

**Minding the Minister?
Ministerial Advisers in New Zealand government**

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Abstract

In recent years political advisers have been in the spotlight in a number of Westminster nations. A surprising feature of the literature, however, is the relative lack of empirical attention paid to advisers themselves. Moreover, researchers have tended to focus on the accountability issues raised by the conduct of political staff at the expense of other significant matters, including advisers' views of their influence on the policy process, and on relations between ministers and public servants.

This article seeks to redress those gaps. Drawing on data from a survey of New Zealand's ministerial advisers, it describes the activities advisers engage in, and sets out advisers' views on their contribution to the policy process, their bearing on relationships between ministers and officials, and the state of their own relations with public servants. It concludes that the ministerial adviser's role in the executive branch of New Zealand government is more varied and comprehensive than is frequently assumed.

Key words

ministerial advisers, political advisers, executive government, MMP, special advisers

Acknowledgments

We gratefully acknowledge the contribution of the Marsden Fund, administered by the Royal Society of New Zealand, whose support has been central to this work. We wish to note, too, the assistance extended by the New Zealand State Services Commissioner, Dr Mark Prebble; Jeanette Schollum of the State Services Commission; Bruce Anderson and Helen Coffey of the Leadership Development Centre; and Michelle Brokenshire, of Executive Government Support.

Introduction

In 1981 a young academic named Helen Clark made the case for public sector reform in order to prevent future governments 'slip[ping] slowly but surely under the thrall of the public service' (cited in Martin 2006: 153).¹ It is unclear whether the future Prime Minister of New Zealand saw the appointment of political advisers as part of such a strategy. Indeed, at the time non-public service advisers tended to concentrate on the provision of a technical/expert nature, and then mainly to the Prime Minister (e.g. see Wong 2004). Recently, however, and particularly under Clark's three Labour-led governments, ministerial advisers have become a mainstay of the executive branch of New Zealand government.

The most recent data indicate that there are currently some 53 appointees engaged in political functions in the Beehive, those functions including both policy/strategic advice, and press/communications.² The focus in this paper is largely on those individuals responsible for the former.³ New Zealand is not alone in having witnessed a growth in the deployment of political policy advisers at the heart of executive government. The trend is also evident in other members of the extended Westminster family, including Australia, Canada, Ireland, and the United Kingdom. The development has been a controversial one. Indeed, a good deal of the recent literature on the subject has focused on certain of the unhappier consequences of ministerial recourse to political advice (Edwards 2002; Holland 2002; House of Commons (UK) 2002; Keating 2003; Neill 2000; Royal Commission on Australian Government Administration 1977; Senate of Australia 2002; Tiernan 2007).

Oddly, however, relatively little of this scholarship is pointed directly at advisers themselves. There are exceptions, (see Maley 2000, 2002; Ryan 1995), but in the main, while the various ramifications of the advent of political advisers for other executive actors are increasingly well understood, in the international research advisers themselves remain substantially in the shade.

That tends also to be the case in New Zealand. That is not to say that no attention has been paid to the issue. Boston et al (1996) touch briefly on political advisers; James (2002) does similarly in the context of developments in the composition of ministers' offices; Wong (2004) has described her time as an adviser to Robert Muldoon's Advisory Group; and Henderson (2006) refers briefly to the work of political advisers during the period of the fourth Labour Government. From within the public service former State Services Commissioner Michael Wintringham used his 2002 Annual Report, quite appropriately, to note the challenge posed by the advent of political staff in ministers' offices to Westminster-informed canons of political neutrality (Wintringham 2002). Subsequently, the State Services Commission provided guidance to public servants on the management of relationships between political advisers and their career public service counterparts (State Services Commission 2003). In addition, public servants' views of the role and influence of ministerial advisers have been explored (Eichbaum and Shaw 2003, 2005, 2006, 2007a/b). In this fairly limited oeuvre, however, there are no empirical accounts of the scope and particulars of the work undertaken by the contemporary ministerial adviser in New Zealand.

This article seeks to redress that deficit. Drawing on data from a recently completed survey of ministerial advisers, it illuminates the nature of advisers' various roles, and advisers' own assessments of the value and effects of what they do. The article begins by sketching a

¹ The authors would like to thank two anonymous referees for their constructive advice on an earlier draft of this article.

