

# 1. Introduction — Embracing New Accountabilities, Confronting New Challenges: Canvassing options for next generation improvements

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For several decades now Australian governments have been increasingly active in policy-making across traditional as well as new policy sectors, yet often remain ineffective in dealing with some of the more intransigent social and economic problems our nation faces. Governments seem unable to solve or mitigate the inherent problems in many specific areas of policy responsibility, such as child welfare and protection; dignified aged care (especially for the frail and aged); dealing with Indigenous well-being and closing the gap between Indigenous health indicators and those of the wider community; the management of mental health problems and care of those afflicted; dealing with chronic substance abuse across generations; the provision of effective education and health services; delivering sustainable energy and reducing carbon emissions; and improving environmental management and mitigating climate change and preparing for adaptation. This is just to name a few of these intractable policy problems of limited effectiveness.

However, despite recent rhetoric about the end of the age of entitlement, there is no evidence of a lack of appetite among either politicians or government officials in addressing areas they feel *need* attention — including behavioural change and forms of social engineering. Although politicians and media commentators like to think that the real motivation for this activity is entirely down to rising electoral expectations (see Tingle 2012), politicians and senior officials are also to blame for fanning such demands. Arguably there is more supply-side willingness to increase state responsibilities than demand-side expectations. Even in fiscally stringent times, governments have continued to demonstrate a real propensity to commit to long-term unfunded liabilities (their so-called ‘signature projects’), locking in future governments and parliaments to generous funding plans conceived in today’s opportunistic politics. There is still a mentality of ‘let’s try to fix everything’ among the political elite, arguably guided today less by ideology and more by a desire to be seen to be doing something and to spawn legacy initiatives. There is also an attitude within government that substantial

funding cannot be withdrawn from existing programs, even from those that may be of dubious worth, and that we will continue pouring good money after bad, even into programs that are not working well.

In making this critique of public policy, we need not go so far as to agree with the former US President Ronald Reagan when he asserted in his presidential campaign of 1980 that governments *are the problem*, not the solution. But we should recognise that governments often contribute towards the dimensions of the problem, and can make problems worse by their actions or inaction. Governments have their own serious limitations which often prevent them from optimising outcomes, and many analysts from within and without government have limited confidence that governments will get it right or do what is best. Governments can do great good, but they can also do great harm and damage the sectors they think they are assisting.

## Dealing with policy issues: Pros and cons

In terms of policy effectiveness, governments are best equipped to deal with issues when they can be standardised or lend themselves to routine administration (such as taxation, entitlement provision, customs and quarantine, licences, passport control, etc.); they perform worst when they are faced with great complexity and uncertainty, non-routine problems, and unexpected events. Many important areas of public policy are more associated with the latter cluster of highly complex issues than the former routinised ones.

In addition to the limitations on government *per se*, we should also remember that we have multiple and competing governments in Australia, further complicating the picture. There are nine separate 'sovereign' governments in Australia, each with their own spheres of jurisdiction, constituencies and interests (and each with their own political oppositions). There are also 560 local jurisdictions with the closest relationships to the community at the ground level. These myriad jurisdictions continually interfere and encroach upon the policy responsibilities of the others in a fluid interface of 'contested federalism', sometimes labelled 'pragmatic federalism' (see Hollander and Patapan 2007). This makes any semblance of overall national coordination of a policy area difficult and protracted, and consistency is seen as a holy grail.

Australia is not alone in wrestling with these strategic, structural and implementation issues of governance. Globally, many other jurisdictions suffer from this same malaise. Europe is constantly wrestling with the competing demands of consistency versus diversity. America and Canada are similarly afflicted — with near-autonomous sub-national jurisdictions much more locally powerful than Australian states. New Zealand, with a unitary system of

government, still has considerable local autonomy and discretion at the municipal level, especially in its provincial cities. Latin America has a long tradition of municipal and provincial government where regions can actively engage in public policy agendas relatively unconstrained by equity considerations.

