

## **"The Order of Australia: In the Beginning"**

An Address by Sir David Smith to  
The Order of Australia Association, ACT Branch  
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The seventeen and a half years during which I held the office of Official Secretary to the Governor-General were filled with many experiences which I shall remember and treasure for the rest of my life, but one of the most memorable and treasured experience was the opportunity to be associated with the Order of Australia right from the beginning: to be involved in the design of its insignia and ribbons, to help it take those first tentative steps alongside all the other long-established Orders which were so familiar to most Australians, and to help it establish the procedures and standards which have earned it the reputation which it now enjoys.

Next February will be the thirtieth anniversary of the establishment of the Australian honours system by Her Majesty The Queen, on the advice of her Australian Prime Minister. Next February it will also be fifteen years since the Queen made known her views on the future use of her honours to recognise her Australian subjects, and I propose to say more about that in a moment.

In May 1975 I flew to Ottawa where I spent a week at Government House as the guest of the Governor-General of Canada. As the new Australian honours system had been closely modelled on the Canadian, it seemed like a good place to start. I had long discussions with the Governor-General, who is also Chancellor of the Order of Canada; with the Official Secretary, who is also Secretary of the Order of Canada; and with staff of the Honours Secretariat located at Government House, also known as Rideau Hall. My visit did not coincide with a meeting of the Council for the Order of Canada, but it did coincide with a meeting of their Bravery Committee, and I was invited to sit in on the meeting and have discussions with members of the committee.

From Ottawa I flew to London where I was attached to the Queen's Household at Buckingham Palace during June and July. There I was treated as a supernumerary Private Secretary to the Queen and attended her on all her engagements both inside and away from the Palace - I was the one not carrying a black bowler hat and a furred umbrella. My Australian friend and colleague, Bill (later Sir William) Hesseltine, was then Assistant Private Secretary to the Queen. As some of you will know, Bill went on to be Deputy Private Secretary and finally Private Secretary to the Queen. Bill had arranged for me to meet British officials involved in the administration of the British honours system, and between my other duties I held discussions with Palace officials, Cabinet Office and other relevant departmental public servants, and officers of the Central Chancery of the Orders of Knighthood. As you can well imagine, all of this was most helpful when I returned home and set about establishing our own systems and procedures. I also held meetings with Stuart Devlin, the Australian designer who had designed Australia's first decimal coins, who was now established in London as one of the world's leading silversmiths and goldsmiths, and whom we had commissioned to design the insignia for the Australian honours system

When I reported for duty on my first morning, Bill Hesselstine told me somewhat apologetically that the office area was full and that I would have to be located away from it. As we walked the Palace corridors towards my office, I recall thinking that right then I would happily have settled for a broom cupboard. When finally he opened a door and ushered me in, I could hardly believe my eyes. The room was huge, and furnished with priceless antique furniture, paintings and ornaments. Over in a distant corner stood a Louise the something antique desk, and on it, quite incongruously, a modern reading lamp and telephone.

I tried to take all this in, then suddenly we heard the sound of a military band. As I moved towards the window, Bill cautioned me not to open the curtains. As if to answer my look of surprise, he said, "You realise where we are." As I clearly hadn't a clue where we were, he said, "This is the Centre Room." That didn't help me. Then he said, "Those French doors open onto The Balcony." So I stayed away from the windows, though I did enjoy hearing and seeing the changing of the guard outside my office each day. And I have a confession to make - before I finally left the Palace, I did part the curtains just enough to enable me to take a photograph through the window of a changing of the guard in the courtyard below, with hundreds of spectators peering through the railings at what I was seeing and hearing from inside the Centre Room. Bill certainly owed me no apology for my office accommodation.

I've mentioned the Queen's views on the matter of honours for her Australian subjects. These were contained in a letter written in February 1990 by her then Private Secretary, Sir William Heselstine, to the Governor-General and to the six State Governors. Sir William pointed out that the 1990 New Year imperial honours list had included no nominations from Australia as no Australian Government had exercised its prerogative to make recommendations for British honours. That being the case, it seemed a good moment to consider whether the time had not arrived for Australia, like Canada, to honour its citizens exclusively within its own system. Such an arrangement would not exclude the possibility of the Queen of Australia continuing to honour her Australian subjects with an award within her own personal Order, the Royal Victorian Order, nor with those other honours which are also wholly within her own gift, namely, the Order of the Garter, the Order of the Thistle and the Order of Merit.

