Chapter three: the practices and functions of Shadow Cabinet

Introduction

In this chapter, I discuss some of the practices and functions of the modern Australian Shadow Cabinet and the issues which these raise. Most of the material in this chapter is drawn directly from the interviews conducted for this project and therefore reflects the matters raised by former and current shadow ministers. In the first section, I examine the differences between the Shadow Cabinet and the Shadow Ministry, discussing the advantages and disadvantages of each. The second section outlines other bodies within modern Australian oppositions—groups which have various roles in supporting or complementing the work of the Shadow Cabinet. Section three picks up a theme discussed in the previous chapter that of the relative shortage of resources available to shadow ministers, and examines some of the effects of this. Following this, I look at one of the most significant, if under-appreciated components of the shadow minister’s role: consulting and building relationships with stakeholders in their portfolio areas. The final section of this chapter also considers in more detail the question of the autonomy afforded individual shadow ministers and the constraints upon that autonomy. Throughout this chapter, the focus is on representing the views of Australian shadow ministers, noting the themes common to a number of shadow ministers from both sides of politics and also discussing matters of contention.

3.1 Shadow Ministry and Shadow Cabinet

One of the major differences between the Coalition and Labor regarding the Shadow Cabinet is the Coalition’s use of a separate shadow outer ministry. As in outer ministries in government, the shadow outer ministry consists of junior shadow ministers, which are usually defined as those with minimal legislation in their portfolio area. In general, shadow junior ministers do not attend Shadow Cabinet meetings, unless a topic relevant to their portfolio area is to be discussed. Meetings of the full Shadow Ministry are also held, although on a less frequent basis than those of the Shadow Cabinet.

This is not always the case, however, even for the Coalition. The current Opposition operates with a full Shadow Ministry at most meetings. This decision was described by Liberal Party Shadow Ministers interviewed for the project as one taken in order to facilitate greater participation amongst the Coalition in the early period after their loss of government in late 2007. It was felt to be important, in the aftermath of the electoral loss and move to opposition, to extend the decision-making process to a larger group. Therefore, for all but the most sensitive topics, meetings are attended by all shadow ministers (although not shadow parliamentary secretaries). This was in part recognition of the belief that the previous Government’s electoral loss was a consequence of its having become controlled by small group of senior ministers.
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The Coalition’s Shadow Ministry under Brendan Nelson as leader consisted of twenty Shadow Cabinet ministers, 12 shadow outer ministers and 13 shadow parliamentary secretaries. From September 2008, when Malcolm Turnbull became Leader of the Opposition, the numbers changed slightly: the Shadow Cabinet incorporated an extra two members, taking it to 22 members. The shadow outer ministry correspondingly was smaller, with ten members. The number of shadow parliamentary secretaries remained at 13. The intention of Coalition leadership in 2008 was to move to a more traditional inner and outer Shadow Ministry at a later point in the electoral cycle. According to members of that Shadow Cabinet interviewed for this project, the likelihood that larger groups are more likely to result in leaks to the news media was regarded as an unfortunate corollary, but not one which invalidated the decision. Yet it was still deemed important for some discussions to be limited to the Shadow Cabinet rather than the full Shadow Ministry. The most notable example of a Shadow Cabinet meeting from the early period of Coalition Opposition was in February 2008 to decide the parties’ attitude to the WorkChoices legislation. For such a politically-sensitive discussion, it was felt that the smaller group of opposition leaders was preferable.1

The Labor Party’s usual process of having no designated ‘inner’ and ‘outer’ ministry has also been varied. For a period during Simon Crean’s party leadership (2001–2003), until after the unsuccessful challenge posed by Kim Beazley in June 2003, Crean operated a distinct inner Shadow Cabinet. The full Shadow Ministry consisted of 29 members and the Shadow Cabinet the 17 most senior of those. The rationale for this change, according to Labor members interviewed, was to deal with what had been seen as the inefficiency of meetings of the entire Shadow Ministry. It was believed that by reducing the number of participants the meetings would be more focused and streamlined. Labor shadow ministers from the Crean period remain divided on the success of this strategy; shadow junior ministers noting that they felt isolated from the decision-making processes of the party. Given also the importance of the party caucus in approving all Shadow Cabinet decisions, members from the shadow outer ministry felt removed from both groups; catered to by neither the Shadow Cabinet meetings nor those of the larger party-room. Some of those interviewed for this project went so far as to attribute part of the reason for Labor’s general instability in the period to this system and the unhappiness it caused for some shadow ministers. Indeed, as Latham notes, it was immediately after facing the leadership challenge from Kim Beazley that Crean reverted to Labor’s usual full Shadow Ministry system.2