² Data to June 2007, obtained from Executive Government Support under the Official Information Act (1982).

³ In New Zealand ministerial advisers are appointed by ministers, but formally employed on short term, events-based contracts by the Department of Internal Affairs.

general biographical profile of the *cadre* of ministerial advisers. It then describes the activities advisers engage in, and sets out advisers' views on their contribution to the policy process, their bearing on relationships between ministers and officials, and the state of their own relations with public servants. We conclude with a series of observations regarding the various aspects of the ministerial adviser's role in the executive branch in New Zealand.

Ministerial advisers in New Zealand

The data reported here are drawn from a survey of ministerial advisers employed in the New Zealand executive since 1990. The survey instrument, which comprised 125 items and a mix of forced-choice and open-ended questions, was administered in early 2006.⁴ It was distributed to 70 ministerial advisers, both past (n=41) and present (n=29). Completed questionnaires were received from 18 former and 14 current ministerial advisers (a response rate of 45.7%).⁵

In the absence of any prior equivalent empirical work, the instrument was designed in part simply to obtain a descriptive profile of New Zealand's ministerial advisers. In the event, male respondents (65.6%) outnumbered female (34.4%). Most participants were well educated, with 64.5% holding at least one post-graduate qualification. The majority had worked for centre-left governments. Only 22% of respondents had not been engaged by one or other of the three Labour-led administrations formed since 1999, which lends some support to the suggestion that ministerial advisers are substantially an innovation of the Left. However, as we have argued elsewhere, and as the subsequent discussion in this paper reaffirms, the advent of mixed-member proportional representation (MMP) has also been a significant driver, and we have no reason to conclude that the numerical strength of ministerial advisers, or their substantive influence, will be any less under future governments of a centre/centre-right persuasion (Eichbaum and Shaw 2006).

Although 64.5% of respondents had been employed as an adviser for fewer than four years, nearly 20% had worked in that capacity for between four and five years, and a small number (16.1%) had done so for six years or longer. A comfortable majority (68.8%) had only worked for one minister (although two former advisers had worked for seven different ministers between them). And with the exception of the five respondents who had had two different spells in the position, most (84.4%) had been or were employed as ministerial advisers in a continuous capacity.

A substantial majority (87.5%) of participants reported that they had been employed expressly to provide their minister with advice across a range of portfolios. That may reflect the structure of the ministerial role in New Zealand, where each portfolio typically contains several government departments and agencies. So, too, did both the percentage of respondents whose role extended to the development and/or co-ordination of policy across the span of

⁴ We wish to thank Michelle Brokenshire, of the Executive Government Support unit within Internal Affairs, for her assistance in identifying potential respondents and facilitating the dissemination of questionnaires. The ministerial advisers' survey is part of a multi-year research project, the fieldwork for which also entails surveys of, and interviews with ministers, officials and ministerial advisers. Limited data from the ministers' and officials' survey are also reported here.

⁵ The theoretical population we are interested in comprises all ministerial advisers employed since 1990. Because no sampling frame for this population exists, we were unable to randomly sample, and are therefore largely limited to descriptive statistical techniques. Moreover, because there is no means of precisely establishing the characteristics of the population from which our sample derives it is not possible to fully test for sample bias, and we accept that some bias may have occurred. Within this context, and notwithstanding that we cannot precisely establish the likelihood of results being attributable to sampling error, we are confident that our response rate permits us to undertake robust analysis.

government (84.4%), and the proportion of those who described themselves as policy generalists (64.5%) rather than policy specialists (19.4%).

More than half (58.1%) of all participants were, or had been members of the same political party as their minister when in post. But if there is any surprise here it is arguably that such a sizeable minority (41.9%) were or are not of their minister's party. There is a tendency to assume that the ranks of political staff are dominated by party apparatchiks (and there is a growing sense, certainly in the Australian context, that working as a political staffer is an important element in the apprenticeship of aspirants for political office (see, for instance, Tiernan 2007)). The former, at least, seems not to be the case in New Zealand, although there is some evidence to support the latter.