To put it in a nutshell, public policy frameworks established by government can serve as initiators of change but also as impediments to change, with governments reacting, following, over-regulating, and seeking to control, but prevented from acting decisively. The relationship between policy settings and social change is a complex and often contradictory one, where governments can, at best, seek to facilitate change rather than lead and drive it. In many important ways, governments and their policies or laws provide the background context in which *other* drivers of change can take the initiative. Governments can provide some stability and continuities, offer certainties, guarantees, incentives, and impose penalties, which are important bedrocks to a modern functioning economy and society. They can mitigate sovereign risk by abiding by the rule of law, preserving institutional integrity, treating cases fairly and equally, providing some assurances of respect that are fundamental to social and economic planning, personal and group commitments, honouring ongoing agreements, purchases and investments, and so on. There is a fundamental role for government in regulating markets, especially in ‘thin’ markets and social areas (moving into the future, this may be more inter-jurisdictional and involve hybrid/voluntary forms, with government providing regulatory frameworks supplemented by self-regulation and conduct monitoring — health, professions, media, education, sport, advertising, consumer issues).

Yet we frequently overestimate the capacity of governments to plan strategically and achieve their intended objectives. As a comparatively ‘statist’ society, many Australians generally prefer to view governments as contributing to the ‘solution’ benignly and constructively — it is our domestic *Weltanschauung*. But governments often disappoint, perhaps because they cannot find or settle upon a given solution, (or, if one is found, because they cannot impose that solution on its constituents), and sometimes they cannot even win agreement about what the nature of the problem is. Governments have a great theoretical or normative potentiality for doing good and assisting good governance. Yet they often shirk their responsibilities to drive appropriate policy responses, offering second- or third-best compromises with predictable flaws. There are many possible reasons for this. They may not know what to do in a given circumstance, or find it hard to work out a practical solution amid all the competing pressures, or maybe they announce a solution but then find it impossible to agree on a course of action and stick with it. They may be too timid or reticent, too swayed by expedient politics, or too torn between competing alternatives. Sometimes governments may ‘think’ they know what they want to change in policy terms but be unable

to carry it off and impose or facilitate their solution. Or they may be blocked by other powerful socio-economic forces and prevented from acting. The famous US policy analyst Peter Hall (1993) offers some persuasive scenarios explaining the various configurations governments find themselves in when confronted with dimensions of policy change. He argued that first order, second order and third order changes arise in ascending order from routine adjustments (first order) to changes in policy instruments (second order), to changing goals (third order), with each magnitude of change attracting different intensities of political contestation.

## **So, what's wrong with existing government and the public provision they provide?**

In order to consider future reforms and improvements in the quality of governance and public policy outcomes, we need to examine more carefully the core attributes and capacities of existing government provision and the respective policy frames on which they rely. Governments have considerable baggage and bring past path dependencies to bear on current and future problems. Internally, governments have gradually changed from being traditional command hierarchies with limited responsibilities to broader institutional actors negotiating with policy networks, navigating complex relations with stakeholders, breeding interdependencies and engaging in shared responsibilities, but they *still* seek to operate in traditional command ways as if the landscape has not altered substantially (whether intentionally or by default). It is a modern conundrum that is sometimes difficult to fathom. In many social and economic sectors, as will be discussed below, governments feel that they have to collaborate in order to provide services (co-produce, co-design, co-deliver, etc.), but have not acquired the necessary skills and capabilities to be able to do so successfully and effectively, and their bureaucratic and traditional accountabilities may act as a gravitational pull against such endeavours.

Critiques of government as an institutional entity, and especially of its capacities to deliver effective policy, tend to commence with the observation that it is shaped by democratically elected governments (party regimes), but then focus on the limiting cultures and perverse incentives it operates with, in addition to the traditional ways in which public provision and public policies are structured and managed. A brief critique of the present state of Australian government is likely to include the following elements.

First, our governments are subservient to the political cycle. They are dominated by short-term calculations and are reactive and responsive to immediate electoral pressures. Governments tend to regard citizens as 'immediate bounded

rationalists’, interested primarily in instant gratification rather than long-term planning and preparation for future contingencies. Voters are thought to have a short attention span and politicians continually pander to it. At the same time, governments find it hard to interest the electorate in long-term issues and do not tend to invest much time or leadership acumen in educating or strategically directing policy issues of greater scope.