Other shadow ministers of the time, however, argue that a distinct inner shadow ministry tends to evolve, even when formally none exists, since the size of the full Shadow Ministry makes decision-making and the practicalities of running a productive meeting, difficult. Yet among those of this opinion, there is still some variance about how this should work. Some prefer a formal distinction between the inner and outer Shadow Ministry, as was established

1. It is, perhaps, worth noting that details of this meeting were still made public shortly after its conclusion, demonstrating that reducing the number of participants in a meeting does not necessarily prevent leaks.

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by Crean, and as commonly used by the Coalition. Others argue for a full Shadow Ministry, with a smaller, inner leadership or strategy group. This distinction is essentially one of who should attend meetings, with advocates of the latter position making the point that a full Shadow Ministry is the best way to include people, but that not all decisions should be made by the same group.

To an extent, this difference is the most significant one between the Labor Party and the Coalition in terms of how each uses the Shadow Cabinet when in opposition. As argued throughout this monograph, in many ways the parties are similar in their operation of Shadow Cabinet. In their approaches to this question, the differences between Labor and the Coalition are reflective of the parties’ overall ideologies and organisation. Yet, as noted, the flexibility of opposition means that there have been exceptions to the normal routines, as different leaders and different political circumstances have made an impact on how an opposition will arrange its Shadow Cabinet.

3.2 Parallel processes

Throughout this monograph, mention has occasionally been made of the other bodies within the Opposition. The foremost among these is the leadership group, but there is also the Policy Review Committee, other party policy committees and other, less formal groups within the Opposition. While both major parties use these groups in Opposition, the functions and operations differ a little between the parties. All serve to organise aspects of the Opposition’s parliamentary, political and policy business. In doing so, the existence of these groups demonstrates that the Shadow Cabinet does not have a monopoly on the ways in which an opposition operates; to ignore the roles of these bodies is to misunderstand the Shadow Cabinet’s role.

Leadership group

The leadership group is the Opposition’s body which meets most often, including every morning during parliamentary sitting weeks, and frequently during recess periods. For both the Coalition and Labor, the leadership group (however named) typically consists of the party leader, deputy leader (both of whom by convention are members of the House of Representatives) and the party’s leader and deputy from the Senate. In the case of the Coalition, The Nationals’ leader and deputy are also part of this group. Upon the Coalition’s return to opposition in late 2007, this group was expanded to include Shadow Treasurer, Malcolm Turnbull and Shadow Minister for Foreign Affairs, Andrew Robb. According to interviews with members of the Liberal Party’s leadership team at the time, the former was included in recognition of the close result of the Liberal Party leadership ballot following the party’s electoral loss, in which Brendan Nelson defeated Turnbull by three votes. Nelson also argued that he included Turnbull on the basis of managing the latter’s ambition. Robb was included primarily to represent Victoria on the leadership group, since this period marked the
first time that not one of the Liberal Party’s four parliamentary leadership positions was filled by a Victorian.³

Meetings of the leadership group are also attended by the Managers of Opposition Business in both chambers, as well as by an adviser from the Leader of the Opposition’s office. Shadow ministers whose portfolio is relevant to a particular meeting are also sometimes co-opted to meetings.

During sitting periods leadership group meetings essentially decide upon the day’s agenda, strategy and parliamentary tactics for the Opposition, including which themes it will emphasise. Questions for Question Time are confirmed by the group by around one pm to ensure that the Opposition delivers a consistent message.

During parliamentary recess periods, the leadership group can meet (often by conference call when the members are scattered around the country) to decide on matters of urgency. One example of an Opposition policy position formulated in such a manner, according to a Liberal Shadow Minister, was the Coalition’s call in September 2008 for an increase to the pension.⁴ In this instance, it was felt that a rapid response to publicly expressed concerns about financial pressure on pensioners was required and that a quick decision by the leadership group was more desirable than waiting for the next scheduled Shadow Cabinet meeting. According to this shadow minister, those shadow ministers not included in the leadership group generally understood the need for quick decisions to be taken in some circumstances, although they stressed that this was not normal or desirable. However, members of the leadership group must consider the position of the rest of the Shadow Ministry, and indeed the rest of the Opposition, when making significant policy decisions, since those groups could ultimately overturn the leadership group’s position.

