

Ministerial Responsibility for Administrative Actions: Some Observations of a Public Service Practitioner

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Failures in public administration can bring costs and injustice in their wake. They can affront the public sense of propriety and good order. If they are sufficiently egregious or their impacts sufficiently widely felt, the public demands blood — someone must be brought to account — but whose blood?

Opposition parties and the leader writers in the press can be relied on to call for the Minister's resignation 'in accordance with the Westminster Convention of Ministerial Responsibility'. Equally certainly in modern times, Ministers do not resign unless they have been personally implicated in the administrative failure or impropriety, or in covering it up, and they have lost the confidence of their Prime Minister.

This paper will address changes in the view of Ministerial Responsibility in the light of more sophisticated understandings of the complexity of public sector organisations, the accountability of public servants (particularly Secretaries), changes in average tenure of Secretaries, and the development of Ministerial Offices. It provides some suggestions for good practice in relations between departments and Ministerial Offices in the interests of protecting the accountability chain.

Individual/Collective Responsibility: Dealing with the Former

Traditionally, the Westminster Convention on Ministerial Responsibility had two parts:

1. Collective responsibility — every Minister shares responsibility for every decision taken by Cabinet; Ministers are obliged to guard the confidentiality of business between Ministers in Cabinet; and Ministers must retain the confidence of the Parliament;
2. Individual responsibility — Ministers are individually responsible to the Parliament for actions taken under their authority, including in particular the actions taken by the department for which they are responsible.

Our concern is with the latter part of the Convention - the individual responsibility of Ministers for the actions of those under their authority. This now includes not just the departments of state, but also executive agencies, statutory

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authorities to the extent that the Parliament has not specifically legislated to restrict the Minister's authority, and staff employed in the Minister's office. More particularly we are concerned with the corollary accountabilities. That is, those of public servants, including to their Minister and in their relations with their Ministerial Office.

The crudest assertion of the convention of Ministerial Responsibility is that Ministers have a strict, vicarious 'liability' to the Parliament for the actions of those under their authority, and that, in the event of failure by one of those under their authority, the appropriate way to purge that liability is by resignation.

It can be seen that this proposition conflates two elements of the Convention. The first is the notion of responsibility for all acts by those under the Minister's authority. The second is that responsibility requires resignation in the event of an egregious administrative failure even when the Minister otherwise continues to retain the confidence of the House. Neither of these propositions has been historically unquestioned, and the second has certainly not been the basis for Ministerial behaviour in recent years, if ever.

Is there a single traditional view of the scope of individual Ministerial Responsibility? The uncertainty about the precision of the first proposition can be readily illustrated by a quick survey of descriptions in the literature (emphases added):

- 'The legal responsibility of every Minister for every act of the Crown *in which he takes part*.' (Dicey, 1885, as cited in Marshall, 1989)
- 'The Minister is alone responsible for *everything* done in his department.' (Lowell, 1908:192)
- 'The act of *every civil servant* is by convention regarded as the act of his Minister.' (Jennings, 1959:208)
- 'Individual Ministers also assume a responsibility for *their actions and the actions of their departments*. In strictly legal terms, such responsibilities are carried by the executive — the Governor-General and the Executive Council — but the practice today is that the Cabinet is dominant.' (Jaensch and Teichmann, 1979:44)
- 'The convention of individual Ministerial Responsibility is *so imprecise* as to provide only the broadest guide to executive conduct.' (Aitken and Jinks, 1982:89)
- 'The constitutional doctrine of Ministerial Responsibility is that every member of the Cabinet who does not resign is absolutely responsible for all that is done at Cabinet meetings ... But the individual Minister is responsible for *all the acts* of his own Department.' (Bird, 1983:220)
- 'Conventions of Ministerial Responsibility are *open to interpretation by politicians*. Its operation varies depending on circumstances and expediency. There is not, and cannot be, a set of clear principles to be objectively applied. Yet Ministerial Responsibility lies at the heart of the Australian system of government because it provides a direct link between the executive, the parliament and thence the people.' (Davis *et al*, 1993:79)

