

# On a Roller Coaster with Maxwell Newton Publications

By Patricia Clarke

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Maxwell Newton Publications flashed across the Canberra press scene for a short period of less than ten years from the mid-1960s. Its owner, Max Newton, had many brilliant qualities as an economist and a journalist. At his best he was an enthusiastic, generous, dedicated person to work for; he was also ambitious, driven and obsessive and became unpredictable and manic.

A brilliant economics graduate from the universities of Western Australia and Cambridge, he was editor of the *Australian Financial Review*, from 1960 to 1964 turning it from a weekly to a daily. In 1964 he became founding editor of *The Australian* but less than a year after the start of the paper, he fell out with Rupert Murdoch and left in March 1965. Out of a job, he became correspondent for the London *Economist* and the *Financial Times* and in June 1965 in Canberra began a weekly newsletter, *Incentive*, the start of his career as a publisher. Sub-titled, *A Weekly Report on Business Trends and Economic Policy by Maxwell Newton*, *Incentive* combined sophisticated but controversial economic articles, attacking the protectionist and regulatory policies of the Liberal-Country Party Coalition Government, with a fairly constant stream of leaks from government departments and insider gossip. From 1957, when he became political correspondent for the Sydney Morning Herald in Canberra, Newton had re-established close links with public servants in Treasury, where he was employed immediately after graduating from Cambridge, and he also cultivated public servants in other economic areas. He claimed: 'I was one of the first journalists to penetrate the public service' (Packer, p. 110).

*Incentive* was soon widely read among politicians and public servants in Canberra where it became known as *Invective* (Golding, p. 296). A year's subscription was £15, updated to \$30 when decimal currency was introduced, and later increased to \$50. The layout of *Incentive* initiated a pattern that later Maxwell Newton newsletters followed –

standard headings covering topics that spread over one, two or more pages. The standard headings in *Incentive* included Topic of the Week; Political Notes; Economic Report; Business Notes; Australia and the World; the Money Market; and What the Figures Tell. The headings were vague enough to accommodate a wide range of economic and political news and opinion.

The first issue included a separate publication entitled *Why the United States is not taking over Australia* with the sub-heading *A Special Survey for Incentive subscribers of American Investment in Australia*. Special reports became a feature of *Incentive* and later newsletters. Reports in the early issues included: *The Iron Ore Policy Problem* and *Profiting from Propaganda*. More contentious special reports followed, including *The Crisis in the Government: A Special Report on the Struggle for the Leadership of the Government for Subscribers to Incentive*, *Management Newsletter*, *Tariff Week* and *Minerals Week*; *The Great Hoax: A Public Affairs Discussion Forum on the Dairy Industry* and *The Great Grains Scandal: How the Country Party's Grains & Shipping Policies have Undermined the Prosperity of Australian Farmers*. These latter reports were part of Newton's attack on the economic policies pursued by the Country Party and, predictably, were the subject of attack by its target, the Deputy Prime Minister and Minister for Trade and Industry, John McEwen. McEwen claimed Newton's reports were 'chock-a-block full of scurrilous and inaccurate statements' (PD, 18 Sept. 1969, p. 1559).

*Incentive* was very successful and was soon joined by *Management Newsletter*. Subtitled *Analysing the World of Business and Government for Australian Executives*, *Management Newsletter*, which Newton bought from W. Scott and Co. where it had been written by Richard Hall, became a Newton publication at the beginning of 1966. Then in 1967 Newton began a series of specialist weekly newsletters: *Tariff Week* in May, *Australian Parliamentary and Legislative Review* in June and *Minerals Week* in September. As Peter Golding, author of a biography of McEwen, *Black Jack McEwen*, noted, though the circulation of Newton's newsletters was not big 'they were required reading around Parliament House in Canberra' (1996, p. 296).