Second, governments are motivated and incentivised by popularity in ways that erode resilience and sustainability. Their concern with popularity limits their horizons and attention spans and reinforces the imperatives to surrender to the 24/7 media cycle. They rarely act deliberately in ways that threaten to erode populism or will make them deeply unpopular. This proclivity to seek popularity and be well-liked places a straitjacket around the kinds of issues governments are willing to address or engage with, including any possible solutions than can be considered and implemented. For example, constantly increasing the aged pension according to movements in average male earnings from generic taxation (consolidated revenue) is very popular among this older, welfare-dependent constituency, but does not particularly help provide sustainable incomes for growing numbers of older Australians into the future.

Third, majoritarian political systems are usually adversarial in political and policy terms. Successive governments can unpick the reforms of their predecessors. The ‘winner takes all’ philosophy is problematic for good policy development, and there is little effort invested in building consensus with opponents or rival political entities. There are many areas of wasted policy legacies — policies discontinued, dismantled, aborted, undermined, or entirely reconfigured. Adversarial systems tend to build distrust and scepticism of government and temporary policy solutions.

Fourth, in considering policy options, governments generally tend to be overly cautious and risk-averse. They are expedient and prone to back-sliding, especially if they meet resistance and the going gets tough (recent examples include the much mooted emissions trading scheme, the mining super profits tax, and the issue of substantial tax reform).

Fifth, many parts of the public sector have insufficient or inadequate capacities to perform the things asked of them. Jurisdictions are inward-looking, self-regarding and self-referential. Departments and agencies remain too insular, risk-averse, complacent, hide-bound and unwilling to embrace transformational change. Enduring bureaucratic norms and hierarchical authorities prevail in administrative systems, often working to narrow ministerial agendas, nervous of offending the political echelons, and staffed by those interested in time-serving rather than entrepreneurial activity. Agencies still tend to comply in perfunctory ways when reporting their activities or performances. Recruitment

patterns have made public services more diverse and representative of the community, but because they still operate on conventions of a career service, flexibility and responsiveness have arguably been reduced in some sectors.

Sixth, governments have gradually denuded most of their internal organic research capacities and much of their policy capacities (collective memory, operational knowledge, technical capacities). They are left to search various external sources of research for policy-relevant works (for example, universities, think tanks, consultants, other jurisdictions, and even consulting Google). But these administrators may not have the analytical capacities to make the best choices when confronted with raw data, predigested options, or a range of alternatives.

Seventh, governments suffer from declining trust in public institutions and community disaffection. Despite appealing to populism, there are mounting arguments worldwide that many advanced democracies suffer from the malaise of 'democratic deficits' — which can exacerbate disaffection, alienation, social exclusion, de-legitimacy, political protests and social unrest — and a widespread perception that the political system increasingly represents and serves a narrow set of interests. If this leads to people disengaging from society and public life, then governments face greater problems trying to re-engage with these disaffected or marginalised cohorts. Cleavages marked by welfare dependency, regionalism, race or ethnicity may further exacerbate these issues.

## **Is cultural transformation necessary for the public sector?**

Many of the impediments that afflict our current public bureaucracies and public providers are not insurmountable or unsolvable. But they will require governments to undertake various systemic transformations of structure, substance and process. Systemic changes will need to be made to the political regime, a movement away from command-driven cultures based on ministerial responsibility to empowering cultures based on learning and improvement. Public sector cultures of risk avoidance and blame-shifting are likely to be superseded with cultures of capacity-building and achievement-orientation, with policy workers more willing to explore other approaches to getting results, such as experimental policy-making. Traditional, narrow notions of public accountability (based on punitive rule-subservience and negative sanctions based on 'gotcha' logics) will need to be replaced by performance answerabilities and more generous reward and incentive structures for success. Within the administrative systems of policy-making, this will require something of a revolution in managerial thinking, capacity-calibration and organisational

learning. This, in turn, will impact on many of the standard operating procedures and administrative routines of the entire public sector, such as organisational design incorporating networks; more externally focused management practices; more scope for outsourcing, working with partnerships and developing hybrid delivery systems; greater emphasis on stakeholders, recipients and clients, and the management of relationships with civil society; wider recruitment processes and lateral hiring of staff; more diverse career development trajectories; more outward-bound staff training and executive development; and performance review and management conceived of as outcome and impact assessments.