- ‘Under the Australian system of representative government, Ministers are responsible to Parliament. *This does not involve Ministers in individual liability for every action of public servants or even personal staff.* It does however imply that Ministers accept two major responsibilities: first for the overall administration of their portfolios, both in terms of policy and management; and secondly for carriage in the Parliament of their accountability obligations to that institution.’ (Howard, 1998:1)
- It may be improper to think of Ministerial Responsibility for errors as ‘vicarious’ — the responsibility remains *direct*, provided ‘the leaders may be said to have contributed to the outcome, for instance through setting a general policy direction or allocating a level of resources that made such mistakes more likely to occur.’ (Mulgan, 2002:123)

The earliest of these quotes (Dicey) places emphasis on the responsibility of Ministers for the acts in which ‘(the Minister) takes part’. The latter (Howard and Mulgan) place emphasis on the systemic accountability of Ministers, that is, accountability for the overall administration of their portfolios through policy and management, and on direct accountability for the Minister’s own actions. Those in between talk in terms of responsibility for *all* actions whether taken with the Minister’s knowledge or not.

Why has the emphasis on accountability for *all* the actions of departments diminished? What are the implications of the growth of Ministerial private offices? What are the corollary implications for the obligations of Secretaries? We will return to these — but first we will examine the second part of the ‘hard line’ assertion of Ministerial Responsibility: that resignation is the normal and appropriate way to purge administrative failure.

A Note on Ministerial Resignations

Originally, Ministers of the Crown could be punished by an act of attainder, or by impeachment. Today, the only avenue is loss of office. If the requirement is ‘the liability of Ministers to lose their offices if they cannot retain the confidence of the House of Commons’ (Dicey, 1885, as cited in Marshall, 1989), then the decision falls on party lines rather than according to a strict convention. ‘It’s never been the ministerial principle that you resign if something goes wrong in your department’ (Howard, 2001).

Numerous commentators have examined political scandals where the convention has been invoked, and have concluded that strict liability is rarely applied. Neither Westminster nor Canberra has witnessed a significant number of resignations related to responsibility for departmental actions — indeed, there are fewer examples in Australia than in Britain (Marshall, 1989; Page, 1990). There is ‘no succession of clear cases on which to found a convention about individual answerability of Ministers to the Commons in the resigning sense’ (Marshall, 1989:5).

Resignations of British and Australian Ministers have been attributable largely to personal transgressions rather than departmental failures. Even Sir Thomas Dugdale (Crichel Downs) and Lord Carrington (failure to anticipate invasion of the Falklands) were not accepting blame for the faults of others, but for systemic failures under the Minister's authority (Butler, 1996).

Ministerial Responsibility comes into play well before the 'sacrificial' duty to resign - these have been called the 'informatory' and 'explanatory' responsibilities to report to Parliament and the public, and the 'amendatory' responsibility to impose remedies when mistakes have been exposed (Woodhouse, 1994). Failure to explain accurately by covering up or misleading the House, or failure to correct problems when they are known personally by Ministers, are far more likely to encourage calls for resignation than is a simple vicarious liability for actions by the public service of which the Minister had no knowledge or which were not a symptom of overall systemic failures of which the Minister should have been aware.

But even then, the academic observers say, political calculation, not parliamentary ethics, determines who is sacked or forced to resign. Ministers go when they become an embarrassment to their government or a political liability.

An examination of the list of Australian Ministerial resignations since 1972 demonstrates that resignations have seldom been motivated by departmental failure (see Box below — the list excludes resignations due to retirement or appointment to other positions). It must be emphasised that in many of these cases the Minister concerned stood aside and then rejoined the Ministry after clearing his or her name, or after a suitable period had passed to expunge the breach.

It is instructive that not one of these resignations over the past 30 years was because of a failure in the Minister's department in which the Minister was not personally involved. Fine though the reputation and performance of the Australian Public Service is, not even its most enthusiastic fan would argue that it has been without flaws or failures over this time. Indeed there was even one Inquiry — Review of Commonwealth Administration (Reid, 1983) — entirely prompted by a series of administrative failures. None of the Ministers oversighting the agencies in which those failures took place was obliged to resign.