The Opposition’s leadership group is responsible for some of the functions once central to the work of the Shadow Cabinet. Most notably, this group organises the Opposition’s parliamentary and day-to-day political strategies, including the most visible role of shadow ministers, parliamentary Question Time. Question Time serves as the Shadow Cabinet’s best opportunity to influence news media reports of political activity. Therefore, its management is of the utmost importance to the Opposition’s political strategy. That such matters are organised by the leadership group is an illustration of the roles and priorities of the larger Shadow Cabinet in contemporary Australian politics. Where once, as was discussed in the first chapter of this monograph, the organisation of opposition parliamentary business was the primary role of the British Shadow Cabinet, its modern Australian counterpart essentially no longer undertakes that function.


This suggests two things about the operation of recent Australian Shadow Cabinets. First, that they are organised with an eye towards efficiency, although at the expense of the Shadow Cabinet’s influence on Opposition strategy. Smaller bodies such as the leadership group are a more efficient way of organising strategies such as Question Time tactics. These need to be decided on a daily basis, reflecting each day’s news media concerns, just-released reports and other factors which have arisen since the previous day’s Question Time. It is inefficient and unnecessary, for the entire Shadow Cabinet to deliberate on these matters on a daily basis during parliamentary sitting weeks. Yet the consequence of this change is to reduce the influence that shadow ministers outside of the leadership group can have over parliamentary strategy. In this way, one of the key operations of the Opposition—questioning ministers in parliament—has been centralised to a small group.

The second theme notable from the Australian Shadow Cabinet’s move away from its traditional organising role is that it emphasises the other functions which the Shadow Cabinet now undertakes. The primary attention of recent Australian Shadow Cabinets is on policy and political issues, rather than on the management of the Opposition’s business. Chief among the policy issues which form the majority of the Shadow Cabinet’s work is that of responding to the Government’s proposed legislation, as was discussed in the previous chapter. In this way, it can be seen that the principal focus of Shadow Cabinet is on the discussion of, and judgement on the Opposition’s support or otherwise of Government policy.

However, it is important not to overstate the Shadow Cabinet’s role as a policy-formulating body as much of the longer-term policy formulation in opposition is undertaken by the party’s Policy Review Committee.

**Policy Review Committee**

The Opposition’s Policy Review Committee, a sub-committee of Shadow Cabinet, consists of a few senior members of the party. In late 2007, the Policy Review Committee consisted of Deputy Leader and Shadow Minister for Employment, Business and Workplace Relations, later Shadow Treasurer, Julie Bishop, who chaired the committee; Shadow Treasurer, Malcolm Turnbull; Shadow Defence Minister and Leader of the Opposition in the Senate, Nick Minchin; Shadow Education, Apprenticeships and Training Minister, Tony Smith; Shadow Parliamentary Secretary for Foreign Affairs, Marise Payne and former Minister for Immigration and Citizenship, Kevin Andrews. As with the Shadow Cabinet of the time, Nelson’s chief of staff Peter Hendy served as secretary. Even when in coalition with the Liberal Party, the Nationals have a separate policy committee system.

The Policy Review Committee meets at least once every week during parliamentary sitting periods and more frequently during recesses. The role of the Policy Review Committee is to serve as a parallel function to Shadow Cabinet proper, developing the Opposition’s policy positions over the course of the parliamentary term. The Committee does this by discussing policy directions with each shadow minister, providing overarching frameworks for each portfolio which also combine to form the party’s complete policy platform. Each shadow
minister will then eventually take the policies developed in his or her portfolio, with the assistance of the Policy Review Committee to Shadow Cabinet for approval. This process allows individual shadow ministers to develop the party’s medium and long-term policies, as opposed to the more immediate concerns of the Shadow Cabinet or the leadership group. This also provides policy development guidance, and therefore can be seen to both encourage policy consistency across the Shadow Ministry and provide some constraints on the autonomy of individual shadow ministers.