As many of us will remember, the award of British honours to Australian citizens had come to be a bit of a lottery, depending on the political complexion of the party in office at the Federal or State level. So it was not surprising that Sir William finally told the Queen's seven Vice-Regal representatives that Her Majesty was proud to be the Sovereign of the Order of Australia and of the other elements in the Australian system of honours, and that she thought it was now more appropriate that it should be used exclusively to recognise Australian citizens. The letter concluded by asking the Governor-General and each State Governor to ensure that Her Majesty's views were made known to their respective Heads of Government and Leaders of the Opposition. In due course, all seven Governments and Oppositions agreed with those views, and British honours ceased to be available to Australians.

Lest you imagine that a choice between the British or the Australian honours system would be of mere academic interest to Australian political leaders, let me remind you that, whereas, in the case of British honours, Prime Ministers and Premiers were able to make the recommendations which were placed before the Queen, under the Australian system they may do no more than any other Australian citizen, that is, submit nominations to the Secretary of the Order of Australia. These nominations are placed before the Council for the Order of Australia, and it is the Council which makes the recommendations to the Governor-General. In the early days these recommendations were then submitted to the Queen for her approval, until Prime Minister Keating cut out that final step - but that's another story.

It is the nomination process, coupled with the method of administration, which gives the Order of Australia that very special quality which Prime Minister Whitlam had in mind when he made his first recommendation to the Queen in February 1975. It was he who recommended the establishment of a society of honour, to be known as the Order of Australia, in which membership would be by merit, independently assessed and free of political interference.

The Constitution of the Order provides for the Governor-General to be Chancellor of the Order, and for the Chancellor to be charged with the administration of the Order.

Fortunately for the Chancellor, he doesn't have to do it all on his own. In relation to recommendations for awards in the Military Division, these are made to the Governor-General by the Minister for Defence, with the advice of special Service committees. In the case of the General Division, these are recommended to the Governor-General by the Council for the Order. Three Chief Justices have held the position of Chairman of the Council - Sir Garfield Barwick, Sir Harry Gibbs and Sir Anthony Mason. These three men guided the Council through its long and tortuous meetings, and set and maintained the high standards of its nominations, and the Order will always be indebted to them. These days the Chief Justice is no longer a member of the Council, and the Governor-General appoints the Chairman from among its members.

The Council's recommendations, in turn, are only as good as the material which is submitted to it for it to work with. For this we owe much to the Australian Honours Secretariat, as part of the Governor-General's staff, and headed by the Director of Honours, who works directly to the Secretary of the Order and, through him, to the Governor-General as Chancellor. It is the task of the Secretariat to research the nominations, write the letters to referees, prepare the vast quantity of documentation which goes before the Council at each meeting, produce insignia, warrants and handbooks, and do the thousand and one other things that go to make the Australian honours system the great success that it is, including, of course, administering the ever-growing number of other honours and awards that now comprise a vastly more complex honours system than the one with which we began.

Although the Governor-General and his office administer the Australian honours system, honours policy is properly the responsibility of the Government of the day, and particularly of the relevant Minister and his department, initially the Department of the Special Minister of State, later the Department of Administrative Services, and these days the Department of the Prime Minister and Cabinet. During 1973 and 1974 the Department had studied the Order of Canada, and by February 1975 all was in readiness for Mr Whitlam to submit to the Queen his recommendations for the establishment of Order of Australia and the other elements of a new honours system for Australia. On 14 February, 1975, Her Majesty signed the Letters Patent, and the Australian honours system came into being. All that was needed was the staff to form the secretariat that would enable the then Governor-General, Sir John Kerr, to administer the Order, as laid down by its Constitution.

At that stage, out at Government House, we had no spare staff for a secretariat, and we certainly had no spare office accommodation or office equipment. And so it was that the head of the Department of the Special Minister of State called on the Governor-General and offered to take all these problems off his hands. The Department had spare officers it could make available, it even had spare office accommodation for them within the Department, and, most importantly, it had a senior officer whom the Governor-General could appoint to be the Secretary of the Order.

It was an ideal solution so far as the Governor-General's Office was concerned, but it would have been a disaster for the Order. Mr Whitlam had already told the nation that the Order would be free of political interference, and that having the Governor-General responsible for its administration would ensure this, yet here was a proposal that would have placed the day-to-day administration within a Government department, in the hands of public servants answerable to their departmental head and to their Minister.

