

‘Political control’: the New South Wales Library (Amendment) Bill, 1975

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In 1975 the New South Wales Government proposed to combine the functions of the Library Board of New South Wales and the Council of the (State) Library of New South Wales to form a new body, the Library Council of New South Wales. This was intended to improve coordination of library services to the public and there was general support, but when the Library (Amendment) Bill, 1975 was actually introduced, it contained a clause subjecting the new Library Council to the ‘direction and control’ of the Minister. This was unacceptable to members of the Council of the Library, especially its President, Mr Justice Rae Else-Mitchell. The Library had hitherto enjoyed considerable autonomy in selecting library materials and accepting benefactions. The Bill passed through the Legislative Assembly, but after hours of feverish lobbying and argument it was amended in the Legislative Council. The amended Bill which became law limited the Minister’s ‘direction and control’ to subsidies to local councils. This paper describes the Bill’s stormy progress, examines the parts played by Council members, politicians and librarians, and explores why little attention has been paid to this attempt to limit the autonomy of a statutory body which had operated successfully for a century under governments of all complexions.

The late 1960s and early 1970s were times of change and uncertainty in Australian libraries. Demand for services and the volume of resources were growing, but funding was not increasing commensurately. There were new formats to cope with and automation was in its infancy. Many of the profession’s leaders recognised that changing times demanded different approaches to service provision, to funding and to the way in which libraries interacted with each other. The theme of the 14th Biennial Conference of the Library Association of Australia (LAA) in Brisbane in 1967, for example, was ‘Changing concepts in librarianship’. Speaker after speaker addressed contemporary challenges and suggested future strategies.

In his presidential address, Gordon Richardson, Principal Librarian of the Public Library of New South Wales (PLNSW), was no exception.¹ He advocated rationalisation, with a system of libraries rather than a patchwork. He wanted the Commonwealth Government to assume greater financial responsibility for library services, starting with a high-level commission of inquiry.² Richardson’s hope did not entirely come to pass, although in 1971 the Scientific and Technological Information Services Enquiry Committee (STISEC), of which he became a member, began to examine scientific and technical information provision. Then in 1975 the Whitlam Government established the Committee of Inquiry into Public Libraries.³

Back in 1967 Richardson’s address and the conference theme did strike a chord. Des Ryan, chief librarian of Randwick Municipal Library in New South Wales (NSW), who was then president of the NSW Branch of the LAA, was inspired to press for a review of public library services in his State. In January 1969 the Branch Council formally requested such a review from the Library Board of NSW.⁴ The Board, operating under the Library Act, 1939, was responsible for monitoring and assisting public libraries operated by local councils, facilitating training of library staff and recommending government subsidies, on a per capita basis, for eligible councils.

In 1971 William John Weeden, a former head of the Commonwealth Office of Education, was asked to report on NSW public library services by the newly-appointed Minister for

Cultural Activities, George Freudenstein.⁵ Weeden's terms of reference included examining the structure of public library services as well as their effectiveness. His report, presented in 1972, recommended no major changes but did note that 'close organizational links' were needed between the state library (then known as the Library of NSW) and the Library Board. This would ensure the best use of the Extension Service of the Library, a large collection of books available on inter-library loan to users of NSW public libraries.⁶ Weeden noted that liaison between Board and Extension Service officers should not be difficult - they were all on the staff of the Library. In addition, some members of the Council of the Library were also members of the Library Board, and the Principal Librarian was Executive Member of the Board.

As Russell Doust, who became Principal Librarian of the LNSW in 1973 later noted: 'Weeden's Report was received by the Government but not acted upon. I believe that he was wrong in his solution to a problem, but right in his definition of it.'⁷ The problem was the coordination of state library services, resources and expertise. Doust believed the real solution was for the Library to become the centre of an information network, which would include local public libraries and the libraries of NSW Government departments.⁸ To achieve this Doust was convinced that there should be a single State authority: 'I therefore determined to put in place an amalgamation of the two statutory bodies, the Library Board of New South Wales and the Council of the Library of New South Wales (which had been until 1969 the Trustees of the Public Library). I proposed a new Library Council of New South Wales, and the change of name to State Library.'⁹

The Library Board supported Doust's proposal. In mid-September 1973 some members of the Board were in Melbourne for the launch of Australian Library Week. Among them was Mr Justice Rae Else-Mitchell, former judge of the New South Wales Supreme Court and at the time Chairman of the Commonwealth Grants Commission.¹⁰ They met members of the Library Council of Victoria and discussed how this unified library authority worked.¹¹ Dulcie Stretton, who was then chair of the Australian Library Promotion Council (and would later be a member and in due course President of the Library Council of NSW) thought that the Victorian model might well work in NSW and encouraged them to keep their options open.¹²

Later that month Doust discussed his ideas with the Council of the Library and they were equally supportive.¹³ In October Freudenstein took the next step, setting up a committee to examine the operations of the Council of the Library and the Library Board in response to the Weeden Report.¹⁴ All parties agreed that amalgamation was desirable in order to provide 'better service to the public'.¹⁵ The 'historical reasons' for the separate authorities were 'no longer relevant'.¹⁶

What did the vague term 'historical reasons' mean? Why had there been two bodies in the first place? By 1939, when the Library Act was passed, the Trustees of the PLNSW, had been operating for seventy years. They saw their primary role as administering a Reference Library and the Mitchell Library. Their secondary role was providing a limited reference and book delivery service for remote users. The Trustees were responsible to the Department of Education. The local councils which would establish new free public libraries under the Library Act, 1939, were the responsibility of the Department of Local Government. It happened that the Ministers involved were at loggerheads. The rivalry between Eric Spooner, the Minister for Local Government, and D. H. Drummond, the Minister for Education, was becoming increasingly bitter. The free public library issue became a focal point for their competing ambitions and egos.¹⁷ Spooner believed that public libraries fell within his

portfolio - after all the establishment of public libraries had been permitted under the Local Government Act for decades, even if by 1939 only two local councils in NSW were actually operating free library services. Drummond shared Principal Librarian William Ifould's view that only the PLNSW, part of the Department of Education, had the expertise to get the free public library scheme onto a good footing. As Ifould bluntly expressed it: 'With our knowledge of local government people, we know that they have not the slightest glimmering of what a library is or what these new libraries are intended to be. It is quite obvious that the control of them must be kept in the hands of the Education Department and not Local Government.'¹⁸ But if the functions of a Library Board had been subsumed by the Department of Education, there would have been objections by local councils, their representative associations and the Department of Local Government, as well as ructions in Cabinet.