In short, the second proposition, that resignation is the accepted way in which to purge vicarious responsibility for administrative failure is, and probably always has been, far too 'absolute'. As Weller and Grattan (1981:202-03) put it:

The test of Ministerial Responsibility is not, and never should be, the number of Ministers who have resigned. That is too crude, expecting far too dramatic a gesture. It is more the regular involvement of Ministers in the activities of the departments, their answerability, however limited, to parliament and the awareness of Ministers of the implications of what is being done. Further, when Ministers fail they are held responsible by the Prime Minister; they may be reshuffled into lesser jobs, have their departments split or be relieved of functions.

Box: Australian Ministerial Resignations Since 1972

Whitlam Ministry		
Clyde Cameron	6 Jun 1975	Refused reshuffle offer
Jim Cairns	6 Jun 1975	Alleged Ministerial irregularities (overseas loans)
Jim Cairns	2 Jul 1975	Misleading Parliament
Rex Connor	14 Oct 1975	Misleading Parliament
Fraser Ministry		
Victor Garland	6 Feb 1976	Alleged Electoral irregularities
Robert Ellicott	6 Sep 1977	Cabinet Decision protest
Philip Lynch	19 Nov 1977	Alleged irregularity in relation to land deals
Reg Withers	7 Aug 1978	Dismissed following Royal Commission (electoral redistribution allegations)
Eric Robinson	23 Feb 1979	Dispute with PM
Ian Sinclair	27 Sep 1979	Alleged criminal offences
Andrew Peacock	16 Apr 1981	Dispute with PM
Michael MacKellar	20 Apr 1982	Alleged Ministerial impropriety (Colour TV affair)
John Moore	20 Apr 1982	Alleged Ministerial impropriety (Colour TV affair)
Hawke Ministry		
Mick Young	14 Jul 1983	Alleged Ministerial impropriety (Coombe-Ivanov affair)
John Brown	18 Dec 1987	Misleading Parliament
Gary Punch	28 Mar 1989	Policy Protest (Sydney Airport)
Paul Keating	3 Jun 1991	Dispute with PM
Keating Ministry		
Graham Richardson	18 May 1992	Alleged Ministerial impropriety (Marshall Islands affair)
Alan Griffiths	22 Jan 1994	Alleged Ministerial impropriety (Sandwich Shop affair)
Ros Kelly	27 Feb 1994	Alleged Ministerial impropriety (Sports Rorts affair)
Howard Ministry		
Jim Short	14 Oct 1996	Alleged Ministerial impropriety (conflict of interest concerning bank licences)
Brian Gibson	15 Oct 1996	Alleged Ministerial impropriety (conflict of interest concerning bank licences)
Bob Woods	3 Feb 1997	Alleged improprieties (expense claims)
Geoff Prosser	11 Jul 1997	Alleged Ministerial impropriety (conflict of interest)
David Jull	24 Sept 1997	Alleged Ministerial impropriety (Travel Rorts affair)
John Sharp	24 Sept 1997	Alleged Ministerial impropriety (Travel Rorts affair)
Peter McGauran	26 Sept 1997	Alleged Ministerial impropriety (Travel Rorts affair)

Source: Tiffin (1999:164); Australian Politics (2002).

The Australian Public Service and Accountability

One of the reasons that strict vicarious accountability for Ministers for the actions of their public servants is no longer emphasised in the public administration literature is that the growth of executive government has led to a very reasonable recognition of the reality of the proper limits of Ministerial knowledge and action. Departments and agencies are now so big, and their activities so numerous and diverse, that Ministers cannot be expected to be intimately aware of all that is done under their authority.

In some senses, the developments in the convention reflect an earlier development in common law.