Labor in opposition also engages in a process of review via its Shadow Economic Review Committee and Priority Review Committee. Much like its government equivalent, the role of the Shadow Economic Review Committee has been to coordinate the budgetary side of the party’s policies. A largely mechanical process, the Shadow Economic Review Committee has overseen the costing of Labor’s policies, ensuring that the proposals brought forward by shadow ministers have been accurately estimated. Having there established the cost of shadow ministerial proposed policies, the Priority Review Committee determined how money should be spent—the Priority Review Committee decided whether or not that proposal is of sufficient importance to be allocated money to implement the policy if they won government. If so, the proposal became part of Labor’s platform for the next election; if not, the shadow minister needed to revisit the area to formulate a more acceptable policy.

Party policy committees

In opposition both the Coalition and Labor have established party policy committees, in which shadow ministers and party backbenchers develop and refine policies in specific portfolio areas. As opposed to opposition bodies discussed so far, these committees incorporate junior members of the parliamentary parties thus allowing for a broader representation.

Membership of a party policy committee provides a learning environment in policy-making for less experienced parliamentarians. Several shadow ministers interviewed for this project identified this experience as a useful precursor to later shadow ministry positions. In particular, membership of party committees taught some future shadow ministers much in relation to dealing with the processes of developing and costing policy ideas. Most shadow ministers considered the requirement to report to their relevant committee, and the corresponding feedback to be useful, especially given the general shortage of resources which they faced. One commented that shadow ministers were more reliant on their portfolio committee as a shadow minister than when in government. This was because in opposition, the committees were considerably more collaborative than in government.

However, some shadow ministers suggested that the commitment of colleagues to the party committee system was mixed; with some underestimating the benefits which could arise from use of the committees to develop or refine party policies. Others suggested that while they thought the party committee process was useful in principle, the reality was less so. Time prevented much consultation with these committees before a submission needs to be taken to
Shadow Cabinet for approval and release. As a consequence, the extent to which these party policy committees can influence policy development varies, depending on the portfolio, shadow minister and committee members involved.

In different oppositions, and at different points in the electoral cycle, groups such as the leadership group, the Policy Review Committee and party policy committees will have varying levels of input into the ways in which an opposition works. Yet the existence, and in some cases the quite significant influence of these groups, demonstrates that Shadow Cabinets in the modern Australian political system work in ways quite removed to the original model derived from Britain. These groups both supplement the work of the Shadow Cabinet and reduce its policy-making role. That such groups are considered necessary in modern Oppositions signifies a change in the business of the shadow cabinet. The effect, in theory, of these groups is both to broaden and narrow the business of opposition. So it is that some decision-making power, as well as issues of parliamentary tactics and organisation, is centralised with a small group of party leaders. At the same time, backbenchers gain the chance to work in party committees on specific policy areas.

3.3 Resources, workloads and structures

As was discussed briefly in the previous chapter, shadow ministers have access to considerably fewer resources than their government counterparts. In this section I consider in more detail the issues which arise as a consequence. The first, and most important, area in which shadow ministers’ resources compare poorly with those of government ministers is that of staff allocations.

Shadow ministers are entitled to employ one staff member more than backbenchers. This additional adviser’s position is at executive assistant level. Several shadow ministers reported difficulty in finding suitable candidates for ideally they sought advisers with knowledge in the portfolio area. The comparatively low salary offered, long hours worked and the necessity for the advisers to cover a wide range of duties often made filling the position difficult. One shadow minister reported having spent a year in which this position was either vacant or filled by someone with no experience or knowledge of the portfolio. While such a case is an extreme example, staffing allocation was of constant concern to many shadow ministers from both major parties. As several commented, the direct result of this is that staff and shadows are always busy and aware that some things are not being responded to as well as they could be or that other things are missed entirely.

On the other hand, some shadow ministers felt that lower staffing allocations in opposition are not entirely problematic. One noted that there was a trade-off involved, in that having a smaller staff and fewer formal responsibilities gave one a greater sense of control compared to the more tightly structured office of a minister. Additionally, this shadow minister noted, oppositions can operate in a more meritocratic fashion than governments. This is because with no public service departments or large offices of advisers to support them, under-performing shadow ministers are more likely to be noticed and less likely to be tolerated, than
poorly performing ministers. Several others, as noted in the previous chapter, expressed the view that forcing shadow ministers to take a more active role in the drafting of policy papers and Shadow Cabinet submissions and undertaking other duties proved to be a useful preparation for future Cabinet membership.