Fortunately Sir John Kerr knew how he intended to discharge his responsibilities as Chancellor of the Order. He was also aware of the Canadian precedent where their Governor-General, in similar circumstances, had appointed his Official Secretary to be Secretary of the Order of Canada, and had located the Canadian Honours Secretariat at Government House, Ottawa, as part of the Governor-General's staff. So Sir John decided that he would do likewise. As Official Secretary to the Governor-General, I was appointed Secretary of the Order, we set about recruiting staff, we converted disused cottages and other out-buildings at Government House into offices and store rooms, and we borrowed office furniture and office equipment from the Department of the Prime Minister and Cabinet. It was hard going, but it was important that the Governor-General should be seen to be in control of the new honours system, that the Council should be seen to be independent, and that the Secretariat should be seen to be free of ministerial and departmental influence. By standing firm when it would have been so easy to give in, we established the Order and its administration at Government House, thus hastening public acceptance of it, and of its basis of appointment on merit, independently assessed.

In creating the new Order, the Queen had expressed a desire to conduct the first investiture, and that she did at Government House, Canberra, during her 1977 Silver Jubilee visit, investing those who had received their awards in the first Order of Australia honours list on the Queen's Birthday in June 1975. The investiture ran for a solid hour, with the recipients and their guests being brought to Canberra from all over Australia.

By then, of course, we still had four more lists of recipients awaiting investiture, whose awards had been announced on Australia Day and Queen's Birthday 1976, and Australia Day and Queen's Birthday 1977. It was still important to establish the role of the Governor-General in relation to the Order, and we decided that the Governor-General should conduct investitures all around Australia during the second half of 1977, to catch up the backlog of those who were waiting to receive their insignia. So we took the show on the road. With the co-operation of all State Governors and the Administrator of the Northern Territory, the Governor-General held investitures in all six State Government Houses and Government House, Darwin, and for good measure we even held investitures at Alice Springs and Katherine, because it was easier for us to go there than it would have been for some remote Northern Territory recipients to journey to Darwin and back.

Thereafter, from Australia Day 1978 onwards, at the Governor-General's request, and with the back-log of uninvested recipients now eliminated, State Governors and Territory Administrators included Order of Australia recipients at their regular half-yearly investitures of Imperial honours.

By the time Sir Zelman Cowen became Governor-General and Chancellor in December 1978, the community was becoming aware of the Order's separation from the political bureaucracy and that it was under Vice-Regal management. This in turn seemed to engender a special pride among those who wore the wattle insignia, and an esprit-de-corps which caused them to seek out each others' company, at least for annual or half-yearly gatherings.

The first such group was formed in Victoria in 1978, and in the following year sought Sir Zelman's encouragement and support, which he readily gave. He agreed to attend and address their gatherings, and offered them the help of the Secretariat in contacting Victorians who held awards in the Order. So successful was this Victorian Association of the Order's recipients that a group of New South Wales recipients came to the Governor-General in 1980 with the proposal that a national Association be formed, with State and Territory Branches. Once again Sir Zelman was most supportive, and agreed to attend and address the inaugural functions of all State and Territory Branches, as well as the annual national dinner of the Association on the Australia Day weekend.

Sir Zelman waived the customary five-year waiting period and granted immediate Vice-Regal patronage to the Association. Today The Order of Australia Association provides a strong and common bond between Australians from all parts of our society, regardless of their political philosophies or their social, cultural or economic circumstances.

Soon after Sir Ninian Stephen became Governor-General and Chancellor in July 1982, a government advisory body reported to Parliament and to the Prime Minister on the inadequacies of Government House. The report detailed the inadequacies of the private accommodation for the Governor-General and his family; the inadequacies of the guest accommodation for State guests and other visitors; the inadequacies of the office accommodation for the personal staff and the office staff; and the inadequacies of the kitchen and other work areas for the domestic staff.

Quick as a flash the bureaucracy recommended to Prime Minister Malcolm Fraser that our problems at Government House would be solved if the Honours Secretariat was taken over and accommodated in one of the Departments - a good try, but it also failed. Sir Ninian responded by pointing out that relocating the Secretariat, which, as I mentioned earlier, was accommodated away from the main building, would do nothing towards solving the problems within Government House itself.