Vicarious liability is a familiar feature of most systems of primitive law, and early English law was no exception.... The early medieval idea of holding a master responsible for all his servant's wrongs gave way, with the passing of the feudal system, to the principle that his liability be limited to the particular acts he had ordered or afterwards ratified. (Fleming, 1998:409)

Of course, the modern principle of the employer's liability for all torts committed by the servant in the course of his employment has marked a move away from the direction which political liability has taken. The law of tort represents a compromise between 'the social interest in furnishing an innocent tort victim with recourse against a financially responsible defendant; on the other, a hesitation to foist any undue burden on business enterprise' (Fleming, 1998:410). The modern principle of Ministerial accountability has resolved the tension between the hesitation to expose Ministers to liability for what they cannot be expected to know or control, and the Parliament and the public's right to hold accountable someone who *is* in a position to know and control, by increasing the accountability of individual public servants from the Secretary down.

No longer does the public service do good deeds (or bad) behind the cloak of anonymity. There is now a wealth of means by which the public service is accountable to the public and to the Parliament for its actions, while it continues to be formally responsible to the Parliament through its Minister.

Those mechanisms of accountability (as distinct from responsibility) vary. Some are provided for in legislation; others simply flow from a society that is more educated, more pluralistic and better informed. They include the loss of anonymity which has come with Freedom of Information legislation, the capacity for affronted citizens to seek more easily judicial or quasi-judicial review of decisions, the role of the Ombudsman in investigating departmental actions, the growth of the NGO movement and the increasing strength of professional lobbies. All of these have greatly changed the balance of power between individual citizens, businesses and the bureaucracy over the past twenty years — many would argue a necessary counterbalance to the growth of the scope of bureaucratic decision making and its impact on the lives of ordinary people and businesses.

At the same time the Parliament, particularly in the Senate and through the Joint Committee on Public Accounts, has asserted its power to demand information from individual public servants and to examine their actions. Not surprisingly this has reflected changes in the balance of power in the Senate. Since it has become the exception rather than the rule that the Government controls the numbers in the Senate, it has stretched its wings as a house of examination. No doubt at times these examinations are aimed at scoring Ministerial rather than bureaucratic scalps, and some might see them as driven by the pursuit of short-term political advantage rather than a dispassionate interest in good governance, but that is the nature of Parliamentary politics. There is no doubt that the net result has been a huge increase in the transparency of the actions of the public service.

The other change that has been of great significance is the way in which departmental Secretaries are now held directly and personally responsible for the performance of their Departments with their pay and their position being at risk if they fail to live up to expectations. This is a responsibility to the Minister and the Prime Minister, and in that sense provides an avenue for the Minister and Prime Minister to address what might be perceived as administrative failures - to sheet home the responsibility at a level below that of the Minister and arguably at a level where knowledge of and the capacity to address administrative issues more properly resides. Wisely used it provides an additional mechanism for Ministers to meet their responsibilities to the Parliament to address issues of systemic importance in the administration of government policy and programs.

All of these changes in Ministerial and agency head accountabilities have occurred in the period in which I have been in the Service (36 years) and many of them since I was first appointed to department head level in 1984. This is quite a radical rate of change in a system that had, in terms of formal accountabilities, changed little in the first seventy years of the Federation. It was no accident that these changes followed the development of the perception (shared, in my experience, by both sides of politics and so cleverly exploited in *Yes Minister*) that in the years from the sixties there had been a weakening in the chain of accountability from public service to Cabinet: that more power and responsibility rested with department heads, and, as a corollary, the Minister could not be aware of all work of subordinate officials (Kemp 1988:110).

In short, the exposure to the public and parliamentary gaze, and personal accountability, of officials emerged at least in part as a response to what was seen as a lacuna in the chain of accountability once it was accepted that it was unreasonable and impractical to hold Ministers personally accountable for all the actions of their officials.

A Cautionary Note

There can be no quarrel with the increased accountability that Secretaries face to government, the public and through the media. Certainly it seems to be a bipartisan attitude, give or take some differences of emphasis on issues like

performance pay. However we should think carefully of the consequences that could emerge if (in a parody of the ‘hard line’ notion of Ministerial Responsibility) Secretaries were to be regarded as absolutely vicariously liable for all the mistakes of their departments.