Further, prior to being employed as a ministerial adviser, 53.1% of our respondent population had had no involvement in activities which had subsequently informed the policy programme of the government(s) they had worked for. Of the 46.9% who had had some such involvement, over two thirds (68.2%) had done so through either a political party or a non-governmental/voluntary sector organisation, or via both.

Ministerial advisers in New Zealand come from diverse employment backgrounds. Before becoming an adviser, 23.3% of respondents had been employed in a government department, 13.3% in the wider state or public sector, and 43.3% in the private sector.⁶ The private sector also seems to be the employment destination of choice for former ministerial advisers. Unlike the situation in Australia, for example, where it is not at all unusual for political staff to be both appointed directly from and to return to the public service (Maley 2002), in New Zealand relatively few former advisers head into either the public service (11.1%) or the state sector (5.6%). Instead, the vast majority (83.3%) move into the private sector, typically in a consultancy capacity.

What do ministerial advisers do, and why do they do it?

Beyond a general sense that they act as ministerial minders, and appear to be perceived as a threat to (and by) public servants, not much is known about what ministerial advisers actually do. And quite why former lawyers, trade unionists, consultants and journalists would take up the work is even less well understood. Generally, respondents pointed to one or other, or a combination, of three major motives for accepting a position as a ministerial adviser. The most frequent incentive – cited by 62.1% of cases – was the prospect of influencing policy formation. One former adviser summarised this position in indicating that, for her, the chief attraction of the job lay in 'being at the centre of policy and political developments; making a contribution to better public policy outcomes' (Respondent 30).

The second most frequently cited motive was a more directly personal one and related to the intrinsic rewards associated with working in a role of this kind. For 51.7% of cases the personal challenges they hoped would be associated with working as an adviser were a significant attraction. For one, it was the 'day-to-day excitement, challenge and 'buzz' of the environment' (Respondent 08) that most appealed; for another, it was the chance to gain 'another and different dimension to previous career experiences [and the] ... opportunity to develop new skills' (Respondent 26).

Just under half (48.3%) of all respondents couched the desire to contribute to policy formation in explicitly partisan terms. A current adviser, for instance, explained that his 'interest in the

⁶ A significant number of the latter described themselves as self-employed consultants. It is worth noting, perhaps, that at least some of these respondents would previously have worked in the Public Service and that, in their capacity as self-employed consultants, may subsequently have provided services for public sector clients.

policy process at executive government level’ sat within a broader ‘commitment to seeing [the] government’s manifesto implemented’ (Respondent 11). A partisan commitment to the cause was also the major attraction for the adviser for whom the position offered the opportunity to ‘have an influence in an area where I thought the government had a clear and worthwhile agenda’ (Respondent 23).

Table 1: Ministerial advisers’ activities (%)

[Please see attachment for table]

As to the practicalities of the job, Table 1 reports the frequency with which participants in our research undertake certain tasks. The responses can be loosely grouped into several categories (see Table 2 below).⁷ A good deal of advisers’ time is given over to activities within the executive branch. There are two dimensions to this work, the first of which entails considerable engagement with the political executive. Thus, all advisers work closely with their minister, especially in relation to generating and/or discussing new policy, developing Budget bids, and responding to the various demands attendant upon individual ministerial responsibility (such as dealing with Official Information Act requests and responding to parliamentary questions). They also have a good deal of involvement with other ministerial advisers and, to a lesser extent (and almost never in the context of Cabinet committee meetings), with other ministers, either on behalf of or in the company of their own minister. Some of this contact is policy-related; three quarters of respondents, however, also interact with other executive actors in the context of managing relationships within multi-party governments.

The second of the intra-executive dimensions involves contact with public servants. In this regard, the most frequently executed activity is attendance at meetings ministers have with their officials. A high percentage of advisers also regularly communicate ministers’ wishes to officials, and only slightly fewer regularly process officials’ advice before passing it on to ministers. For a substantial proportion of respondents, directly soliciting policy advice from public servants is an important activity. On the other hand, contact between ministerial advisers and officials for the express purposes of shaping policy appears to occur somewhat less frequently.