For almost all shadow ministers with Cabinet experience, however, the biggest and most often identified challenge in moving from government to opposition was the lack of access to information and advice. This is due to the shortage of advisers and the shadow ministers’ lack of access to a public service department. Despite having only these limited resources shadow ministers still need to produce policy documents, in this context they regularly turn to the Parliamentary Library which provides much of the research work upon which opposition policies are based. Indeed, many shadow ministers identified the Parliamentary Library as their most reliable source of information. One went so far as to describe the Library as ‘the Department of the Opposition’, another described it as their ‘most valuable relationship’. However, even with the Parliamentary Library, a direct effect of having fewer advisers is having less information.

Yet a further lack of information issue identified by a shadow minister is the increased distance of lobbyists, who often do not wish to compromise their relationship with the Government by being seen to be too close to the Opposition. Alternatively, other shadow ministers identified portfolio area stakeholders as useful providers of information in the absence of public servants, indicating that different individuals (both lobbyists and shadow ministers) may interpret these roles differently.

Most shadow ministers consider that the position is generally under-resourced, and many further argue that this limits their capacity to do their job properly. Given that shadow ministers need to respond to all government legislation, hold their counterparts to account and develop party policies, some expressed the concern that the levels of support they were afforded did not match the quantity or variety, of work their position entailed. To counter that, other shadow ministers, particularly those with ministerial experience (either prior or subsequent to their shadow ministry membership), felt that the difference in workloads justified the disparity in resources.

One shadow minister estimated that the position took about a third as much time as did Cabinet membership. Another noted that while ‘being a shadow minister eats into your time to do your electorate work as a member of parliament’, the demands of being in the Cabinet were still far greater, and that for Cabinet ministers, flexibility in scheduling simply did not exist. A third described the difference between the two in terms of the level of responsibility involved: Shadow ministers have fewer areas for which they are responsible, and as a result there are fewer consequences to making mistakes in Shadow Cabinet. This shadow minister suggested that this difference may lead to those with prior Cabinet experience failing to take their Shadow Cabinet duties as seriously as they should do.
On a related note, another argued that shadow ministers can be more selective. They can choose which issues to get involved in, so therefore can be more focused than in government, where ministers’ attention is divided between many responsibilities at all times. (It is worth noting, also, that shadow ministers, like government ministers, are exempt from membership of parliamentary committees.) The much smaller administrative burdens of the Shadow Ministry alone allow for much more time to be spent on other tasks. To this extent, the smaller workload and staffing allocation can cancel each other out.

Thus, shadow ministers have less access to resources than ministers. Some find this a constraint on their capacity to respond adequately to government legislation and hold their ministerial counterpart to account. However, shadow ministers with Cabinet experience were less likely to point to this factor as a detriment to their position. While the workload of a shadow minister is intense, it nonetheless remains significantly less than that of Cabinet ministers. Some shadow ministers also saw advantages in the less-resourced position, as it gave them opportunities to develop skills and experience, as well as a greater sense of freedom and flexibility.

The other significant area in which the contrast between Cabinet and its Shadow is apparent is that of the formal structures of office. As was noted in Chapter one, Cabinet’s practices and procedures are fairly rigid, laid out in the publicly available Cabinet Handbook. The practices of the Shadow Cabinet are largely the choice of the party and leader in opposition at any time, and are therefore harder to define or describe. As argued in the first chapter of this monograph, this is a consequence of both the relatively informal nature of the Shadow Cabinet in Australia and the general disinterest in exploring its roles, functions and procedures by both outside observers and internal participants. Yet this absence of formal guidelines or procedures should be a matter of interest, since it allows Shadow Cabinets—and, more particularly, their leaders—considerable flexibility in how they choose to operate. As noted in Chapter one, for the most part Shadow Cabinets from both major parties have tended to follow the examples of Cabinet itself, structuring their meetings, papers and other practices on the lines of those of the Cabinet equivalents.

Yet Australia’s tendency towards lengthy periods of one party in government (there having been only five changes of government since the development of the modern Shadow Cabinet in the mid-1960s) means that new oppositions find themselves with few templates from which they can draw. As Brendan Nelson’s chief of staff Peter Hendy commented:

> When oppositions win government, they slot into an apparatus. This is not so for governments who move into opposition; there is no apparatus, no system, and everything has to be re-written.

One shadow minister summed up the position by noting that ‘there is no machinery of opposition’.