The increasing practical personal accountability of Secretaries for the administrative performance of their departments places some emphasis on the conditions in which they can be expected to understand the workings of the department fully, and change them for the better. Like Ministers they cannot be expected to know all that is done under their leadership in large agencies. Similarly, changing cultures and performance in large organisations can take years rather than months. While there is much in common across departments at the higher levels of management, there are still considerable differences in the administrative style, culture and critical issues faced by departments reflecting the inevitable differences in their missions, sizes, geographic spread and skills base. Much of what makes a department run well or badly is specific to that department. One factor that is relevant to effective managerial performance by the Secretary is therefore time in position in any given department.

Over the past decade or more there has been a tendency for time in position (as well as tenure as a Secretary) to decrease. Weller (2001:40) has reported that, in relation to patterns of service for department heads over the last fifty years,

the most striking changes are the dramatic decline in the average age of departure and the average length of service. In the 1950s and 1960s an appointee could expect to serve around ten years (*as a Secretary*) and leave at the age of 60 or thereabouts ... over 70 per cent served at least five years, and 37 of the 81 pre-1972 appointments served for over ten years. By contrast only five of the 28 Fraser appointments did Only one of the Hawke/Keating appointees has served 10 years.

Of course, if Weller looked at time spent as head of each department (given that some of the longer serving heads lead several departments), the average time would decline further. This is particularly relevant because (with the exception of the Treasury and the Department of Foreign Affairs and Trade) it is unusual for Secretaries to be appointed from a position in the department they head, that is a typical Secretary appointment is a ‘cross posting’ from a senior position in another department (sometimes a central coordinating agency) or from outside the service.

I have used departmental annual reports and the material reported by Weller (2001) to formulate some statistics on time spent as head of each department for Secretaries who have served as head of one or more departments since 1990 (Table 1 and Figure 1). This, after all, is what departments experience (although Secretaries might be more aware of their total time at that level across a number of departments). Including those who are still serving, the mean time spent as head of an individual department is four years, and the mode three years. Excluding those who are still serving (that is, only looking at completed terms), the mean

increases to 4.3 years and the mode to four. Of course the terms of current incumbents are shorter, with the mode being just one year, and the mean 3.1 years.

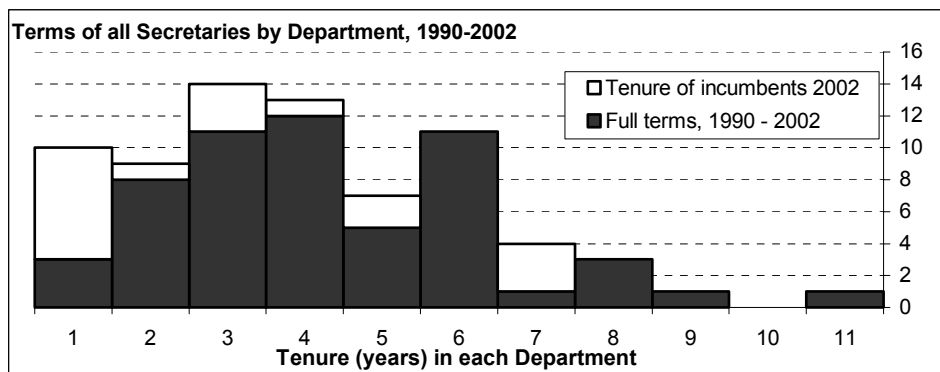
Table 1: All Secretaries Holding Office from 1990 — 2002: Tenure by Department

	Completed Terms 1990-2002	Incumbents (2002)	TOTAL Completed + Incumbents*
Number of Appointments	56	17	73
Sum (years)	242	53	295
Mean	3.8	2.6	3.5
Mode	11.5	6.5	13.5
Median	3.5	2.5	3.5

* The number of appointments exceeds the number of Secretaries during this period because some Secretaries served in more than one department over the period 1990-2002.