Table 2: Categorising advisers’ engagement with other institutional actors (%)

[Please see attachment for table]

The second category of advisers’ activities is managing relations between the executive and legislative branches. These assume particular importance in the New Zealand context, given that in an era of minority government relationships between governments and other legislative actors are fundamental to achieving policy progress.⁸

To some extent what ministerial advisers do within the executive branch necessarily bridges the executive/legislative divide (which itself has become somewhat indistinct under MMP). For instance, as one respondent explained, ‘on a political level, advisers assist in ensuring policy is well tested and debated before it is formed. This is important to ensure policy is progressed in an MMP environment and also ensures minimal exposure to attack from opposition’ (Respondent 09).

⁷ The multiple response data in Table 2 derive from a separate open-ended question.

⁸ The adoption of proportional representation in the early 1990s ushered in an era of non-majority governments. Since the implosion of the National/New Zealand First majority coalition government, formed after the first MMP election in 1996, New Zealand has experienced minority coalition governments.

Certain of the tasks entailing contact with the legislature – such as preparing ministers for Question Time and responding to written parliamentary questions – stem from ministers’ constitutional accountability to the House. Others reflect the contemporary nature of executive policy-making under minority conditions. Thus, liaising with other parties comprises a sizeable proportion of many respondents’ workload: over three quarters of respondents have contact with parliamentarians and/or political advisers from other political parties on at least an occasional basis, and are likely to find themselves shuttling between governing parties’ front and back benches even more frequently. That reflects the contemporary challenges associated with gaining the confidence of the House: as one respondent put it, these days it is critical to ‘ensure that government policy is developed in a form that is able to be implemented, given the fractured nature of the government’s parliamentary majority and its support arrangements’ (Respondent 11).

Thirdly, ministerial advisers connect the formal state policy-making apparatus with external interests. More than half of respondents arrange contact between their minister and interest groups on a frequent basis (and very few spend little or no time doing so). Moreover, this seems to be a feature of the job on which advisers place a premium. In response to a separate question, 78.1% of our research participants either agreed or strongly agreed that the facilitation of interest group involvement with the policy process was an important part of the advisers’ role (which in its own right illuminates one of the characteristic features of contemporary New Zealand governance).

Typically, respondents saw this engagement as adding value to the design and delivery of policy. For example, one saw it as a key aspect of his role to ‘encourage interest groups to lobby appropriate organisations, which can significantly contribute to development/policy’ (Respondent 07), while another noted that ministerial advisers can ‘act as a conduit for the expression of sector interests and views to ministers, as well as those of their caucus colleagues. ... [Advisers] advise in the community of policy, which is often the most crucial aspect of successful implementation’ (Respondent 18). A third recalled that he ‘was often able to ensure we dealt with third party interest groups in the development of policy – something not always able to be achieved by government departments. These groups liked dealing directly with the minister’s office’ (Respondent 26).

We also asked our participants to nominate those skills or attributes they felt ministerial advisers should ideally possess (Table 3). At least three things of note emerged from their responses. The first was the relative lack of emphasis placed on having the same ideological disposition as one’s minister. Fewer than half of our respondents considered this a necessary attribute for a ministerial adviser; even fewer – in fact, many fewer – were of the view that advisers needed to belong to the same party as their minister(s).

Table 3: Desirable skills and attributes for ministerial advisers (%)⁹

[Please see attachment for table]

The second was the need for what might be termed applied policy skills. Two thirds of respondents were of the opinion that ministerial advisers require a knowledge of relevant policy content, and even more indicated that some expertise in policy research, analysis and evaluation is an important requirement for the job. To some extent, that suggests something akin to a technical/expert role in shaping policy and overseeing its implementation which extends beyond the concern with matters of policy presentation that is conventionally ascribed to ministers’ political staff.

⁹ These data indicate the percentage of all cases citing each skill or attribute.