Tariff policies were central to Newton's economic views. In the 1960s, important industries such as motor vehicle manufacture, textiles and industrial chemicals were very highly protected but even some obscure industries producing little were protected by

tariffs of well over 100 per cent. Some industries were also protected by by-law provisions which allowed protection to be extended by ministerial decision and others escaped direct scrutiny by references to the Special Advisory Authority, by-passing the Tariff Board, which had become renowned for its independence under its Chairman, Alf Rattigan (*Incentive*, 1 December 1972). Newton promoted free trade and deregulation of the economy, basically the globalisation policies now standard. This was the basis of his conflict with McEwen who had developed Trade into a powerful economic department supporting manufacturing industries and rivalling the power and influence of the Treasury. By 1967 Newton's attacks on the Government's tariff policies and the Country Party were frequent, strident and expressed in clear, often aggressive language, described as 'distinguished more by ferocity than by moderation' (Reid, 1971, p. 59). These attacks enraged McEwen who related them directly to what he saw as not only an alliance but a close personal relationship between Newton and the Treasurer William McMahon. Part of McEwen's ammunition came from information collected by Bill Carew, his Press Secretary from 1958 to 1966, who kept a file on Newton, now in the National Library's Manuscript Collection, containing notes such as sightings of visitors to the Newton home, particularly McMahon the Federal Treasurer, and alleged sources of news and money. (Carew, 1968)

During the political crisis following the disappearance of the Prime Minister Harold Holt in December 1967, McEwen linked his refusal to serve under McMahon to McMahon's association with Newton and he escalated his attacks on Newton claiming he was a Japanese agent, citing payment from JETRO, the Japanese Trade organisation. These attacks raised Newton from a comparatively obscure publisher of newsletters reaching only a few thousand readers to a person of national prominence (Reid, 1971, p. 60), frequently interviewed on TV news and public affairs programs and in the press. To McEwen's annoyance Newton, was 'recurringly, beyond understanding, an invited guest of the ABC' (PD, 1968, 7. 709). There was a surge in interest in his newsletters and his business flourished.

It was at this stage that I began work as a journalist for Max Newton. I was engaged to write and edit *Tariff Week* and write for the other newsletters and from late January 1968 I did *Tariff Week* until it ceased as a separate publication nearly four years later. While it was stimulating, even exciting, to work for a controversial publisher who was increasingly in the news and whose publications were eagerly read, the main reason I

moved from the ABC in the Parliamentary Press Gallery to Max Newton was more mundane. The particular attraction for me was that I could work at my home in Deakin. My last child was born two months after I joined Maxwell Newton Publications and I had two other young children, as well as two older step-children. Finding an employer who was interested only in the work I did, not when or where I did it, was an unusually, if not uniquely, flexible and enlightened situation for the 1960s and during the 6½ years I stayed there (later under Cyril Wyndham), I always worked at home.

An essential part of the work depended on having access to Tariff Board reports which contained transcripts of evidence taken by the Board or at special Advisory Authority hearings and dumping inquiries. It is an indication of the deep rifts in the bureaucracy at the time that, despite the standoff between Newton and sections of the government, and through raids and court cases and parliamentary questions, I continued to get an overnight loan of Tariff Board reports. I collected these outside the Tariff Board late in the afternoon and returned them before nine o'clock the next morning. These, of course, were not secret documents but without this quick access to reports that were not normally available for a considerable time, *Tariff Week* would have been largely ineffective.

By the time I joined Max Newton and Richard Farmer, taking the place of John Lloyd who moved to the Department of Territories, the business operated from two houses, 53 Kent Street, Deakin (at the corner of Kent Street and Strickland Crescent) and 55 Kent Street next door. The Newton family lived at 53 and Richard Farmer at 55. The front room of 55 was the newsroom as well as the space where the newsletters were typed on to golf ball typewriters, often in the evening by typists who had other daytime jobs. The printing press was in the laundry and mailing was done from the sunroom of the Newton home. Maxwell Newton Publications was a successful small business grossing over \$100,000 a year, (Packer, p. 117) then a substantial sum — by comparison, the salary of a B grade, the grading at which the majority of journalists were employed, was just under \$5000 a year (*Journalist*, July 1967, p. 1). At its peak *Incentive* had 800 subscribers and the other newsletters up to 500. If Max Newton had been less ambitious and a less driven character, this is how the business may have continued.

I'll concentrate now on two aspects of Maxwell Newton Publications of enduring interest – relations with the Parliamentary Press Gallery and the perennial question of unplanned leaked information from government.