So as the first Coalition Opposition Leader in over 11 years, Brendan Nelson essentially had a blank slate from which to work, with very few members of the Coalition’s previous Shadow
Cabinet (under John Howard, 1995–96) still in parliament. Therefore, one of the first duties of Nelson and Hendy was to establish the Coalition’s structures for Shadow Cabinet. To some extent, they could draw on, or at least compare with what the Coalition had done in opposition during the 1983–96 era but they were not bound to follow those practices. Even the few references the two made to that period were by way of contrast. Hendy noted that the Shadow Cabinet record-keeper in the Coalition’s previous term in opposition had been a senior member of the Liberal Party’s national secretariat, a model not followed by the current Opposition.5 Nelson, who was elected at the 1996 election which saw the Coalition win government, confessed uncertainty as to whether the previous Coalition Opposition had employed a policy review committee or equivalent.

A particularly illustrative example of the extent to which it was necessary for the new Opposition to establish basic procedures was the question of where the Shadow Cabinet would meet. Nobody from the Leader of the Opposition’s office knew where the meeting should be held. Ultimately, Peter Hendy contacted Prime Minister Rudd’s office, to enquire where the Labor Shadow Cabinet had met—a first-floor committee room in Parliament House was duly booked.

In many ways, this illustrates the informal nature of Shadow Cabinets in Australia, with some key operational decisions made based on informal contacts or preferences. Oppositions, and particularly Shadow Cabinets, in Australia are fundamentally malleable institutions. Shadow Cabinets and their leaders can exercise flexibility, to a far greater extent than their Government counterparts, over basic elements of their operational processes. Given this capacity, it is interesting that, in many respects, Shadow Cabinets mirror the processes of Cabinet itself. The reasons for this, as discussed in earlier chapters, are largely to do with heightening the comparisons with, and therefore preparations for executive government and because much of the work of the Shadow Cabinet is in responding to the legislative agenda of the Government. That this is so signifies that the modern Australian Shadow Cabinet’s similarity in processes to the Cabinet itself is the result of deliberate strategy.

### 3.4 Relationships with stakeholders

A key theme which emerged from the interviews conducted for this project was that a large part of the shadow minister’s role is based on building relationships with stakeholders in his or her respective portfolio areas. In particular, more experienced shadow ministers emphasised the importance of this aspect of the position, identifying it as a component which could not be ignored. As discussed earlier, for shadow ministers with limited resources, specialist stakeholders can provide access to research and information. That facet of the relationship between shadow ministers and stakeholders is only one reason for its importance. In this section, I discuss further reasons why shadow ministers cultivate these relationships.

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5. Peter Hendy did serve as an adviser to some senior Liberal Shadow Ministers during the 1983–1996 Opposition period, and therefore did have opposition experience prior to December 2007.
The first reason, already mentioned, is the access some stakeholder groups have to high quality research in areas relevant to shadow ministers. Compared to the poorly-resourced Shadow Cabinet, many interest groups—such as unions, industry groups and other associations, religious or community groups—have high levels of resources and are professionally run. Shadow ministers can therefore utilise these groups and their information, bearing in mind the political slants of both the stakeholder group and the shadow minister.

Another reason shadow ministers develop relationships with stakeholder groups in their portfolio areas is to develop a deeper understanding of the area, and in particular to establish which issues to prioritise. Since most shadow ministers come to their portfolio area with little experience or specialised knowledge of the issues involved, the input of experts can be vital in understanding the area.

The political persuasion of both the shadow minister and the various groups within the portfolio area will, to an extent, determine which groups are more heavily utilised. As one shadow minister commented, some groups will seek out the shadow minister from their area in order to set up meetings, whereas other, less politically-sympathetic groups might still be interested to meet with a shadow but the minister will have to take that initiative. Ultimately, most stakeholder groups will want to meet with the appropriate shadow minister, if only to hear about the opposition’s policy, without expecting to be able to influence it.

Many shadow ministers interviewed for this project considered that one of their first priorities in a portfolio was identifying and getting to know the bodies and organisations with an interest in the area. In part, this serves to provide an understanding of the portfolio area overall, since the relationships between the various stakeholder groups and the politics of the area are in many ways just as important as policy details. Furthermore, through this process, shadow ministers can begin to develop their relationships with those stakeholder groups with which they will deal more frequently in the future. Not all groups will be equally deserving of a shadow minister’s attention, and one of the roles of a shadow minister taking up a new portfolio is to establish with which groups or individuals it is worth developing positive relationships. One shadow described part of the role being to work with the sector’s stakeholders to help those groups decide their own priorities—what they wanted the Government to undertake. By working through this process, shadow ministers can provide some direction for their party’s policies, and gain the support of their portfolio area’s stakeholders.