Relatedly, the importance of process and, more specifically, negotiation skills came through strongly. Two of the three most frequently cited attributes – political negotiation skills and the ability to network with government departments and agencies – presuppose the capacity to construct functional relations with others. In the New Zealand context that necessarily reflects the challenges associated with minority and/or multi-party governments (on which more below), but it is also an acknowledgment of the importance of the bureaucratic executive to a minister's or government's success.¹⁰

Respondents were also asked to rank those skills and attributes in order of importance (Table 4). Similar patterns emerge. Again, a relatively low premium is placed on ideological connectedness. Of those who felt that having the same ideological position as the minister was of some importance, most gave it a low ranking. Very few nominated membership of the minister's party as a significant requirement, and none ranked it as the most important prerequisite for the job. Clearly, relative to the other attributes cited, a formal tie by way of common membership of a political party is viewed as an insufficient basis for competency in the role, and may indeed not be a necessary feature of the relationship between minister and adviser.

Table 4: Ranking ministerial advisers' skills and attributes (%)¹¹

[Please see attachment for table]

The possession of policy competency was accorded a significantly higher priority. Many respondents felt that an adviser's abilities in policy research, analysis and/or evaluation were more important than the extent to which he or she had a political affinity with the minister. Even more value good negotiation skills: an ability to negotiate comfortably emerges as the single most important attribute for an adviser.

One or two other points may be made. Communication and/or media skills failed to feature as anyone's most important attribute, perhaps reflecting that our sample excluded press secretaries, and that there is a clear division of labour within ministerial offices between policy and press staff. Similarly, prior links with significant policy stakeholders such as bureaucrats and interest groups were not felt to be overly important. A grasp of the processes of executive government is ranked as most important by a relatively small percentage of respondents, but along with relational skills receives a good deal of overall support as a significant attribute.

¹⁰ Among responses coded as 'other' were an 'understanding of party policy and party values; ability to ensure minister acts in accordance with party policy; ability to balance PM's policy objectives, requirements and views with those of the minister' (10); 'sound political instincts' (17); and a 'clear understanding of the Government's strategic priorities and how these link to the minister's priorities' (18). Several respondents also ranked these as the most important skills (see the 'other' category in Table 3).

¹¹ Where 1=most important; 5=least important. These data express the rankings accorded each skill or attribute as a percentage of all cases. Some respondents ranked fewer than five skills/attributes.

Advisers on ministers, officials and policy-making

Contribution to the policy process

Internationally, the consequences of the sorts of activities and inclinations described above are beginning to receive detailed attention. However, the focus of much of that work – especially that which emanates from Westminster contexts – is either on the effect political advisers have on relations between ministers and public servants (Rudd 1992; Tiernan 2004; Walter 1986, 2006; Wicks 2003) and/or on ways and means of holding political staff to account for their actions (Edwards 2002; Gay and Fawcett 2005; Holland 2002; Tiernan 2007).

Maley's (2000; 2002) work aside, political advisers' policy contribution has so far received markedly less attention. Therefore, we asked our participants a series of questions designed to illuminate the nature and extent of that contribution, and advisers' own assessments of it.

Not surprisingly, ministerial advisers are upbeat about the part(s) they play in policy-making: 97% of respondents agreed or strongly agreed with the proposition that ministerial advisers make a positive contribution to the policy process (although it may be noted that only 21.9% of them *strongly* agreed with that statement).

There are specific facets of this work about which advisers appear to feel particularly strongly. For instance, reflecting the contemporary importance of staff able to manage the political relationships which are central to governing effectively under MMP, 90.7% of participants felt strongly both (a) that they add value to the policy process under coalition and/or minority government conditions, and (b) that they can usefully facilitate relations between governments and their parliamentary support parties. An example of this was provided by the adviser who, in response to a question regarding advisers' policy role(s), noted that her contribution had been:

Considerable. The Greens and the government's coalition agreement made [this] legislation and policy a 'Category A' issue. This meant that all matters to do with government policy were to be agreed with them [the Greens]. I conducted most of these negotiations, and was pivotal to the development of most legislation and policy documentation (Respondent 10).

Relatedly, 96.9% agreed or strongly agreed that ministerial advisers are now a legitimate feature of executive government. Advisers also see themselves largely as a force for good. There was a range of views on whether or not ministerial advisers are more influential than they once were: 50% of our respondents agreed or strongly agreed that this is the case, while 43.8% opted not take a position on the question, and 6.2% disagreed with it to some extent. However, just over 80% disagreed that they exert too much influence over governments' policy agendas (although 37.5% conceded that from time to time they do try to keep certain items off those agendas). A small minority (12.5%) agreed that on occasion ministerial advisers dilute the advice officials seek to put before ministers (see below), but very few (3.1%) agreed that advisers sometimes actively prevent officials' advice from reaching ministers' desks.