Source: Department of the Parliamentary Library (1990), Public Service and Merit Protection Commission (2001), *Commonwealth Government Directory* (1990), McAllister *et al.*, (1997), Parliament of Australia (undated), Weller (2001), Herald and Weekly Times Limited (1990).

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It is difficult to be clear on whether this experience is systematically different from the private sector, where it has been conventionally argued there is closer scrutiny of Chief Executive Officer (CEO) performance and a greater accountability for the organisations' outcomes. An examination of the literature on CEO turnover in the private sector suggests that there has also been a reduction

in typical tenures, but surprisingly that the mean private sector CEO tenures might have been longer than for department heads over the past decade. Suchard *et al.*, (2001:13) report on a sample of 93 of the top 150 listed firms in Australia as at 1996 (approximately the middle of our data set). They report a mean term as CEO of 5.98 years (but with a high standard deviation which suggests significant skewing), and a median of 4 years. However, one significant difference is that the median total period of employment in the organisation prior to appointment of the departing CEO was 20 years, while that for the replacement as CEO was 18 years. This is in contrast with Secretary appointees who typically have much less experience of the organisation they are to lead when appointed (although this is usually balanced by senior experience in one or more other agencies).

A recent survey published by Lucier *et al.* (2002:42) suggests that for private sector CEO's in the world's top 2500 organisations leaving their position on a normal rotation, their time in job had on average ranged from 10.8 years in 1998 to nine years in 2001. Those leaving for performance related reasons had served on average between seven years (1995) and 4.6 years (2001). It would be fair to note that with falling stock markets in the last two years, rotations have shortened.

Similarly Professor Fred Hilmer, in commenting on change management at the top, has often pointed to the example of Jack Welch at General Electric where it was six years before he had results that the market had confidence in (see for example, Hilmer quoted in McKew, 2001:44).

Of course, it is a truism that the management needs of the private and public sectors differ. Public sector organisations differ in that they have a unique 'duarchy' at the top — a Secretary who is nominally a CEO for the purposes of the management and leadership of the organisation, but a CEO under a Minister who has overall constitutional and strategic responsibility. This is a relationship very different from that between a CEO and the chair of a board for a public company. Similarly Ministers and departments are judged in a very different way from companies. And Secretary positions — in part because of the unremitting transparency and accountability — are very hard work. To my personal knowledge, not all Secretaries offered a full five year appointment or reappointment have been prepared to take the full term. So we should expect differences in tenure.

Nevertheless, balancing the requirements for accountability in the short run and good performance by departments in the long term should give some weight to providing incentive for Secretaries to pursue long term organisational renewal, as well as managing the core short term risks as they emerge.

Ministerial Offices

A new, or rather increasingly important, link in the accountability chain is the enhanced role of Ministerial Offices¹. Since the 1984 public service reforms,

¹ This section draws on material published or in preparation by the Australian Public Service Commission particularly Podger (2002).

Ministers have been able to appoint political advisers to their private offices. We have effectively developed a Canberra model of the European *cabinet* system to support Ministers. This has many advantages. It has, for example, reduced pressures that otherwise might have emerged to politicise appointments to the senior Public Service. Similarly, it has ensured that Ministers have access to advice that is aware of political sensitivities and sympathetic to and knowledgeable about their party position. Where relationships are professional between the Office and the department and each recognises the other's role and skills, the result for Ministers is a greatly enhanced level of support. However, members of Ministers' offices are not accountable to the Parliament in the same way as public servants — indeed the relationship with the Minister and Parliament is much closer to that which might have existed in the pre-Northcote-Trevellyan civil service. Minister's staff effectively serve at pleasure, and can be (and in some cases have been) held accountable for a poor outcome for the Minister and dismissed as a result.

However, there have been a number of cases — inappropriate Ministerial travel payments, road funding, and the children overboard incident — where commentators have focussed on the relationship between departmental and office roles in supporting the Minister.