### **Press Gallery**

At the peak of what was described as the 'splurge of publicity' (Munster, 1968, p. 7) about Max Newton in the first weeks of 1968, the Press Gallery became embroiled in the McEwen/Newton feud. Newton had been a member of the Gallery while working as a journalist for the *Sydney Morning Herald* and re-joined the Gallery when he began his newsletters in 1965 under the name of Business Press Services, although only after a debate on whether an organisation that supplied news only to subscribers not the general public was eligible for admission. A minority, which included the influential *Sydney Daily Telegraph* journalist and author, Alan Reid, opposed his admission. His membership became an issue again during the political crisis following the death of Harold Holt, when stories, such as one in the *Australian*, under the heading, 'Foreign agent is the man between the leaders', accused Newton of being 'an active and paid representative of foreign interests' (Munster, 1968, p. 7). Both in newspaper articles and in Parliament, there were allegations that Newton had a contract with the Japanese Export Trade Organisation to supply tariff information. Although correct this was not particularly sinister — it was a contract worth \$2000 a year, a very small part of the income of the business and was arranged through Massey Stanley, a well-known, former political correspondent.

Press Gallery journalists became polarised for or against Newton remaining a member of the Gallery as McEwen and his staff pushed their view among journalists that he was a lobbyist not a journalist. The Gallery executive undertook what proved to be a long-running inquiry, during which the Gallery divided into pro-Newton and anti-Newton factions, described as 'warring as violently as McEwen and McMahon were in the Cabinet room downstairs' (Reid, 1969, p. 76). Even the Speaker, Sir William Aston, was drawn into the inquiry but his opinion, that the facilities of the Press Gallery should be used only by 'bona fide journalists engaged in the collection of news for newspapers, radio and television stations and other recognised media' (Bennetts, p. 19), did not

resolve the question. Newton was a correspondent for reputable overseas publications, as well as publishing his range of subscription economic and business newsletters. The Serjeant-at-Arms, who issued identification cards to journalists on the recommendation of the Gallery, was also dragged into the inquiry. He informally advised the Gallery that it should tighten its definition of qualifications for Gallery membership or risk losing the privilege of advising him (Bennetts, p. 19).

Eventually the Press Gallery Executive found its power was limited to the calling of a general meeting to consider the question. In the Press Gallery file, Report of the Executive of the Federal Parliamentary Press Gallery on its Inquiry into Complaints against Mr Maxwell Newton, Head of Service for Business Press Services, quoted in Clem Lloyd's *Parliament and the Press* (Lloyd, p. 223), this solution was described as being 'fraught with problems', some members being described as 'rather emotional in their approach to the question'. According to Clem Lloyd, 'The incident deeply divided the Gallery, sparking a sequence of stormy meetings. Newton was disliked intensely by sections of the Gallery but he also generated support and loyalty, particularly from journalists who 'moonlighted' for his publications' (Lloyd, p. 223). Alan Reid, who had opposed Newton being made a member of the Press Gallery in 1965, found no reason for his being expelled in 1968. Reid wrote that he was 'against anyone, friend or foe, being railroaded for the wrong reasons and on the basis of rumours which nobody was prepared to father openly or even attempt to substantiate' (Reid, 1979, p. 75). Eventually Newton agreed to resign but insisted on the right to nominate his replacement from his staff. The Press Gallery committee reported:

At this point it was clear that the issue had become one of intense speculation, both within and without the Press Gallery... Having heard both sides in good faith and to the best of its ability it was up to your elected [Gallery] Committee to make the decision, which it considered to be in the best interests of the Press Gallery...The committee resolved by four votes to one to accept Newton's resignation concurrently with its acceptance of an application for membership from his replacement, Richard Farmer. ...it also decided to seek a declaration of bona fide journalism from all new members.' (Report of the Executive of the Federal Parliamentary Press Gallery on its Inquiry into Complaints against Mr

Maxwell Newton, Head of Service for Business Press Services, quoted Lloyd, pp. 223-4).