A final observation is that for most advisers, the policy role revolves around the person of the minister, and the nature of the adviser's policy contribution was frequently defined in relation to the minister's needs. For instance, when asked specifically to assess the ministerial adviser's role in the policy process, the following responses were typical:

Specifically to protect the Minister's interests (Respondent 01).

Principally, I reviewed policy proposals and advised the Minister of political implications. Occasionally, I suggested alternatives that would fly better political, but never as a replacement for the officials' agreed advice, only as an additional option (Respondent 18).

I provided contestable advice to the Minister, and from time to time raised policy ideas with the Minister. I also provided comments to officials on policy work in progress, and occasionally met with them to brainstorm policy ideas (Respondent 23).

Relationships within the political executive

It is significant that many respondents, when asked to describe their policy role, referred to ministers and officials in the same breath. For if there is one feature of the advent of political staff in Westminster executives which has excited academic and practitioner attention it is the bearing that the partisans have on relationships between ministers and officials.

The increasing institutionalisation of political advisers within the executive branch (Connaughton 2006) has converted what was once a dual relationship into a tripartite one (for an interesting discussion of the triangular nature of the relationship see Turnbull 2005). The orthodox position on the consequences of this development is that political advisers are a disruptive influence on relations between ministers and officials (Edwards 2002; House of Commons (UK) 2001; Keating 2003; King 2003; Tiernan 2007). Typically, the case is that advisers interfere in relations between ministers and their officials, disrupt the flow of official advice into ministers' offices, and/or try to marginalise officials' contribution to policy debates.

However, the evidence suggests that this may be significantly less of an issue in New Zealand than in other jurisdictions. Previous research indicates that senior New Zealand public servants are relatively sanguine about the arrival of ministerial advisers on the scene (Eichbaum and Shaw 2006, 2007a). There are certainly some concerns, including that New Zealand's relatively threadbare accountability arrangements may not stand up to a crisis of any significant proportions.¹² On the whole, however, there is at least an acceptance (if not an acknowledgement) amongst most senior officials that advisers have a place in the scheme of things, and no overwhelming sense that they are routinely disrupting minister/official relationships.

On the whole ministerial advisers tended to echo those sentiments. Advisers' broadly positive assessments of relations with both ministers and officials in the specific context of the policy process have already been noted. In more general terms, over two thirds (68.8%) of participants described their relationships with officials as generally positive. For a smaller number (25%) matters tended to be contingent or variable (depending, often, on the personalities involved), but few (6.3%) reported unremittingly poor relations with their permanent colleagues. One respondent described his relations with his departmental colleagues as 'mostly very workable, occasionally tense, sometimes political – generally positive' (Respondent 06). A second captured the substance of many others' responses in noting that:

My relationships were always positive, because I helped [officials] get their job done – i.e. helped them get policy passed, helped them understand what their Minister wanted and how what they were working on fits with the wider government picture. Mutual respect is key (Respondent 08).

Behind that broad profile, however, a more nuanced situation exists, one suggestive of a more fluid, contested relationship between officials and advisers. For instance, at some point or

¹² Other countries have far more systematic arrangements. See Eichbaum and Shaw (2003) for a description of New Zealand's arrangements, and Gay and Fawcett (2005) for those in the UK.

other a third (34.4%) of respondents had had their role called into question by officials. Some such instances arose from a lack of understanding amongst protagonists regarding their respective roles, or out of a sense of frustration (typically on the part of officials) with what were perceived to be vexatious requests from advisers:

Often they thought we [ministerial advisers] were too cautious and didn't need the information that was requested, but more dialogue from advisers emphasised importance of request, and it was complied with. Officials often challenged requests for information but it was always eventually provided (Respondent 19).

In other cases, however, conflict has arisen over more substantive matters. As the following respondent's comments indicate, officials may be sceptical of advisers' motives, or suspicious of the extent to which they speak with the requisite delegated authority:

I have on one or two occasions had a senior official challenge whether I was actually reporting the Minister's wishes or pursuing my own agenda. On one occasion a senior official insisted on hearing an instruction directly from the Minister (Respondent 23).