By the 1970s the people of 1939 and their manoeuvres had been consigned to history. The NSW Public Service Board supported amalgamation of the two bodies. Its Chairman, Harold Dickinson was confident that a unified body would improve services for the public, whereas two bodies were likely to drift even further apart. A single authority was also likely to be more economical.¹⁹ Parts of Dickinson's letter were recycled when Freudenstein wrote to the Library Board and the Council of the Library formally seeking their views on amalgamation. Freudenstein's letter made no reference to expected economies: he would not have wanted to give the impression that this was in any way a cost-cutting exercise.²⁰

It was now time for both the Board and the Council to consider their formal responses. The Board met on 6 December 1973 and unanimously endorsed amalgamation.²¹ The Council discussed the matter on 29 January 1974.²² They were not unanimous in their support. The lone dissenter was Bede Nairn, editor of the *Australian dictionary of biography*. He did not think that the proposal was in the Library's best interests. C. G. Meckiff, the Ministry representative, tried to reassure him, saying that there was no intention to change the special functions of the Council - meaning responsibility for the Library of NSW and in particular for the Mitchell and Dixson Libraries, in which Nairn, a historian, had a particular interest. In the event the Council did resolve to support the proposal, provided that sufficient members of the new body possessed expertise relating to the Library's special collections.²³

Amalgamation moved steadily closer during 1974. In March Doust and Else-Mitchell (who had become President of the Council in January) spent six days in Victoria seeing at first hand how the Library Council of Victoria model worked.²⁴ Meanwhile Freudenstein told Parliament that the Government was considering 'legislative measures that will more strongly link the services of the Library of New South Wales and public libraries generally so that the people of New South Wales will benefit even more from the library resources available.'²⁵ Else-Mitchell expected the Bill to be introduced later that year.²⁶

Else-Mitchell and Doust realised that changes in the governing body were only part of the story. The concept of a state library as part of a network including public libraries demanded new policies, practices and service philosophies. Else-Mitchell foreshadowed establishment of a committee of State Library staff to examine its place in the library network and its future needs: this evolved into the LERN Committee, chaired by Warren Horton, recommendations from which would usher in arguably the greatest changes in the Library's operations and outlook since the appointment of W. H. Ifould in 1912.²⁷

Meanwhile local authorities were informed about the amalgamation moves.²⁸ Cabinet approved Freudenstein's request for a bill to merge the two bodies.²⁹ A working group of Else-Mitchell, Hartnell (Chairman of the Library Board), Doust and Meckiff met to plan a strategy.³⁰ Doust then worked with the Ministry on a draft Bill broadly modelled on the of the Library Council of Victoria Act.³¹

In late November the working group met to discuss the draft Bill. Clause 15 (5) excited particular attention: it read: 'In the exercise or performance of any power, authority, duty or functions conferred or imposed on it, the Council is subject to the direction and control of the Minister.'³²

It was not the first time that this clause had appeared. On an earlier draft Doust had put an exclamation mark and an emphatic 'NO' against the clause.³³ This time he jotted down 'Responsible to the Minister? - NO' on his copy. 'Omit or REM [Rae Else-Mitchell suggests] 'limit to admin[istration] of subsidy'.³⁴

Other Council members had also taken exception to the clause. Professor John Ward of the University of Sydney put his concerns in writing. He homed in on the contentious clause. 'Does this mean that the Minister could tell the Council not to exercise its authority, etc? The Minister is in effect given power to ignore the Council or tell it what to do.'³⁵ At the working group's November meeting Else-Mitchell, Hartnell and Doust all expressed their objections to the clause. Else-Mitchell told Meckiff that if the provision were to be included, it should apply only to functions formerly performed by the Library Board. Meckiff assured them that the Minister would not insist on the provision.³⁶ The draft Bill, minus the contentious clause, was then delivered to the Parliamentary Counsel.³⁷

What no-one in the room suspected was that, well though Meckiff might know his Minister, and whatever advice Meckiff might offer him, the Minister might not always be able to get his own way. Cabinet would have to be convinced, and it remained to be seen how much clout the Minister might have, and whether he thought this issue was worth sticking his neck out for.³⁸

There were now three surprises for Else-Mitchell, Doust and the rest of the working group. First, in a move which is eminently sensible to lawyers, the Parliamentary Counsel decided that, rather than draft a completely new Bill repealing two Acts, it was more 'convenient' to amend the Library Act, 1939, and repeal only the Library of New South Wales Act, 1969.³⁹ This meant that much of the effort expended by the working group over several months drafting a completely new Bill was wasted.

Second, as if to underline the futility of the working group's efforts, the policy of departments drafting their own Bills was recognised as a failure: from 1974 departments were required 'to submit their instructions in narrative prose form. A Bill was then to be drafted by the Parliamentary Counsel in consultation with the Department and submitted for Cabinet approval.'⁴⁰

Third, the New Year began with the retirement of Sir Robert Askin as Premier of NSW and the installation of Tom Lewis as his successor. There was a major reshuffle of the Ministry, and Freudenstein was succeeded by John Barraclough in the new portmanteau Ministry of Culture, Sport and Recreation. Barraclough and Lewis were unknown quantities to Meckiff and the other members of the working group.⁴¹

The new Minister wanted to introduce the Bill before the end of the Parliamentary session on 25 March 1975, and the Parliamentary Counsel's office went into overdrive, with changes being made to the draft Bill almost daily.⁴² What appears to be the final draft seen by Doust had the 'direction and control' clause firmly struck through, together with the Else-Mitchell proviso limiting Ministerial control to matters relating to local authorities and subsidies. At this stage Doust and his Council hoped that Meckiff was right and that his new Minister would not insist on the provision.⁴³

The contentious clause had not, however, vanished forever. On 5 March the Parliamentary Counsel forwarded copies of the final draft to the Ministry of Culture, Sport and Recreation, referring to the Ministerial direction and control clause and asking for written confirmation that this clause was not required.⁴⁴ Rossiter, the Parliamentary Counsel, understood that it was now Government policy for all statutory authorities to have a Ministerial direction and control clause in all new legislation. Doust immediately took up the issue with the Ministry.⁴⁵ Dick Guyot of the Ministry informed the Parliamentary Counsel's office that the Department was satisfied with the draft.⁴⁶ On the same day Meckiff confirmed this in writing, saying that Minister had advised the Premier accordingly.⁴⁷ Doust believed that the Premier's own department was advising deletion of the provision, but warned that the clause might reappear, though he remained 'hopeful'.⁴⁸

Doust's hopes were dashed when, at the 18 March meeting of Cabinet, the Premier, Tom Lewis, insisted on the contentious clause and Cabinet resolved accordingly.⁴⁹ Else-Mitchell heard what had happened just after Cabinet met. He was in Melbourne presiding over Grants Commission hearings at the time and immediately telephoned other members of the Council and Russell Doust.⁵⁰ He tried to contact Barraclough, without success, but did manage to reach Neville Wran, Leader of the Opposition and Shadow Minister for Culture. Else-Mitchell authorised him to inform the House that the Council did not approve of the clause.⁵¹