A special general meeting endorsed this report and directed the Committee to draw up a standard statutory declaration to be signed by all members affirming the signatory was 'engaged in legitimate journalistic activities' and was not associated with 'public relations, lobbying or business representation work'. The Committee was given the power to define what were 'legitimate journalistic activities'. According to Clem Lloyd, these resolutions were drafted as constitutional amendments, but never incorporated (Lloyd, p. 224). The political ramifications of this inquiry, which proceeded almost as a corollary to the McEwen/McMahon battle, and the polarisation of journalists' attitudes, make it difficult to draw any general conclusions regarding criteria for membership of the Press Gallery from this case.

The inquiry proceeded concurrently with continuing attacks and counter-attacks between McEwen and Newton, who became an increasingly newsworthy, abrasive figure. McEwen's obsessiveness with Newton elevated him into what Dr Jim Cairns, the Shadow Minister for Trade, termed ironically a 'fantastic character' (PD, 3 April 1968, p. 777) and led ALP Member, Tom Uren, to refer to McEwen having an 'Achilles' heel 'as far as Mr Maxwell Newton is concerned' (PD, 4 April 1968, p. 815).

When Gorton became Prime Minister in January 1968, Newton was briefly supportive but was soon increasingly critical (*Incentive*, 13 May 1968). His attacks culminated in the publication on 3 June 1968 of a transcript of Gorton's rambling, uninformed press conference at Blair house, Washington, during an American tour. (*Incentive*, 3 June 1968). Described as criticism 'in its most lethal form' (Golding, p. 297), this was followed in September 1968, by an exposé-type publication *Who's Who in the Gorton Government* issued by Maxwell Newton Publications. In December, *Incentive* published the full text of another rambling Gorton press briefing. By this time Maxwell Newton Publications had been excluded from Prime ministerial press conferences. (Insert 11 December 1968 with *Incentive*, 9 December 1968 and other publications).

### **Leaks**

A period of government division, in this case the gulf between the economic policies of Treasury and Trade, is notoriously a period when leaks become prevalent.

Newton often gloated of his access to confidential government documents that appeared regularly in some form in *Incentive* or one of the other Newsletters. During this period, two public servants, J. F. O'Brien and Gerard Hoffman, from different departments resigned after investigation of the source of material (The Hoffman Documents, 1968). They were never prosecuted and the flow of government information continued, often dubiously labelled secret for political rather than security reasons and most of it in a category that could be regarded as information the public was entitled to know.

At times, pride in the leaks that were flowing towards Newton appeared to be the motivating force for publication. On 13 May 1969, *Management Newsletter* proudly ran a report of a confidential cable from the Australian Embassy in Paris to the Department of External Affairs in Canberra summarising a meeting between the Australian Ambassador, Alan Renouf, and the French Foreign Minister, M. Debre, which ranged over topics including Vietnam, the Paris Peace talks, Laos, the USSR naval presence in the Indian Ocean, a possible trade mission to Australia and political co-operation in the Pacific. While interesting, and evidence to subscribers of the high-level government information being leaked to Maxwell Newton Publications, this was not of such vital interest as economic, trade and tariff information, which was also being leaked and published. Nevertheless it was such a high profile failure by the government in securing its own information that it became almost inevitable that some action would follow.

This occurred on Friday, 23 May 1969, when nine Commonwealth Police led by Inspector Allan Watt searched Newton's two houses in Kent Street. The raid was ordered by Federal Cabinet and authorised under two search warrants issued by Justice of the Peace, Henry Tillett, under Section 10 of the Crimes Act, 1914-1966. The police spent eleven hours going through not only desks and filing cabinets but toilet cisterns, beds, children's books, telephone directories, cupboards, refrigerator, stove, washing machine, soiled clothing and wastepaper baskets (*Incentive*, 26 May 1969). A third search warrant, issued on 5 June 1969, extended the search to Newton's bank accounts. During the raids the police seized some thirty documents allegedly in connection with the publication in *Management Newsletter* of the Renouf/Debre conversation.