Departmental hackles have also been raised when advisers, through their actions, are perceived to have (or have, in fact) transgressed boundaries:

I had occasion to put a high level of verbal pressure on a senior official to require adding of an issue for the Minister. The official subsequently reported the incident to the CE of his department who called me to remind me that employment matters in his department were not a matter of my or my Minister's responsibility. I accepted his view, but equally he was cognisant of the Minister's wishes (Respondent 18).

Moreover, around half (59.4%) of respondents were of the view that the presence of a ministerial adviser has some influence on ministers' relationships with officials. As to the nature and practical effect of that influence, respondents tended to split into two camps. Some feel that officials' conduct does not always conform with accepted Westminster notions of impartiality. Thus, 40.5% of participants agreed or strongly agreed that departments are insufficiently responsive to governments' policy priorities, and an even higher proportion (65.7%) believe that officials are selective in the advice they tender to ministers.

A number of these advisers regarded protecting their minister from actual or assumed bureaucratic duplicity as a vital part of their role. From this stance, the presence of an adviser in the minister's office 'ensured officials did not try to offer misleading information [because] [t]hey knew I had an intimate knowledge of their role' (Respondent 07), and '[a]llowed ministers to have much more control and influence over Sir Humphrey, particularly by being an extra pair of eyes and ears with the time and space to focus on policy' (Respondent 31).

Equally, however, many respondents (including some who expressed reservations about officials' intent) believed that their presence had a positive influence on relations between ministers and officials. The following quote typified this position:

The Minister was able to use the time spent with officials more productively. Advisers can do deals with other parties, convey the Minister's intentions and clarify directions, and help bring solutions to the process. Ministers can also be made more aware of alternatives when dealing with officials (Respondent 10).

Perhaps more than anything else, however, it is the threat to public service impartiality that most bothers those concerned with the advent of the 'third element' in executive government (Wicks 2003). Briefly, the fear is that their proximity to ministers allows ministerial advisers to keep officials from their political masters or mistresses, and/or to contaminate officials'

advice by filtering it through partisan lenses. In the Westminster canon, both represent egregious offence against tradition and convention.

The particulars of, and evidence for and against the proposition that ministerial advisers are a risk to public service professionalism have been rehearsed at length elsewhere (Blick 2004; Eichbaum and Shaw 2006, 2007a; Holland 2002; Nolan 1995; Rudd 1992; Walter 2006). But as with other matters raised in this paper, most of the analysis rests on the views of officials and commentators: the positions of ministerial advisers themselves on the issue have not been widely canvassed.

Overwhelmingly, ministerial advisers do not consider themselves a risk to public service impartiality: 93.8% of our respondents disagreed that they posed any such threat (3.1% did not express an opinion on the question, and 3.1% agreed that they were a threat to officials' neutrality).¹³ Rather, the near unanimous view was quite the opposite, with most respondents suggesting that they:

help the public service to be more impartial. *We can give the political advice, or the politics of the situation. We can suggest options or alternatives to Ministers that public servants probably should not, or feel they cannot. Often, I found this combination – of political and departmental advice – of real value. So did my Ministers (Respondent 10; original emphasis).*¹⁴

As another respondent explained, 'the presence of an adviser to undertake political tasks should assist the public service to remain impartial. However, there is some risk that an individual 'adviser may 'gate keep' or place inappropriate pressure on officials' (Respondent 23). The caveat expressed here is an important one, for even if ministerial advisers do not routinely seek to politicise the advice of professional public servants, they are – institutionally speaking – in a position to impede officials' access to their ministers. And there is a view that any such mediation of access could compromise both the integrity of the policy process and the substantive quality of the advice which is shaped therein.

As noted above, within our sample there were contrasting views on the extent to which any such mediation of access occurs, and on its practical effects. Few agree that ministerial advisers hamper officials' access to ministers (12.5%), that advisers actively block officials' advice from reaching the inner sanctum (3.1%), or that they dilute it in some manner before allowing it to reach the minister's desk (12.5%). Clearly, that does not mean that spats do not occur. As one respondent noted:

There is a healthy tension between ministerial advisers and officials. Officials need to recognise that Ministers are entitled to have and receive advice from sources other than government departments – it all adds to the comprehensive development of policy and its implementation. Government [is] not just about policy but also about political management (Respondent 26).