The Public Sector Research Centre, a private sector think-tank sponsored by the accounting firm PricewaterhouseCoopers, has recently identified a future set of different cultural and operational norms for government and our patterns of governance (Public Sector Research Centre 2013). It sees a broad set of transformations with the old statist/public administrative modes of government giving way and being superseded by new roles and relationships, new organisational norms and characteristics, new ways of organising and reviewing services, and new ways of incorporating the community as co-designers and co-producers of services. While improving policy and implementation effectiveness, some of these transformations may be undoubtedly more costly in the short-term (and run counter to current fiscal pressures), although in the longer-term greater benefits may eventually flow to the community. Its projections can be summarised as follows:

| <b>Old governments moving from:</b>                      | <b>New governance moving to:</b>                                       | <b>Explanatory comment</b>  |
|--|--|---|
| Citizens under control                                   | Citizens in control  | Decentred, empowering citizens and community with meaningful control                                |
| Governing for citizens                                   | Governing with citizens  | Two-way interdependency and multiple initiations of policy and delivery systems                     |
| Organisational silos with discrete responsibilities      | Organisation networks with multiple shared responsibilities            | Porous agencies, working through/ with others, shared responsibilities                              |
| Public sector organisations as big, all-in-one behemoths | Public sector organisations as small, flexible purpose-driven entities | Breakdown of autarky and monopoly, and replacement by customised and differently constituted agents |
| Government as service provider                           | Governments as service facilitator/broker/ commissioning agent         | Different role for governments and more subtle points of facilitation/ intervention                 |
| Government owning inputs and processes                   | Governments and citizens owning outcomes                               | Greater community discretion and outcome setting, replacing governments calling all the shots       |



| Old governments moving from:                           | New governance moving to:                                  | Explanatory comment   |
|--|--|---|
| Measuring outputs (activities and busyness indicators) | Measuring outcomes and intended impacts qualitatively      | Substantive quantitative and quality evaluations by and for the community |
| Forced cooperation based on enforcement                | Mutual collaboration based on trust                        | Self-organising relationships for mutual benefit                          |
| Trust in the 'strong, decisive leader'                 | Trust in each other and co-producers, the 'servant leader' | Governments performing coordinating role rather than directing role       |

This chart can be interpreted in at least two ways. It can be understood as suggesting that older styles of organisational management will be *replaced* by newer styles and cultures, or it can be interpreted as anticipating that newer styles of management will *co-exist* with older styles, supplementing each other and producing new synergies. Many will argue that there will always be some role for traditional hierarchic forms of administration and standardised delivery chains. But inevitably the newer cultures of governance and administration will challenge and erode the principles of traditional administration in the search for different outcomes.

Speaking from today's vantage point, despite these predictions of major transformational change (the supposed future 'nirvana'), governments are clearly a long way off such root-and-branch recalibrations. There is much talk of new governance models, but less actual progress on the ground. Somewhat contradictorily, there may be ample evidence to suggest that there has been some clawing back of more flexible and experimental managing styles in order to restore traditional accountabilities. Complacency still has its adherents, and some traditional public administrators (especially ministers) would still consider these transformational imperatives and opportunities as subversive cultures threatening old style administration. Hence, when looking across the entire public sector — from schools to hospitals, from central to line agencies, and from regulatory to delivery agencies — large parts of the existing public sector are not 'transformation ready' in the terms outlined above.



## **Government still retains resilience and some comparative advantages, but recalibration is necessary to progress in the future**

Governments remain resourceful actors with a plethora of potentially powerful policy instruments and command powers at their disposal (including expenditures and program funding, taxation and fines, authorisations and enforcement powers, tax expenditures or concessions, legislation and regulations, direct provision and ownership, indirect provision and contractual engagement, and educational, promotional and marketing campaigns). These instruments are mostly deployed in immediate policy delivery rather than in anticipating future long-term needs, although there are successful examples of longer-term planning (such as superannuation, and educational completion targets at Year 12 and tertiary levels). Australian governments tend to use and deploy an ad hoc mix of instruments and powers, not necessarily optimising their effectiveness or impact. For instance, governments across the federal-state divide are not generally good at identifying key intervention points — identifying which instruments at their disposal will be most effective to use and which can make the greatest desired impact.