Good practices in relationships between departments and Offices can ensure that the accountability chain is kept strong and effective. They are based on sound common sense, and are designed to protect some core principles:

- It is to Ministers, through their Secretary, that departmental officers are responsible (subject to any other requirements set out in legislation)
- In all circumstances, public servants are required under the Public Service Act to be accountable, to comply with the law, and to be apolitical, impartial and professional
- Proper responsiveness to the Government includes the obligations of frankness, honesty and comprehensiveness, and accuracy (subject of course to timeliness).

Written advice on matters of significance, including where it is provided in electronic form, should be formally addressed to the Minister, leaving it to the Office to manage the workflow to the Minister. Recommendations should be clearly addressed to the Minister not to Advisers, and should be provided in a form where the Minister is able readily to indicate the nature of the decision provided. In those rare circumstances where a departmental officer has a concern that a response to advice, or a request has the full authority of the Minister, then that question should be raised with the Ministerial Adviser first, and if doubts persist, with the Minister's Chief of Staff. In the ultimate, the Secretary should raise the matter with the Minister if concerns continue. Similarly the Secretary must raise important matters with the Minister personally if he or she is unsure that the advice has reached the Minister.

Again, it is good practice for Secretaries normally to be involved personally in discussions with the Minister (or in the formal written advice loop for those Ministers who would rather deal on paper) on major policy issues. In some circumstances this might not be possible, or on particular issues other arrangements might be made (it is not always possible to judge whether policy choices will turn out to be of major significance, and Secretaries should not aim to be an exclusive source of advice). But if this is so, it is important that the appropriate senior staff and the Secretary are kept informed. Departmental officers have a duty to keep their Secretary informed of issues that are likely to be of particular sensitivity or significance. As a matter of normal courtesy and teamwork, the Chief of Staff and the Secretary would similarly keep each other informed.

It flows from all of this that Ministerial staff do not have any executive power or other legal authority to direct APS employees, but in a professional and cooperative arrangement they can provide early advice about the Minister's policy leanings. This can be taken into account in advice provided by the department, but of course it does not overtake the obligation for comprehensiveness, accuracy and timeliness. At the heart of a good working relationship is a mutual respect for the different roles of the private Office and the department. One is there to serve the Minister's political priorities and needs, the other to deliver the Government's programs and provide policy advice in accordance with the values and obligations set out in the Public Service and Financial Management Acts, and any other relevant legislation. It can be a very rewarding relationship, and if these simple principles of good practice are followed, the accountability chain is not broken.

Conclusion

Individual Ministerial Responsibility is not a myth. Every Minister I have worked for has felt it powerfully and personally. But it is a much more pervasive and subtle concept than the leader writers in the press would often like to have us believe. Ministerial Responsibility is a much more positive concept — it is about responsibility to the Prime Minister and Cabinet for strategic political leadership of the portfolio, about responsibility for providing policy guidance to their department, about explaining policy to the people and Parliament, and about ensuring the department's systemic ability to do its job and demanding action if it is failing. It is not about being accountable for every individual departmental failure, irrespective of Ministerial knowledge or involvement.

This more dynamic view of Ministerial Responsibility has evolved over the last 30 years in parallel with the evolution of the accountability of the Public Service. The corollary of focusing Ministerial Responsibility on strategic and systemic performance has been focusing accountability for departmental actions — operational and policy - much more sharply on Secretaries and individual public servants. Over the period that the focus on Secretaries' performance has increased, their tenure in post has significantly reduced. Time in office now might be less than is typical in similarly sized and complex private sector organisations.

The reasons for these changes in tenure are complex and reasons for turnover are varied, but accountability for performance is no doubt one of them. There is also no doubt that there are advantages for 'joined-up government' in the broad experience across agencies that many department heads now have. However, careful thought also needs to be given to providing Secretaries with the incentive and scope to manage for organisations that are excellent in the long haul as well as low risk in the short.

Ministerial Offices, on the scale on which they now exist, add a new element to the responsibility/accountability chain. A number of events over recent years (Ministerial travel, road funding and the children overboard affair) have focussed attention on the role that they play. It is not appropriate for a serving Secretary to comment on how the private Office should account for its actions, but there is much that simple good practice on the part of the Public Service can do to ensure that the accountability chain is not tarnished or weakened.

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