When the Bill was introduced the very next day, 19 March, there, in black and white, was the clause. It read: '3 (4) In the exercise or performance of any power, authority, duty or function conferred or imposed on it, except when giving advice or making recommendations to the Minister for the purposes of this Act, the Council is subject to the control and direction of the Minister.'⁵²

The Opposition had much to find fault with: they criticised the amount of the per capita subsidy, which was half that paid in Victoria, and represented a declining proportion of the cost of providing public library services. They condemned the delay in providing additional accommodation for the state library. They pointed to the unsatisfactory state of public library staffing and resources mentioned in the Weeden Review. They opposed the control and direction provision: although the Bill stated that the Council would continue to observe conditions agreed between David Scott Mitchell and the Trustees, this would be meaningless if the Minister could override the Council.⁵³

Wran added: 'The Government is, by this backdoor method, imposing State control on a body that is renowned for its dedication to the cause of learning, libraries and librarians, and providing library services and information services.' Educational institutions like libraries and universities were in democracies, governed by councils or senates or bodies which would be respected only if they were independent of outside control. It would be 'unthinkable' for a library to be subject to the 'outside interference or whims of a Minister of the Crown.'⁵⁴

Barraclough gathered, correctly, that Wran had been speaking with Else-Mitchell - 'There is no lack of freedom of speech, is there,' Wran interjected - but Barraclough was unmoved and the Government of course had the numbers. The Bill passed unamended through the Legislative Assembly at 12.25 on the morning of 20 March 1975.⁵⁵

Else-Mitchell hurried back from Melbourne, conferred with Doust and fellow Council members, and wrote to the Minister expressing the 'Council's strong objections to that clause. The basis of these objections will be readily evident to you: not the least, it facilitates Government control over all publicly-held information sources in the State, the censorship of library materials, the dictation of policy in the acquisition of books and other materials and, ultimately, the suppression of individual freedom to read and all cultural freedom generally . . . The clause in question will enable any future Minister - not just yourself - to direct the Council as to every aspect of its policy in the acquisition and maintenance of its collections.' Nowhere else in the major English-speaking countries, and certainly not in other States of Australia or in the Commonwealth territories, were trustees of an institution like the Library of NSW trammelled by such Ministerial powers of control and direction.⁵⁶

The compromise he had earlier canvassed with the working group was offered to the Minister to avoid 'what could prove an embarrassing situation'. This would limit control and direction to matters which had previously been the responsibility of the Library Board, relating mainly to grants and subsidies to local authorities. If the Government did not agree, Else-Mitchell concluded, his Council would take the matter up with the Premier himself.⁵⁷

Else-Mitchell did not wait for a reply. The Bill would be introduced into the Legislative Council that very day. He had a tense meeting with Frederick Hewitt, the Upper House Minister responsible.⁵⁸ Else-Mitchell demanded and was granted an immediate interview with the Minister himself. They met, as the judge euphemistically expressed it, 'in a somewhat strained atmosphere'.⁵⁹

At the start of the interview Barraclough was 'adamant'.⁶⁰ Government policy was that all statutory corporations should be under Ministerial control, and he gave the example of the Maritime Services Board.⁶¹ Else-Mitchell preferred universities as an analogy - he was then Deputy Chancellor of Macquarie University. He argued forcefully that such bodies were not commercial entities and under their various Acts they enjoyed a good deal of autonomy.⁶²

Eventually Barraclough wilted under Else-Mitchell's verbal onslaught and gave some ground. He was prepared to accept the face-saving compromise which Else-Mitchell offered. If the Premier agreed, the Bill would be amended in the Legislative Council to exclude the State Library from Ministerial control.⁶³

Else-Mitchell left the difficult meeting feeling a little more positive, but not overconfident. He had also spoken with John Holt, Stan Eskell and Adrian Solomons, three senior Government Members of the Legislative Council. And just before the afternoon session of the Legislative Council he met Neville Wran on the steps of Parliament House and brought him up to date.⁶⁴

At 5.42 pm Hewitt introduced the Bill into a tense Upper House. He announced that the Minister was prepared to amend the legislation so that the Council would be subject to the control and direction of the Minister only 'where the functions of the Council relate to

subsidies to local councils and the manner in which they will be disbursed.’⁶⁵ The words of the amendment had been devised by John Holt, MLC, a barrister and ‘good friend’ of Else-Mitchell’s.⁶⁶

The Opposition had a field day, saying the Bill would still impose Ministerial control, even if it were limited. ‘If Labor were in office and sought ministerial control of the powers, authorities, duties and functions of the Library Council of New South Wales, one can imagine the suggestions that would be made by Government supporters.’ said the Hon L. D. Serisier, the Labor Leader in Upper House, yet another barrister.⁶⁷ After the Opposition had had their fun, the amendment was agreed to, the clause as amended was agreed to, the Committee’s report was adopted and as far as the Legislative Council was concerned, all was done and dusted in a space of 41 minutes. A battle had been won, but the war was not yet over.

By coincidence, arrangements had been made for the Minister to join Council and Library Board members for luncheon at the Library four days later, on 24 March. Cabinet was due to meet on the 25th, the same day that the Bill would be returned to the Legislative Assembly. As a newly-appointed Minister, the former first-grade football player had never met en masse the formidable line-up of Council and Board members.

The prevailing atmosphere at the luncheon is not recorded, but Else-Mitchell was still cautious when the Council of the Library met afterwards. The Legislative Council amendment required Cabinet approval if it were to pass in the Lower House. He was not confident, as the amended clause conflicted with Government policy. His Council members agreed that he should write to the Minister setting out the reasons for approval and restating his arguments.⁶⁸

Whether the luncheon or Council’s letter was more influential we can now only speculate, but on the following day Cabinet did resolve not to oppose the Legislative Council’s amendment, and the Bill returned to the Legislative Assembly that afternoon. On the motion of Barraclough the amendment was accepted.⁶⁹ Else-Mitchell had triumphed. A few days later, when the excitement had died down, he wrote thanking a number of people on both sides of NSW politics for helping him overturn the objectionable clause and sent his ‘personal regards’ to Neville Wran.⁷⁰

The Library (Amendment) Act, 1975, was proclaimed on 23 May.⁷¹ The final meeting of the Library Board was on 5 June and that of the Council of the Library was on 23 June. On that day the Library entertained Council and former Board members at luncheon. Barraclough and Wran also attended - Premier Lewis had been invited but was lunching elsewhere that day. One imagines that it would have been a more convivial gathering than that attended by Barraclough in March, when ‘control and direction’ had been on his menu.