The seriousness of this situation was obvious with penalties under the Crimes Act for receiving Government information of up to seven years' gaol. Newton's statements

justifying the legitimacy of publishing leaks stressed the implications of the raid for journalists in general and were designed to gain journalistic support (*Incentive*, 26 May 1969). He pointed to the labelling of government material as secret to prevent public scrutiny, a point made recently (nearly 40 years later) by Paul Malone that secrecy can ‘hide a litany of lies, incompetence and inefficiency’ (Malone, 2 June 2005). Also, nearly 40 years later, some aspects of the action against Newton are being replicated in a case in Melbourne in which a public servant is charged under the Crimes Act, with two *Herald-Sun* journalists, Gerard McManus and Michael Harvey, refusing to disclose their sources of information.

In interviews at the time Newton said he was in the business of ‘penetrating the bureaucracy’. ‘My business is to find out economic and political information before anyone else ... publish it and that’s how I earn my living’, he told the ABC Television program, *This Day Tonight*. When asked whether he had to pay for information, he replied, ‘Well I wouldn’t like to comment on that’. (PD, 27 May 1969, p. 2432). He did not deny paying public servants to work for him in their spare time (Melbourne *Sun*, 2 June 1969).

Although journalists had been divided about Newton in the past, journalists’ organisations, predictably, were united in condemning the 1969 raid on his premises. Syd Crossland, the General Secretary of the AJA, defended the general proposition that ‘Journalists should print any information of benefit to the public irrespective of whether or not it pleases the Government.’ The President of the AJA’s Canberra District branch, Gordon Burgoyne, an ABC Press Gallery journalist, well acquainted with the lengthy discussions regarding Max Newton’s membership of the Gallery, commented more directly on the questions raised by the raid. His statement included:

The district flatly rejects the proposition that rubber-stamping a Government document ‘secret’ or ‘confidential’ transforms a document, however innocuous into a state secret.

It calls on the Government to regain its sense of proportion and to recognise its responsibility to maintain the open processes of democratic government....

The District expresses its deep distrust that on a matter of demonstrably minor significance the Government was prepared to breach the principle that a citizen's home is invaded only in extreme circumstances and when the interests of the State and the community are vitally involved.

The committee has been shown a copy of one of a number of documents seized by the Commonwealth Police, which does not deal with Commonwealth administration, but is purely political. Seizure of such a document, in its view, constitutes an attack on every citizen's right to comment freely and with impunity from the law on political events....

Mr Newton is a member of the Australian Journalists Association whose code of ethics forbids him to disclose the sources of information received in confidence. It would be a further injustice if he were placed in the position where he might suffer a penalty for loyalty to this code (*Incentive*, 26 May 1969).

Eventually, such support may have had some effect on a government that was in some disarray on many fronts but, in fact, the raid on the Newton premises was resolved otherwise. Immediately after the raid, Max Newton, his wife and three companies associated with the business applied to the ACT Supreme Court to quash the search warrants issued to Commonwealth Police, Norman Headland, Keith Eric Moller and Douglas George Shea, by Justice of the Peace, Henry Tillett. Mr Justice Fox, who heard the case, *The Queen versus Tillett and others, ex parte Newton and others*, on 12, 18, 19, 24 and 25 June 1969, with A. B. Shand appearing for Newton, granted an interim injunction. In his judgment, on 8 August 1969, Fox upheld the case made for Newton that the search warrant was invalid. Section 10 of the Crimes Act under which the warrant had been issued required a justice of the peace to be satisfied by information on oath that there was reasonable ground for suspecting that books, documents or other things would afford evidence as to the commission of a particular offence. Instead the warrant did not set out the matters upon which the police relied but was instead a written summary of, or conclusions from, what had been given on oath. (14 Federal Law Reports, 8 August 1969, pp. 101-28). Mr Justice Fox's finding that the search warrants were not properly executed prevented any action being taken against Newton and all seized documents were

returned. It can be assumed that, since then, search warrants have been more carefully worded.

What should have been a triumph with the prospect of prosecution under the Crimes Act lifted, in fact did not turn out to be so. It could instead be seen as a turning point although before Newton's downfall, superficially Maxwell Newton Publications flourished.