One shadow noted that his area was one in which the sector had traditionally been aligned with the other side of politics. Therefore his greatest achievement was in working with representatives of the sector, gaining their respect and neutralising the issue as a political contest. In this regard, stability in the shadow ministry can be a strong asset for the Opposition—if one shadow minister is responsible for a particular portfolio for an extended period, that shadow can build up strong support for his or her party within the groups in the area of responsibility, which can translate into increased electoral support from voters with a particular interest in that area. Similarly, shadow ministers can use various interest groups to
apply public pressure to the responsible minister, and the Government overall. Some stakeholder groups have considerable access to the news media and can make use of this to respond to government initiatives and statements. Shadow ministers, in turn, can use these stories to attack the government during Question Time or other public appearances.

Another form of engagement with portfolio area stakeholders involves the shadow minister’s relationship with state parliament party colleagues. Particularly when the same party holds government at the two levels, shadow ministers can make the most of their relationship with their state counterparts. One Labor shadow minister commented that they were able to coordinate policy positions with their party colleagues who held government to send a unified message to the sector. In addition, when that situation exists, federal shadow ministers can sometimes use their party’s greater access to information at the state level to supplement their own shortage of information and resources.

Working within a portfolio area with interest groups does bring responsibilities. One shadow minister referred to the ‘huge responsibility’ to consult with stakeholders before developing the Opposition’s policy position on any given topic. Another noted that having worked with various groups in formulating a party policy there is a further burden to ensure that the policy is released and well-publicised, particularly in the lead-up to an election. To consult with stakeholders and then not release a policy was considered a betrayal, one that might even cost the party votes. The importance attached by shadow ministers to their relationships with stakeholders from their portfolio area can be seen in that attitude.

The complexity of managing relationships with stakeholders was one of the major themes to emerge from the interviews for this project. Unlike the Shadow Cabinet, the roles and influence of interest groups of various kinds on the Australian political system has been extensively studied.6 There is, however, considerable scope for study into the relationship between the Shadow Cabinet and interest groups, since their connections can prove beneficial to both, and can therefore have an impact on the policy platform taken by the Opposition into an election campaign. The importance placed by many shadow ministers on maintaining positive relationships with stakeholders from their portfolio areas illustrates the ways in which the Opposition, and in particular the Shadow Cabinet can find these informal procedures useful in responding to the highly-structured and well-resourced government. As in many other areas of Shadow Cabinet operation, political necessity creates procedures where formal rules do not.

3.5 Autonomy versus centralisation

The final key theme of the Shadow Cabinet in modern Australian politics to be explored in this monograph is the paradox of shadow ministers’ autonomy and the centralisation of decision-making. As is evident from some of the discussion in this monograph, there is a

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constant contrast between the relative autonomy under which shadow ministers work, and the tendency to centralise key decision-making power within the Leader of the Opposition’s office. Throughout the interviews conducted for this project, these two themes were raised frequently.

I begin this section by outlining some of the ways in which shadow ministers are able to experience considerable autonomy in their allocated areas, as well as in public debate. I then discuss the opposite situation, whereby particular decisions and responsibilities stem from the Leader of the Opposition’s office, leaving individual shadow ministers removed from the process.

As was discussed earlier, for the most part shadow ministers are given little policy direction from their party’s leader upon being assigned to a portfolio area. Afterwards, however, shadow ministers are subject to direction from the variety of other opposition bodies, as outlined in the first section of this chapter. For the most part, this guidance occurs on a large, long-term scale, rather than dealing with day-to-day matters. Most shadow ministers reported that, overall, they were afforded considerable autonomy in their work. One noted that shadow ministers typically have a lot of control over their portfolios’ issues, with broad scope to develop policies, as well as react to those of the government. As this shadow minister described it, the position is ‘completely discretionary’, and all shadow ministers use that flexibility differently, including some who approached it ‘very passively’. For those who adopted a more active style, however, there is some latitude for each shadow minister to bring an individual personality and approaches to the position. Another described the position in similar terms, noting that each shadow minister is ‘to a large extent, master of their own destiny’.

Primarily, this reflects the much greater flexibility of oppositions as compared to governments. Governments and ministers, as was discussed above, have many more responsibilities than their opposition counterparts, with the result that ministers have significantly less capacity for autonomous acts than shadow ministers.