Else-Mitchell believed strongly that the story of the Library Bill and of the perceived threats which he had worked so hard to combat should be more widely known. On 7 November 1975 he gave a blow by blow account at a meeting of the NSW Branch of the LAA at History House, Sydney, headquarters of the Royal Australian Historical Society, of which he was then President.⁷² ‘It will no doubt come as a shock to some of you,’ he told them, ‘as it did to members of the Library Council at the time, that a democratically elected government professing liberal principles would risk the opprobrium of attempting to impose political control over an established autonomous library authority in this fashion.’⁷³

On the following day page three of the *Sydney Morning Herald* carried a dramatic headline - 'NSW Govt nearly took over State Library' - with a good summary of Else-Mitchell's address.⁷⁴ The issue then died, at least in print. There were no follow-up articles nor letters to the Editor on the topic. Within a few days Australians in general and the media in particular were less interested in a near miss in Sydney, and more galvanised by a direct hit in Canberra. On the following Tuesday, Remembrance Day, 11 November 1975, the Whitlam Ministry was sacked by the Governor-General, Sir John Kerr, a contemporary of Else-Mitchell's at the University of Sydney law school.⁷⁵ The dismissal and the forthcoming election dominated the media for weeks to come.

As for the Australian library press, Else-Mitchell's address also fell into a black hole. He hoped that it would be published in the *Australian library journal*, and a copy of the address promptly went to the LAA's office. In April or May the following year this copy was handed to the new editor of the *Journal*, Adrian Read. He did not think it was publishable and let the matter stand. In October 1976 Else-Mitchell wrote to Read asking when the paper would be published - there were moves to place the ACT library service under the control of a Minister or a government department head and he would have liked copies of his paper in published form to send to relevant politicians and bureaucrats.⁷⁶ Read replied on April Fool's Day the following year telling Else-Mitchell that the address was not suitable: it was too long and had too much extraneous information. Something a quarter of the length would suffice. Could the judge revise it, or would he be happy for Read to cut it down to size?⁷⁷

Else-Mitchell was furious: he had declined George Chandler's offer of publication by the National Library as he had been led to believe that the *ALJ* would publish it.⁷⁸ Now, almost eighteen months since he had given the address, nothing had been published. 'No publicity is to be given to an event which the whole library movement should regard as of critical importance to the freedom of library and information services, which seems very odd having regard to the professed concern of librarians upon this issue.' He agreed that it was now 'stale' news - that was no fault of his - but it was a matter for judgment whether 'even so, the recording of the political moves might not, and in an historical sense, be of some value.' He didn't want it rewritten, didn't want any of the political issues omitted, was happy to have it reduced (but not by 75%). 'You might feel disposed to submit the reduced text to me for approval,' he concluded.⁷⁹ He did not hear from Read again.⁸⁰ The flicker of interest in the affair was virtually extinguished.⁸¹ A small number of duplicated typescripts of Else-Mitchell's address were circulated and can be found in major library collections.⁸²

The drama associated with changes to the Act in 1975 echoes somewhat the fate of the Library Bill 1939. With war looming and an apathetic Ministry, only passionate and at times angry lobbying by a determined layman, Geoffrey Remington, and by an equally feisty Principal Librarian, William Ifould, pressed the Government into introducing the Library Bill. In 1939, as in 1975, a compromise was needed - on the first occasion the price to pay was deferral of the financial provisions of the Act, which would result in a five-year delay in implementing the subsidy scheme.⁸³ In 1975 the price was more satisfactory: the crucial amendment gave the Minister powers which he already had in relation to the Library Board but preserved the autonomy which the Council of the Library of NSW had enjoyed for more than a century.

Despite the watering-down of the Library (Amendment) Bill, the Lewis Government's 'control and direction' campaign continued. In May 1975 the Premier asked Ministers to examine legislation relating to trusts and boards within their portfolios and to advise whether

they should be brought under Ministerial control to ensure 'alignment with Government policy'.⁸⁴ In July, however, Cabinet's Policies and Priorities Committee modified the approach and 'decided that no further action should be taken in the matter'. The question of a 'control and direction' clause would only be considered when constitutions of individual trusts came up for review.⁸⁵ One such case was the Australian Museum, whose Director, Des Griffin, discussed their legislation with Russell Doust. The Museum Trustees - all 24 of them - then declared that they were 'firmly and unanimously opposed' to a direction and control clause. Barraclough told the Premier that there were already enough checks and balances - Trustees were appointed on the Minister's recommendation, he controlled the purse-strings and the functions of the Trust were clearly defined.⁸⁶ When introduced that November, the Australian Museum Trust Bill, omitted the contentious clause.⁸⁷ The Government thus avoided the risk of 24 Museum Trustees all 'doing an Else-Mitchell'.

The new Library Council of NSW came into being on 1 July 1975, with the former Council of the Library strongly represented, and began to consider how to 'further the development of the State Library and the public library systems of the State.'⁸⁸ Any initiatives were seriously blunted by the lean pickings in the State Budget that year. There were no capital grants to local authorities for library projects or to encourage regionalisation. There was an increase of 25c in the per capita subsidy, bringing it to \$1.00 per capita. At the time, although direct comparisons are not entirely valid, the subsidy in Victoria was \$2.00.⁸⁹ It would be another year, under another Minister, before the real transformation of the library network began. In May 1976 the Australian Labor Party won the NSW election, and Neville Wran became Premier, with a Division of Cultural Activities within his own Department. Assessments of the subsequent development of the public library network, the influence of the new Library Council on Government policy and the transformation of the State Library will no doubt figure in other papers and at future Forums.

Was the 'control and direction' affair a storm in a teacup? Else-Mitchell and his colleagues clearly did not think so; nor did Doust and Meckiff. Since 1869 the successors to the Trustees of the Free Public Library, Sydney, had treasured their degree of autonomy. This independence had for example prompted two of the Library's great benefactors, David Scott Mitchell and William Dixson, to specify that their gifts were to the Trustees, not to the Government, as Governments come and go and promises might not otherwise be honoured.⁹⁰

The Trustees, and the Library Council who succeeded them, certainly valued their independence and recognised how much they owed to Rae Else-Mitchell. When he retired from the Library Council in 1979, he was presented with an address under seal. This read in part: 'You were instrumental in convincing the Government that the proposed new Library Council of New South Wales should not be subject to Ministerial control and direction in the management of the State Library.'⁹¹

Were the Lewis Government's intentions as malign as the Opposition characterised them? I think not. I suspect that there was more pigheadedness and ignorance than evil intent. A different Minister and a different Premier would certainly have handled the affair - and Else-Mitchell - differently.

Did the affair have a lasting impact on Government-library relations? I think it did, at least in NSW. For whereas library legislation in some other States has placed library authorities under Ministerial direction and control, today the NSW Library Act, 1939, as amended, still reads: 'The Council shall be subject to the control and direction of the Minister in the

exercise or performance of any power, authority, duty or function conferred or imposed on it under Part 3 or 4 *in relation to local libraries*' [emphasis added].⁹² This is a fitting tribute to the tenacity and dedication of Rae Else-Mitchell.

