rudd -	Abbott -
2010 Jan 17	52	40	57	25	-	-	-	-
Feb 6	50	41	58	26	60	44	58	31
Mar 6	51	48	55	30	57	50	57	35
Mar 28	51	44	59	27	-	-	-	-
Apr 18	50	46	56	29	59	46	59	34
May 16	39	42	49	33	45	46	53	38
Jun 20	36	38	46	37	41	41	49	39
Jun 24 Julia Gillard elected Prime Minister								
	Gillard	Abbott	Gillard	Abbott	Gillard	Abbott	Gillard	Abbott
Jun 27	-	42	53	29	-	40	55	34
Jul 27	41	40	50	34	56	43	55	34
Aug 8	43	41	49	34	52	50	49	41
Aug 15	44	43	50	35	54	45	52	38
Aug 19	44	42	50	37	50	46	51	40
Aug 21 Election Day								
Oct 24	44	41	53	32	54	45	53	39

Source: Newspoll, AC Neilsen Poll viewed at http://libis1/Library_Services/opinionpolls/index.htm

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