More importantly, from the point of view of the Order, the Governor-General went on to say that, even if the offer would have solved any of our accommodation problems, he could not have accepted it because he believed that his responsibilities as Chancellor required that the Secretariat should remain at Government House.

Following the 1983 elections, the new Labor Government commenced a review of the Australian honours system, principally with a view to adding a range of new civilian awards, such as police and fire service medals, and skill-at-arms, operational and gallantry medals and awards for the Defence Force. The review was conducted under the auspices of the Department of Administrative Services, which had inherited from the Department of the Special Minister of State responsibility for the Government's honours policy.

By 1984 the Department was ready with a whole range of recommendations for additional honours and awards in the Australian honours system, which were in due course adopted by Cabinet, approved by the Queen and announced by Prime Minister Hawke. Tucked away in the Cabinet submission, in what was virtually a throw-away sentence, was a proposal which, I believe, would have destroyed the Order of Australia. Aided and abetted by at least one State Premier's Department, and maybe more, who still chaffed at the thought that their Premiers had to put their nominations to the Council like every other Australian who wished to make a nomination, the Department of Administrative Services had proposed that 75% of the awards in the Order of Australia should henceforth be recommended to the Governor-General by the Prime Minister and the State Premiers, each of whom would have his own quota allocations. The remaining 25% would continue to be recommended to the Governor-General by the Council. There had been no prior consultation with Government House, as was required by the rules relating to the preparation of Cabinet submissions, nor were the implications of this startling proposal explained to Cabinet. So Cabinet gave its approval in circumstances which clearly indicated that the significance of their decision had not been explained to, nor understood by, Ministers. But, understood or not, the damage to the integrity of the Order of Australia, so it seemed, had been done.

Now, had the Government decided to provide for the Prime Minister and Premiers to make all recommendations to the Governor-General, as was the case with recommendations for British honours, the Governor-General's Office might not have liked it, but we could not have objected. After all, honours policy is a matter for the Government, and it is always open to a Prime Minister to recommend to the Queen changes in the Constitution of the Order of Australia. However, on this occasion we were faced, not with a complete reversal, but with only a partial reversal, of the Whitlam "hands off" policy. Some General Division recommendations by the Council were to continue, as were the Military Division recommendations by the Minister for Defence advised by his Service committees, but the vast majority of the recommendations in the General Division would have been made by the Prime Minister and the Premiers, and they in turn would have had to re-establish their own departmental honours secretariats, as had existed when they were making recommendations for British honours.

Neither the general public nor the recipients themselves would have known by which method they had been recommended, and the special quality of an award in the Order would have been diminished, if not lost entirely. Moreover, the Chancellor would have continued to have responsibility for matters which were no longer entirely under his control. As for the Council, once governments had come to play decisive roles in making a substantial proportion of the awards, the whole purpose of having an independent Council would have been negated.

As I have already said, Cabinet had made its decision even before we became aware of the proposal - we had not been consulted, and now we were presented with a *fait-accompli*. But after consultation with the then Chief Justice, Sir Harry Gibbs, the then Chancellor, Sir Ninian Stephen, went in to bat for the principle upon which the Order had been established. He took the matter up with the Prime Minister and with the relevant Minister, pointing out the consequences for the Order of what they had done. He also called in the Minister's departmental head and made him aware, in no uncertain terms, of the consequences of the advice which he and his Department had given to Cabinet.

Well, the good news is that in due course Cabinet rescinded its decision: the Prime Minister and State Premiers were not given their own honours quotas, and the Order continued to be administered by the Governor-General and his staff, free of ministerial and departmental control, with all recommendations continuing to be made by an independent Council.

During my eighteen months with Mr Bill Hayden as Governor-General and Chancellor, there were no further dramatic attempt against the independence of the Order. I like to think that, by now, the bureaucracy had given up. There were, however, one or two minor occasions in which the Chancellor had to intervene to protect the integrity of the Order, and I am pleased to be able to tell you that Mr. Hayden acted decisively, and in the tradition established by his three predecessors.

Those of use who had the responsibility of establishing and administering the Order in accordance with the letter and the spirit of the Letters Patent which the Queen signed on 14 February 1975 took that responsibility seriously. The task was not always easy, but the battles always seemed to us to be worthwhile. I hope that the members of this Association think so too, and that we will continue to have reason to be proud of being members of an Australian society of honour, and that membership will always be by merit, independently assessed and free of political interference.

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