¹ The Public Library of New South Wales (PLNSW) was renamed the Library of New South Wales (LNSW) in 1969 and adopted its current name, the State Library of New South Wales (SLNSW), in 1975.

² G. D. Richardson, 'Presidential address: Changing concepts in library services for the nation', in *Changing concepts in librarianship: proceedings of the 14th Biennial Conference, Library Association of Australia, Brisbane 21st-25th August 1967*, Brisbane, 14th Biennial Conference Committee, 1968, vol. 1 pp. 1-11 at p. 10.

³ *The STISEC Report: report to the Council of the National Library of Australia by the Scientific and Technological Information Services Enquiry Committee*, Canberra, National Library of Australia, 1973; *Public libraries in Australia: report of the Committee of Inquiry into Public Libraries*, Canberra, Australian Government Publishing Service, 1976, also published as Parliamentary Paper no. 87, 1976.

⁴ J. P. M. Woods, 'Weeden Review: a review article', *Australian library journal*, vol. 22 no. 2, March 1973, pp. 64-69 at p. 64.

⁵ His Ministry, established in 1971, brought together institutions relating to culture, including the Library of New South Wales, the Library Board of New South Wales, the Australian Museum, the Art Gallery of New South Wales, the New South Wales Film Council and the Museum of Applied Arts and Sciences, which had earlier been part of the much larger Department of Education.

⁶ *Review of Public Library Services in New South Wales by W. J. Weeden, O.B.E., M.A., Dip. Ed., March 1972*, Sydney, Government Printer, 1972, p. 54 At that time the Library of New South Wales did not lend items from its General Reference Library to any public libraries. The total number of items lent - to other state libraries, university libraries outside Sydney and to some NSW government department libraries - was very small: enough to occupy one person (and at one stage the author) for only a few hours a week.

⁷ Russell Fletcher Doust, 'Reminiscences of a retiring librarian' [address to the NSW Branch of the LAA, 1987], SLNSW, MLMSS 5375, p. 20.

⁸ R. F. Doust, 'Patterns of library service: responsibilities and aims of the Library of New South Wales', appended to Council Minutes 24 September 1973, SLNSW records.

⁹ Russell Fletcher Doust, 'Autobiographical notes', 2007, SLNSW, MLMSS 7856, folder 1, p. 21. Rae Else-Mitchell later noted that the establishment of a single library authority had its genesis in the Weeden Report 'not because it was one of the recommendations of that Report but rather in spite of those recommendations.' (R. Else-Mitchell, *A unified library service in New South Wales? : the merger of the Library Board and the Library Council*, duplicated typescript, Sydney, 1975, p. 1). The desire to amalgamate the two boards was just one aspect of the fundamental changes which Doust saw as essential. From the time of his appointment in 1973 his actions seldom strayed from the path of reform. His management style - based on cooperation and consensus rather than a series of colonial-era-style 'General Orders' - also had substance. During a period when industrial democracy was taking root, Doust agreed to a Management Staff Consultative Committee at which issues of concern (other than those which were strictly 'industrial' and which required trades union participation) could be discussed around the board room table. Later there was even a Wran Government-sanctioned staff-elected member of the Library Council, and Council activities were demystified by the publication of minutes of the Council's monthly meetings, with a minimum of confidential items excised from them. A staff newsletter was produced. Regular staff meetings were held within divisions and branches. Inter-branch and inter-departmental meetings were encouraged. Formality in address loosened and superiors were now often addressed by their first names. A publicity officer was appointed. The Library participated in Australian Library Week activities. A careful campaign to persuade the Government to extend the Library began, culminating in the Macquarie Street Wing which was completed in 1988.

¹⁰ Else-Mitchell had also been a Trustee of the LNSW since 1961. At various times he was President of the Royal Australian Historical Society, Deputy Chancellor of Macquarie University, member of the Archives Authority of NSW and Vice-President of the Royal Institute of Public Administration. In 1974 he became a member of the Council of the National Library of Australia, having been nominated by Russell Doust (see R. F. Doust to Secretary, National Library Council, 31 July 1974, in the Else-Mitchell Papers, NLA, MS 3673, Series 15, folder 1, box 105). In 1975 he was appointed chair of the Canberra Public Library Service Advisory Committee.

¹¹ The Library Council of Victoria Act 1965 (no. 7364) transferred the powers of the Trustees of the State Library of Victoria and the Free Library Service Board to the Library Council of Victoria. Copies of this Act were circulated to the Council of the LNSW (Council Minutes, 29 January 1974). When the Victorian legislation changed yet again in 1996, this development was characterised as 'Board reshuffle gives Kennett [the Victorian Premier] greater control' (*The Australian*, 3 December 1996, p. 10).

¹² Else-Mitchell, *A unified library service in New South Wales?* p. 2.

¹³ 'There was general agreement among members of the Council with him that in due course proper integration of library services to the public would be achieved by having one Board instead of the two Statutory Authorities' (Council Minutes 24 September 1973, p. 2, SLNSW records). In October 1972 Doust had been asked by the Australian Advisory Council on Bibliographical Services (AACOBS) to contribute to a discussion paper 'Patterns of library development in Australia', setting out how he thought library services in New South Wales were likely to develop in the ensuing ten to twenty years. Doust circulated his response to the Council of the LNSW prior to their September 1973 meeting.

¹⁴ The committee consisted of Mr Justice Rae Else-Mitchell, then Vice-President of the Council of the Library, Gerald Gleeson, a member of the NSW Public Service Board and formerly its Inspector responsible for the Library of NSW, B. W. Hartnell, chairman of the Library Board, Doust and C. G. Meckiff, secretary of Freudenstein's Ministry.

¹⁵ Freudenstein to A. J. Dunston, 13 December 1973, appended to Council minutes, 29 January 1974, SLNSW records.

¹⁶ Else-Mitchell, *A unified library service in New South Wales?* p. 3.

¹⁷ Spooner told the Institute of Public Administration that 'in his opinion Parliament would not be likely to agree to the [Library] Bill in the terms recommended by the Libraries Advisory Committee, pointing out that local governing bodies would object to library services being an activity of the Education Department instead of the Local Government Department.' G. C. Remington to D. H. Drummond, 26 June 1939, SLNSW archives box 'Libraries Advisory Committee (contd)'. By November 1939, when the Bill passed through the Parliament, a compromise had been hammered out. By proclamation in the *New South Wales Government Gazette*, no. 109, 22 December 1939, Part 4 of the Library Act was allocated to the Minister for Local Government. The remainder of the Act was allocated to the Minister for Education. Spooner was no longer in the Ministry - he had resigned July 1939 - but his campaign to control the library scheme had had some impact.