Governments can create the conditions upon which we are able to plan and anticipate future needs and constraints. This is a facilitating role, bringing expertise and needs together. To date, governments have not necessarily been good at this role and many of their formal attempts have become politicised, ineffective or were soon overtaken by events (for example, the Commission for the Future in 1980s, EPAC in the 1980s, the 2020 Summit of 2008, many state government future planning scenarios, the ‘Big Australia’ debates, and future workforce projection exercises variously produced by Commonwealth agencies). Long-term planning may be one area where governments can fulfil an essential role in bringing various players and voices together while mediating the longer-term public interest.

As the initiators of major strategic planning exercises, governments need to build in more adaptability and agility to future policy stances. There are good techniques for environmental scanning and scenario building/projection testing. Governments should produce projections and intended plans (budgets, employment estimates and housing forecasts, etc.) as a *range* of most likely forecasts (based on variable assumptions and calculations), not as artificially definitive numbers producing linear trends. At present, many of these documents are produced to make governments look good rather than to provide realistic assessments of projected circumstances.

Governments accordingly have a responsibility in agenda-setting, defining the issues we ought to be talking about and wrestling with solutions and options (a form of social ‘mind-setting’). Traditional institutions that *could* play this role (for example, various parliaments and parliamentary committees, government departments, university research centres, and think tanks) have often been disappointing or episodic in their attention, so we tend to rely on specialised bodies with defined mandates (for example, Productivity Commission, Climate Commission/Council, the Inter-Generational Report exercise, the former Indicative Council, the Australian Institute of Health and Welfare), but most of these relate solely to economic, fiscal or population issues. There is scope to broaden these commission-type bodies to provide greater strategic direction, but the problem will always be the question over their substantive connection to existing policy-making processes and the priorities of the government of the day. On future agendas, governments need to relax their ‘control’ urges and allow different players to make different cases — encouraging radically different scenarios to be thought through and evaluated (through peer review processes directed at learning, not necessarily formal performance reporting). For example, in Australia with its vast land mass, we might like to encourage our states and regions to go in different directions and adopt different scenarios in order to evaluate their respective effectiveness in anticipating future needs.

Governments are becoming far more technologically sophisticated. The ‘technology can transform government’ movement is very strong in countries such as the US, Canada, Europe, and Singapore. The same is true in the areas of e-health, educational access and online delivery, one-entry portals, social media, and ‘open government’, where the bounds of public authority are porous and deliberations take place through joint collaborations. Having said that, while the promise of tech-enabled governance is clearly conceivable, the actual achievements to date have been generally disappointing.

Governments need to invest in consensual approaches where decisions are enriched by different voices and perspectives, and can stand the test of time. They need to promote community-wide dialogues over problems, issues and directions, bringing the various political parties to the table and moving towards shared objectives and outcomes. We need to develop notions of shared ownership of problems and their proposed solutions, while allowing scope for some diversity of options.

Governments need to facilitate change by welcoming greater experimental governance (see Charles Sabel’s works on this — Sabel and Zeitlin 2010; see also Albury 2011), learning by doing, and greater autonomy for frontline deliverers/providers/teachers/trainers in many policy areas: social disadvantage, schooling, technical education, higher education, and job-readiness. Experiments with behavioural economics (as is occurring in NSW at present in relation to job-

readiness and employability) are worth monitoring and developing where they are effective. Experimentation and innovation are likely to require a greater role for professionally trained people with relevant technical and specialist skills (in delivering services in areas of health, education, social policy and welfare).

In operational terms, governments will face many workforce challenges in their own sphere of employment and engagement of myriad human resources (including contractual provision, greater reliance on part-time and casual workers, and volunteers). They will need to be 'faster' in responding to changing needs and developments, and as a result they will require flatter organisational structures, more streamlined capacities, more agile abilities, and more technological capabilities. There is much scope for closer engagement with the community and non-government actors through co-design procedures, co-delivery, co-production and the techniques of behavioural economics — if only governments were prepared to accept that they will inevitably have to share the risks and rewards and open up policy processes to a wider range of inputs.