One consequence of the different level of time commitments required of shadow ministers compared to government ministers is that the former have more time available in which to work together, or to consult with their leaders. Yet despite this greater capacity for consultation, most shadow ministers found that it did not necessarily lead to greater involvement by the Leader of the Opposition in their portfolios. Their submissions in response to government legislation were only subject to party involvement once they were brought to Shadow Cabinet meetings.

As elections draw near, however, some shadow ministerial autonomy is ceded to the Leader of the Opposition’s office, in a process of centralising decision-making. It is during such times, campaigns proper and the period which immediately precedes them, that most policies are announced yet during this time the process of releasing policies is more coordinated than it is during other periods. This generally involves shadow ministers being considerably more
restricted in their capacity to make comments publicly or otherwise respond to government initiatives. Decision-making processes are therefore centralised, and a greater emphasis is placed on the idea of all members of the Shadow Cabinet being ‘on message’.

A second way in which the autonomy of shadow ministers is restricted is through the respective parties’ policy committees as discussed in the first section of this chapter. Both of these factors are important ways in which consistency of policy can be maintained throughout the entire Shadow Cabinet. In the same way that it is implausible for the entire Shadow Cabinet, or sometimes even the Leader of the Opposition, to be consulted before a shadow minister makes public comments on any given issue, it is also infeasible for each shadow minister to be allowed too much autonomy when it comes to developing policies. Membership of the Shadow Ministry is fundamentally a party position, and this must be reflected in the constraints upon each member.

However, another factor in the extent of shadow ministerial autonomy is the way in which roles are determined by the minister being shadowed. Several shadow ministers made the point that their role changed significantly depending on who held the equivalent portfolio in the Government. One shadow minister, who faced several different ministers over a number of years in the same portfolio, noted that the contrasting styles of those different ministers forced a corresponding variety of approaches in response. Overall, some ministers take an active approach to their portfolios, while others prefer a low-key approach, acting only when strictly necessary. This can also be a factor of the specific portfolio itself, since the level of legislative action or public/media interest varies significantly from one area to another.

Furthermore, the nature of the relationship between ministers and shadow ministers can also fall anywhere on a wide spectrum. Some ministers generally ignore their opposite numbers and choose not to react to the shadow minister’s actions or public comments. Others engage with their shadow, sometimes in positive and sometimes in negative ways. Returning to the resources theme, Ministers can choose whether or not to have the daily file of media clippings relevant to their portfolio sent also to the Shadow Minister; some, indeed, elect not to allow this, in a small example of the disparity of resources between Ministers and Shadows.

In general, most Shadow Ministers agree that the position allows considerable flexibility and autonomy. In most instances, Shadow Ministers are able to work with only minimal guidance or supervision from party leaders. This is particularly true for day-to-day duties, including responding to government comments or newly announced policies, as well as longer-term undertakings such as building relationships with stakeholders. To a large extent, it is also true of the shadow minister’s role in policy development. The system overall does impose some restrictions on this capacity, particularly during the lead-up to election periods, when shadow ministers have to work under the control of the Leader of the Opposition’s office and the party’s campaign strategy teams. Yet it may be that the single greatest determinant of shadow ministers’ jobs is not their own style, or their party’s priorities, but the actions and styles of the ministers they shadow.
Chapter three: the practices and functions of Shadow Cabinet

Conclusion

Throughout this chapter, I have drawn on information gathered from the interviews with shadow ministers conducted for this research project to discuss some of the key themes and issues relevant to modern Australian Shadow Cabinets. In the first two sections, I discussed some organisational matters, including the division between Shadow Cabinet and the Shadow Ministry, and how that affects the ways in which each Opposition works. I then looked at some of the parallel processes in oppositions, groups that undertake other roles complementary to those of the Shadow Cabinet. While the Shadow Cabinet is in many ways the peak body of the Australian Opposition, these other groups and committees serve important roles which supplement and complement those of the Shadow Cabinet.

In the remaining three sections, I examined the factors affecting the roles and performances of shadow ministers as individuals and as a collective. I discussed the relative shortage of resources, especially in relation to information and advice, available to the Shadow Cabinet; the critical, if rarely discussed, role of shadow ministers in liaising and consulting with and ideally gaining support from, relevant stakeholder groups in their respective portfolios. I also looked at the extent of and constraints on shadow ministers’ autonomy in responding to the Government and in initiating policy development.