¹⁸ W. H. Ifould, 'Re Mr. Spooner's letter to Mr. Drummond,' 7 June 1939, PLNSW Confidential Papers (SLNSW records).

¹⁹ Dickinson to Freudenstein, 28 November 1973, SLNSW file F1805-1 - Strategic Management - Legislation - Library Board of NSW - Proposals for Absorption by Council of the Library of NSW - 1973-1975, SLNSW records [hereafter cited as SLNSW file F1805-1]; this is quoted in Else-Mitchell, *A unified library service in New South Wales?* p. 4. Key objectives of the NSW Public Service Board were efficiency and economy of the public service.

²⁰ Freudenstein to Dunston, 13 December 1973, appended to Council Minutes, 29 January 1974, SLNSW records.

²¹ As noted in Council Minutes, 29 January 1974, p. 2, SL:NSW records. See also Hartnell to Freudenstein, 12 December 1973, appended to these Minutes. Hartnell had contacted members of his Board who had not attended the December meeting and they concurred (Library Board of New South Wales Minutes, 7 February 1974, SLNSW records).

²² Doust to Standing Committee, 14 January 1974, appended to Council Minutes, 29 January 1974, SLNSW records.

²³ Council Minutes, 29 January 1974, p. 2; see also Else-Mitchell to Freudenstein, 6 February 1974, SLNSW file F1805-1. As Secretary of the Ministry of Cultural Activities C. G. Meckiff was a member of both boards.

²⁴ Else-Mitchell to Ken Horn, State Library of Victoria, 25 March 1974; Else-Mitchell to Barrett Reid, State Library of Victoria, 25 March 1974, Else-Mitchell Papers, NLA, MS 3673, series 14, folder 3, (box 105); Else-Mitchell, *A unified library service in New South Wales?* p. 5.

²⁵ NSW Parliament, Hansard, Legislative Assembly, 20 March 1974, p. 1665. In the Legislative Council Sir John Fuller made a similar announcement (NSW Parliament, Legislative Council, Hansard, 28 March 1974, p. 2123).

²⁶ Else-Mitchell to Council, appended to Council Minutes, 25 March 1974, SLNSW records.

²⁷ Else-Mitchell to Council, appended to Council Minutes, 25 March 1974, SLNSW records; *Report of the Council of the Library of New South Wales for the year ended 30 June 1974*, p.4. The committee's report was Library of New South Wales, *Report of the Enquiry into the Role and Needs of the State Library of New South Wales (the LERN Report)*, Sydney, Library Council of New South Wales, 1976.

²⁸ Helen Woodward, Secretary of the Library Board, sent a circular to all New South Wales local authorities advising them that the Board was convinced that a merger would offer 'considerable advantages'. She pointed to the rapid development following the creation of the Library Council of Victoria in 1965. (Woodward, Circular to New South Wales councils, 16 April 1974, F1805-1 (SLNSW records)).

²⁹ Draft Cabinet Minute, 23 May 1974, SLNSW file F1805-1; Freudenstein, Cabinet Minute, 4 June 1974 and B. R. Davies, Under-Secretary, Premier's Department, to H. E. Rossiter, Parliamentary Counsel, 9 July 1974, both

in NSW Parliamentary Counsel's Office, file 'Library (Amendment) Act, 1975, no. 41'; Standing Committee minutes, 12 July 1974, p. 3 and Council minutes, 22 July 1974, p. 3, both SLNSW records.

³⁰ Meckiff to Freudenstein, 12 June 1974, SLNSW file F1805-1.

³¹ Council Minutes, 22 July 1974, p. 3; Doust, File note, 12 July 1974, F1805-1; Doust, 'Heads for a draft Bill', 12 July 1974, SLNSW file F1805-1.

³² Draft Bill, 18 November 1974, SLNSW file F1805-1. Some of the other cultural institutions were already under Ministerial 'control and direction'. Under the Museum of Applied Arts and Sciences, 1945, for example, the Trustees were (Sec 3 (1)) 'subject to the control and direction of the Minister.' Under the New South Wales Film Council Act, 1974, the Council was (Sec 1 (5)) 'subject to the direction and control of the Minister.' The Library Act, 1939, Sec 5 (3) provided that the Board 'shall exercise and discharge such other powers, authorities, duties and functions in relation to libraries and library services as the Minister may, from time to time, by writing under his hand direct or as may be prescribed.' There was no such provision in the Library of New South Wales Act, 1969.

³³ Undated draft Bill, SLNSW file F1805-1.

³⁴ Draft Bill, 18 November 1974, SLNSW file F1805-1.

³⁵ JMW [i.e. John Manning Ward], 'Notes on the Library Council of NSW Bill, 1975, 30 September 1974, SLNSW file F1805-1.

³⁶ Else-Mitchell to Barraclough, 20 March 1975, SLNSW file F1805-1. On the Library's file copy of that day's draft Doust crossed out the clause completely, adding in the margin: 'The Minister will not insist on this.' (Draft Bill, 18 November 1974, SLNSW file F1805-1).

³⁷ Council Minutes, 28 January 1975, p. 1; Note in Doust's hand on Draft dated January 1975, SLNSW file F1805-1. The Parliamentary Counsel (formerly known as Parliamentary Draftsman) from 1971 to 1982 was Henry Edwin Rossiter.

³⁸ The dual role of Meckiff, as departmental head and a member of what Else-Mitchell regarded as 'an autonomous Council', was difficult and this must have been a time when it caused him some 'embarrassment'. We can assume that he put the Council's case strongly to his Minister, for Else-Mitchell later told him that the difficulty of his (Meckiff's) position 'never deterred you from the course of action which would be of most benefit to the Council and the Library which it administers. For this integrity and for your ever ready assistance. may I thank you on behalf of the Council.' (Else-Mitchell to Meckiff, 23 March 1976, SLNSW, Else-Mitchell Papers, MLMSS 2684, Box K1658).

³⁹ Doust to Council, 12 March 1975, SLNSW file F1805-1; Else-Mitchell, *A unified library service in New South Wales?* p. 6.

⁴⁰ Parliamentary Counsel's Office, <http://www.pco.nsw.gov.au/history.htm> [accessed 22 April 2013].

⁴¹ Lewis became Premier on 3 January 1975. Barraclough became Minister for Culture, Sport and Recreation on same day. He and Lewis both lasted little more than a year in their new offices: Eric Willis replaced Lewis on 23 January 1976 and Barraclough was succeeded on the same day by David Arblaster.

⁴² A copy of the draft in Doust's office was annotated and amended each time he heard from Colin Easterbrook, his contact in the Parliamentary Counsel's office (Doust to Council, 12 March 1975, SLNSW file F1805-1).

⁴³ Undated draft Bill, SLNSW file F1805-1.