On the one hand, governments can potentially do many things well and achieve intended outcomes for the economy and society, on the other hand, they can also do great damage through neglect, unwise decisions, or relying on inappropriate policy settings. They are less sensitive to the perverse consequences of their actions and inactions and rarely anticipate the unintended consequences of their policy frameworks or adjustments. In such circumstances, governments should be more prepared to experiment and explore alternative options in policy planning (for example, through random trials, customised experimentation, and alternative scenarios), realising that they are unlikely ever to know all the answers into the future, but still have some real capacities and technical abilities to assist social and economic development through better analysis and coordination.

## **The present volume of essays in reform options**

The present volume of essays brings together a number of reflections and reform options from practitioners, researchers and analysts interested in improved governance. Some essays canvass particular ideas, such as Chris Eccles's focus on reforming trust in government, or Daniel Stewart's examination of the value of freedom of information laws to improve scrutiny of government performance. Other essays highlight continual areas of concern in underperformance and suggest better ways forward, such as Ian Marsh's analysis of the dysfunctionality of new public management when confronted with complex social problems and multiple disadvantage in regional Indigenous communities, Patricia Gerald's assessment of how 'follow the money' audit reforms should be conducted to

produce the best results, and John Wanna's critical review of the history of euphemistic budget reforms while governments have largely shunned much-needed remedies to resource management. Other essays explore the analytical findings from previous episodes of successful reform, trying to generalise the lessons from success while at the same time pondering the question of why reform trajectories tend to stagnate unless they receive continual prodding and encouragement. In this latter category is the essay by Wendy Jarvie and Trish Mercer on educational reform in literacy at the turn of the last century, and Jeffrey Harwood's and John Phillimore's analysis of the achievements of cooperative federalism as evidenced by the national competition reforms. These essays point to areas for further development and improvement. None will contribute the last word on the topic, but all make considered contributions to meeting the reform challenges.

Part one of this book clusters together essays directed to examining systemic accountabilities, including central oversight and management of the core public service; parliamentary oversight of the public service; the benefit of transparency in improving government performance; the imperatives of further reform to our budgetary systems; and the effects of the limitations on parliamentarism on the prospects for good governance. In the last essay in this section, Harshan Kumarasingham and John Power appraise 'constrained parliamentarism' across the New Zealand and Australian contexts, concluding that historical, institutional, and electoral differences have resulted in far stronger constraints on executive power in Australia than its neighbour. The main message in each of these contributions is that we ought to be able to undertake periodic systemic reviews of the effectiveness of the system and its inherent limitations or institutional design problems.

In part two, the focus shifts to addressing the question of how policy processes can be improved to improve actual results and social impacts. Evert Lindquist and John Wanna re-emphasise the importance of implementation processes and their contributions to quality governance, as well as offering applied advice to policymakers in reviewing implementation. Jeffrey Harwood, John Phillimore and Patricia Gerald reflect on substantive improvements to policy outcomes driven through intergovernmental relations. Ian Marsh surveys a litany of poorly designed Indigenous programs that failed to deliver intended outcomes, and suggests better policy processes to improve Indigenous well-being. John Butcher explores the increasingly protracted relations between governments and the organisations representing the 'not-for-profit' sector, and considers the origins and value of formal 'compacts' that guide the quality and effectiveness of their policy relationships. Finally, Wendy Jarvie and Trish Mercer dissect the difficulties in prosecuting policy change in a highly contested policy sector with powerful stakeholders and interest groups. They centre their account on

the importance of finding a champion of policy change with sufficient policy vision and political fortitude to overcome resistance and see reform through to fruition.

Each of the succeeding 11 chapters in this volume has some connection with the Australia and New Zealand School of Government (ANZSOG). Some were specifically commissioned research exercises, some were written for other purposes by ANZSOG-associated staff and have been included in this collection, others were presented at ANZSOG events and later polished for publication here. The collection bears close inspection from practitioners and researchers alike, and should make a valuable and long-lasting contribution to the ongoing reform of government in Australia.

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This text taken from *New Accountabilities, New Challenges*,  
edited by John Wanna, Evert A. Lindquist and Penelope Marshall, published  
2015 by ANU Press, The Australian National University, Canberra, Australia.