It was a time of exuberant, precarious expansion. Late in 1968 Newton had bought two regional newspapers and soon after leased 5000 square feet of factory space in Newcastle Street, Fyshwick. These moves were part of his ambitious plan to become an important newspaper proprietor with the ability and means to reach a far wider audience than he could with small circulation newsletters. Investing in a large printing press also created the demand for more publications to keep the press running economically. Staff increased exponentially. Peter Kelly, previously on McMahon's staff, had joined Max Newton in mid-1968, Cyril Wyndham, formerly general secretary of the ALP and for a considerable time, the major freelance writer of the *Australian Parliamentary and Legislative Review* Newsletter, joined in mid-1969. Then an explosion of staff followed in late 1969 and 1970, among them David Haselhurst, Richard Ackland and Terry Tobin, to keep up with the proliferation of publications. Apart from south coast and tablelands regional newspapers – Braidwood, Milton/Ulladulla, Bega, Moruya and Nowra – specialist weekly newspapers began with *The Australian Miner* in May 1969 followed by *Jobson's Investment Digest*, *Weekend Business Review*, *the Australasian Manufacturer*, *Construction* and *Pacific Islands Trade News* and others. The most ambitious move was the acquisition of the *Daily Commercial News and Shipping List* (later known as *DCN*), a Sydney shipping newspaper that had been published since 1891 and was believed have the potential to become an important daily financial newspaper.

Constant acquisitions added to the air of excitement, if not impending doom, in a rapidly expanding and haphazardly run empire. As later emerged, Max Newton's increasing instability and lack of judgment were fuelled not only by alcohol but by a manic depressive illness and a drug-induced psychosis (Newton, 1993, e.g. pp. 179-80, 214).

The newsletters, which had been the basis of the business were amalgamated or absorbed, after a hasty decision based on bad financial advice. From April 1970, *Australian Parliamentary and Legislative Review* and *Management Newsletter* became part of the short-lived *Weekend Business Review* and at the beginning of 1972, *Minerals Week*, *Tariff Week*, *Australia Japan Trade News* and *Industrial Newsletter* became part of an expanded *Incentive*. *Incentive* itself survived for only a year more ceasing, perhaps appropriately, at the end of 1972 when the election of the Whitlam Labor Government changed the political and economic landscape. Some newsletter features including tariff news became sections in *Daily Commercial News* and in the weekly periodicals particularly *The Miner* and *Pacific Islands Trade News*.

By then Max Newton had moved out of the realm of rational decisions and had re-located to Melbourne where he ran the Melbourne *Sunday Observer*. Maxwell Newton Publications ceased printing in Canberra in February 1972. Operations moved briefly to Brisbane then to Sydney under Cyril Wyndham. From that time until May 1974 when most publications ceased, I was Canberra correspondent for *Daily Commercial News*, *Pacific Islands Trade News*, *Australian Miner* and the other periodicals.

Max Newton eventually saw the late 1960s as the best of times. He told Clyde Packer:

Back in the '60s, I thought, "Well, I've got newsletters, but I'll get much better when I've got newspapers." I had much more influence when I had newsletters. The power of ideas is much greater than the power of circulation in many ways. ...I went through a period from 1968 to 1978 of virtually permanent disaster, fear, personal catastrophe, bankruptcy, the police, the bloody tax people, public humiliation, a ten-year mid-life crisis (Packer, p. 129).

Padraic McGuinness, in a lecture in honour of Max Newton as an economic journalist, also regarded this period as 'the high point' of Newton's career. According to McGuinness, Newton had pointed 'Australian economic journalism in a new direction'.

But by the end of the 1960s:

...things became increasingly murky and Newton became increasingly personally desperate. He dabbled in pornography and related sources of income, drank heavily and declined into bankruptcy. His relation with tax authorities, and other

areas of the law, became increasingly dubious, and he finally fled Australia never to be able to return, under threat of prosecution, until his widow brought his ashes home (McGuinness, pp. 1-2).

In the United States, Max Newton re-established his career as a right-wing economic journalist becoming financial editor of the *New York Post*, a Murdoch paper, and his columns were syndicated in the Murdoch press. In 1983 he published a book on the American monetary system (Newton, 1983). He died on 23 July 1990, aged 61. During the best years of his Australian career he had been an abrasive, controversial pioneer in criticising long-standing economic policies that were due for upheaval.

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