⁴⁴ Parliamentary Counsel to Under-Secretary, Department of Culture, Sport and Recreation, 5 March 1975, NSW Parliamentary Counsel's Office, file 'Library (Amendment) Act, 1975, no. 41'.

⁴⁵ Standing Committee Minutes, 14 March 1975, copy in F1805-2, SLNSW records.

⁴⁶ Note in Easterbrook's hand, 11 March 1975, NSW Parliamentary Counsel's Office, file 'Library (Amendment) Act, 1975, no. 41'.

⁴⁷ Meckiff to Parliamentary Counsel, 11 March 1975, NSW Parliamentary Counsel's Office, file 'Library (Amendment) Act, 1975, no. 41'.

⁴⁸ Standing Committee Minutes, 14 March 1975, copy in SLNSW file F1805-1.

⁴⁹ Note in Easterbrook's hand, 18 March 1975, and B. R. Davies, Under-Secretary, Premier's Department to H. E. Rossiter, Parliamentary Counsel, 18 March 1975, both NSW Parliamentary Counsel's Office, file 'Library (Amendment) Act, 1975, no. 41'. Easterbrook jotted down the reasons for the 'direction and control' clause: it was not policy for an independent body to have control of local government libraries; without such a clause the Library Council would be able to confer power on itself, extending its powers by Regulation; the Minister would lose direct control of the amounts of subsidies; the Council had never had such powers before; there was a problem dividing up the regulations made for the State Library; and it was immaterial to the argument whether the Governor made or approved Regulations if Council was initiating the Regulations.

⁵⁰ Else-Mitchell, Diary for 1975, NLA, MS 3673, Series 2, items 1-2, Box 25. Else-Mitchell to Barraclough, 20 March 1975, SLNSW file F1805-1.

⁵¹ Else-Mitchell to Barraclough, 20 March 1975, SLNSW file F1805-1. Else-Mitchell had been authorised by the Standing Committee to take whatever steps he thought necessary to deal with the issue, including enlisting

the support of the Leader of the Opposition, Neville Wran, a fellow lawyer with whom Else-Mitchell was on good terms (Else-Mitchell, *A unified library service in New South Wales?* p. 7).

⁵² Else-Mitchell, *A unified library service in New South Wales?* pp. 6-7.

⁵³ NSW Parliament, Legislative Assembly, Hansard, p. 5008.

⁵⁴ NSW Parliament, Legislative Assembly, Hansard, pp. 5011-5012.

⁵⁵ NSW Parliament, Legislative Assembly, Hansard, p. 5014; Council Minutes, 24 March 1975, p. 1, SLNSW records.

⁵⁶ Quoted in Else-Mitchell, *A unified library service in New South Wales?* p. 8. The full letter, Else-Mitchell to Barraclough, 20 March 1975, is in SLNSW file F1805-1.

⁵⁷ Else-Mitchell to Barraclough, 20 March 1975, SLNSW file F1805-1; Else-Mitchell, *A unified library service in New South Wales?* p. 9.

⁵⁸ Council Minutes, 24 March 1975, p. 1, SLNSW records. Hewitt was the Deputy Leader of the Government in the Legislative Council.

⁵⁹ Else-Mitchell, *A unified library service in New South Wales?* p. 9. When he drafted this address he first wrote, of the interviews with Hewitt and Barraclough: 'to say the least, these were not pleasant meetings'. He later crossed out these words and substituted the words 'in a somewhat strained atmosphere' to describe the interview with Barraclough. (Draft of *A unified library service in New South Wales? : the merger of the Library Board and the Library Council*, typescript with amendments in Else-Mitchell's hand, 1975, SLNSW, Else-Mitchell Papers, MLMSS 2684, box K1661. Copies of this paper, including the paper as presented an later versions with minor corrections and a fair copy intended for publication by the National Library of Australia are in the Else-Mitchell Papers, NLA, MS 3673, Series 15, folder 4 (box 105). A further fair copy is in the Else-Mitchell Papers, NLA, MS 3673, Series 4, folder 22 (box 28).

⁶⁰ Russell Doust, Interview with Paul Brunton, SLNSW, MLOH 49/4 after counter 144.

⁶¹ The Maritime Services (Amendment) Act, 1974, was 'An Act to reconstitute The Maritime Services Board of New South Wales and to bring it under the control and direction of the Minister'.

⁶² Else-Mitchell, *A unified library service in New South Wales?* p. 9.

⁶³ Else-Mitchell, *A unified library service in New South Wales?* p. 10.

⁶⁴ Russell Doust, Interview with Paul Brunton, SLNSW, MLOH49/4, after counter 144.

⁶⁵ NSW, Parliament, Legislative Council, Hansard, p. 5076.

⁶⁶ (Walter) John Holt, son of a judge, was a barrister and himself later became a District Court Judge. The amendment read: 'Page 5, clause 5, lines 15 to 20 inclusive. Omit all words on these lines, insert- "(4) The Council shall be subject to the control and direction of the Minister in the exercise or performance of any power, authority, duty or function conferred or imposed on it under Part III of this Act or under Part IIIA of this Act in relation to local libraries.' (As reported in NSW, Parliament, Legislative Assembly, Hansard, 25 March 1975).

⁶⁷ NSW, Parliament, Legislative Council, Hansard, p. 5078.

⁶⁸ Meckiff, representing the Ministry, abstained from the Council vote (Council Minutes, 24 March 1975, p. 2, SLNSW records; Else-Mitchell, *A unified library service in New South Wales?* p. 10).

⁶⁹ Russell Doust, personal communication, 16 January 2014; NSW, Parliament, Legislative Assembly, Hansard,, 25 March 1975, p. 5196.

⁷⁰ Else-Mitchell to Neville Wran, Else-Mitchell to W. J. Holt, Else-Mitchell to S. L. M. Eskell, Else-Mitchell to Adrian Solomons, 4 April 1975, SLNSW file F1805-1.

⁷¹ *Government Gazette of the State of New South Wales*, no 73, 23 May 1975, p. 1960.

⁷² Else-Mitchell, *A unified library service in New South Wales?* Else-Mitchell Papers, NLA, MS 3673, Series 15, folder 4 (box 105). Distributed in duplicated form to all state libraries by Else-Mitchell.

⁷³ Else-Mitchell, *A unified library service in New South Wales?* p. 12; *Sydney Morning Herald*, 8 November 1975, p. 3.

⁷⁴ *Sydney Morning Herald*, 8 November 1975, p. 3.

⁷⁵ Michael Kirby, 'Obituary: Hon. Rae Else-Mitchell, CMG', *Australian Law Journal*, vol 80 (2006) p. 625.

⁷⁶ Else-Mitchell to Reid [sic], 28 October 1976, SLNSW, Else-Mitchell Papers, MLMSS 2684, box K1661.

⁷⁷ Read to Else-Mitchell, 1 April 1977, SLNSW, Else-Mitchell Papers, MLMSS 2684, box K1661.

⁷⁸ Alec Bolton, who was in charge of publications at the NLA, had even given Else-Mitchell a template for a typescript fair copy which could be reproduced and published by the NLA - see A. T. Bolton's undated 'Guide sheet for typing' in Else-Mitchell Papers, NLA, MS 3673, Series 15, folder 4 (box 105).

⁷⁹ Else-Mitchell to Read, 6 April 1977, SLNSW, Else-Mitchell Papers, MLMSS 2684, box K1661.

⁸⁰ In June 1977 the LAA appointed an Editorial Board to oversee all aspects of the *ALJ*. ('Participate! Editorial Board for *ALJ*, *Australian library journal*', vol 26 no 10 (1 July 1977) p. 174). The Board was to be responsible for formulating policy, determining the content of each issue, planning the year's content, soliciting articles and reviews, consulting the LAA Executive Director, correspondents, guest editors, LAA subordinate bodies, determining format and style, selecting the printer, drawing up publishing schedules and editing all

contributions. The LAA's action followed sustained criticism of the format, tone and content of the *ALJ*, the frequency of which had changed from eleven issues per year to twenty issues per year, with a newsletter insert containing job advertisements and current news. In its new format, described disparagingly by its critics as 'its tabloid period' the journal relied heavily on short articles, snappy news items, photographs or line drawings and striking covers, one of which showed a bespectacled model wearing a tee shirt emblazoned with the words 'librarians are novel lovers'. In December 1977 Read edited his last 'controversially revamped' *ALJ* and moved on to form his own media consultancy and production business ('Editor deserts', *Quidnunc* 20, supplement to *Australian library journal*, December 1977).

⁸¹ Brian H. Fletcher, a member of the Library Council from 1982 to 1987, provides a rare account of the Library (Amendment) Act, 1975, controversy, drawn largely from Council and Standing Committee minutes, in his *Magnificent obsession: the story of the Mitchell Library, Sydney*, Crows Nest, NSW, Allen and Unwin in association with the State Library of NSW, 2007, pp. 277-280.

⁸² In 1986, recognising his outstanding services to libraries, the LAA presented Else-Mitchell with the Redmond Barry Award. This is the Association's highest honour for an individual not eligible for Associate or Library Technician membership.

⁸³ For accounts of the 1939 lobbying see Carmel Maguire, "'Nobody dodges Remington': the Free Library Movement and the achievement of public library legislation in New South Wales, 1935-39", *Australian library journal*, vol. 56 nos 3-4 (November 2007) pp. 222-232; Carmel Jane Maguire, 'Geoffrey Remington (1897-1968): a most unusual citizen', PhD dissertation, University of New South Wales, 2012, pp. 154-157; David John Jones, 'W. H. Ifould and the development of library services in New South Wales, 1912-1942', PhD dissertation, University of New South Wales, 1993, pp. 331-335.

⁸⁴ Lewis to Barraclough, 16 May 1975, , NSW, Division of Cultural Activities, NRS 12099, General Correspondence files, 1975-1976, C75/726, 'Trustees of Museums etc: 'Ministerial Control to ensure alignment with Government policy'', State Records NSW 12/10505.

⁸⁵ Undersecretary, Premier's Department, 28 July 1975, NSW, Division of Cultural Activities, NRS 12099, General Correspondence files, 1975-1976, C75/726, 'Trustees of Museums etc: 'Ministerial Control to ensure alignment with Government policy'', State Records NSW, 12/10505.

⁸⁶ Russell Doust, personal communication, 2 February 2013; Barraclough to Lewis, 2 July 1975, NSW, Division of Cultural Activities, NRS 12099, General Correspondence files, 1975-1976, C75/726, 'Trustees of Museums etc: 'Ministerial Control to ensure alignment with Government policy'', State Records NSW, 12/10505.

⁸⁷ The Opposition claimed that the Bill eroded the powers of the Trustees, as part of a history of interference in the Museum's administration: 'In 1971 the museum was placed under the control of the Department of Culture. Like any newly initiated warrior eager to prove his worth, that somewhat power-starved department has tended to look upon the museum as a prey, slowly but surely to be stifled under the force of daily dicta from the public service, and to be strangled by inviolable red tape' (Frank Walker, Labor, NSW Parliament, Legislative Assembly, Hansard, 11 November 1975, pp. 2493-2494).

⁸⁸ Else-Mitchell, *A unified library service in New South Wales?* p. 13. Only two members of the former Council of the Library had fallen by the wayside: Peter Mason and J. M. Dixon. The depth of expertise relating to Australiana was still there, and local government interests were also well represented (Council Minutes, 23 June 1975, p. 2, SLNSW records). The new Library Council comprised Justice Rae Else-Mitchell, Clement Semmler (Australian Broadcasting Commission), Dulcie Stretton (conference organiser, foundation president of the Australian Library Promotion Council and later president of the Library Council of NSW), B. W. Hartnell (Joint Coal Board and former Library Board Chairman), Angus McLachlan (journalist and John Fairfax Limited director), Professor J. M. Ward (University of Sydney), Professor R. E. Vowels (University of NSW), Professor A. J. Dunston (University of Sydney), N. B. Nairn (Australian National University), N. T. G. Miles (Local Government Association of NSW), Victor Parkinson (Chairman of the National Trust of Australia (NSW)), and C. G. Meckiff (Ministry). Russell Doust, as State Librarian was Secretary to the Library Council ex officio.

⁸⁹ Else-Mitchell, *A unified library service in New South Wales?* p. 13.

⁹⁰ Conditions of the Mitchell and Dixson bequests are outlined in Brian H. Fletcher, *Magnificent obsession*, pp. 21, 163.

⁹¹ Library Council of New South Wales, Address under Seal to Rae Else-Mitchell, 23 June 1979, Else-Mitchell Papers, NLA MS 36734, Series 15, folder 8 (box 105).

⁹² See, for example, Libraries Act 1988 (Victoria), Sect 21, 'In performing its functions and exercising its powers under this Act, the Board is subject to the direction and control of the Minister'; Libraries Act 1988 (Queensland), Sect 23, 'The board is subject to written directions of the Minister in exercising its powers.' Contrast these with Libraries Act 1982 (South Australia), Sect 13, '(1) Subject to subsection (2), the Board is subject to the general control and direction of the Minister. (2) No Ministerial direction can be given — (a) as to the nature or content of — (i) library collections; or (ii) events or activities conducted or promoted by the Board; or (b) suppressing the dissemination of information; or (c) preventing or controlling access by the public to

library materials at times when the libraries in which those materials are stored are open to the public; or (d) as to the manner in which the Board is to deal with a testamentary or other gift; or (e) as to any advice or recommendation that the Board makes or is required to make to the Minister.’