But more often, the sense amongst ministerial advisers was that they were well placed to assist officials to gain an appreciation of the minister's thinking on policy issues. One respondent explained that her presence at the juncture of the political and administrative executives:

¹³ Clearly, the risk with self-reported data is that participants paint themselves in a positive manner. So it is interesting to triangulate these results with equivalent data from the a previous survey of senior New Zealand public servants (see Eichbaum and Shaw 2006, 2007a). Roughly a third of respondents in that survey felt that ministerial advisers pose a threat to their impartiality; a further third did not express a view on the question and the remainder disagreed that advisers posed a threat.

¹⁴ And so, too, do many public servants. Elsewhere, we have noted that a significant proportion of senior officials value advisers because, by attending to the political dimensions of policy advice, they help protect officials from pressures which could otherwise result in politicisation (Eichbaum and Shaw 2007a).

provided a buffer, so officials didn't always get [the minister's] anger direct. I was more accessible than him/her, so it meant they didn't have to irritate him/her by contacting directly for minor issues. They could use me as a testing ground, so when advice got to him, they had a better chance it would be taken well (Respondent 08).

Another expressed things even more succinctly, pointing out that although 'advisers don't influence the quality of thinking and policy development, they help direct what is 'in' and what is 'out' (Respondent 30). This may suggest a political imperative directed to the funneling of advice (Walter 2006). From the point of view of those tendering advice, it can be suggested that directing what is 'in' and what is 'out' may well compromise the Westminster 'public interest' test, and the need for advice to be comprehensive. Equally, from the stance of the political principal (as recipient of the advice), the test applied will be not only that the advice is responsible (and therefore meets the Westminster test) but that it is also appropriately responsive to the needs of the government of the day. To the extent that the dynamic is one in which advice streams are complementary, and appropriately contestable, the result is likely to be somewhat benign. The present research would tend to suggest that this, as distinct from a more overt and ideologically driven form of politicisation, tends to be the case.

Discussion

This article sits in a wider literature that addresses a range of matters associated with ministers' increasing recourse to political advisers, including the bearing advisers have on the policy process, on relations between ministers and public servants, and on the impartiality of officials under Westminster arrangements. Two specific issues, however, both of which featured prominently in our research, have received rather less attention.

The first concerns ministerial advisers' roles. There is a tendency to attribute a single, undifferentiated role to advisers: that of the ministerial minder charged with imposing a partisan perspective on the business of executive government. The data set out in this article, however, suggest that the job is rather more varied and complex than this stereotype allows for. Moreover, and while the matter has not been traversed here, it is clear that the role of the ministerial adviser is a contingent one. It will reflect the experience, knowledge and competencies that an adviser brings to his or her position, as well as those of their ministerial principal, and indeed of other key actors within the ministerial office, the wider ministry, and the departments and agencies for which a minister has responsibility. An adviser working to a minister who lacks experience (and perhaps confidence) in responding to oral questions in the House may devote relatively more time to the development of systems (within the ministerial office and between the office and officials) to ensure that the minister has the necessary information and is fully briefed and 'prepped' before proceeding to the chamber. An adviser who possesses particular expertise within a policy domain (the policy specialist) may well spend more time on issues of detailed policy development, implementation or review.

It is also the case that governments, and relationships between governments and officials, mature over time. Initial suspicion (on both sides) may, in due course, be supplanted by a greater measure of trust and confidence – and clearly there are implications here for the development role of the ministerial adviser over time.

In short, ministerial advisers have both different and multiple roles. At any given point there will be differences between advisers in terms of the particular roles that they perform, and any given ministerial adviser will, to use the catch-phrase of the time, be required to 'multi-task'. Different imperatives suggest different aspects of the ministerial adviser's role. One set of drivers relates to the ministerial requirement for responsive competence on the part of officials and agencies. There are several elements to this. In part – and the increased numerical

significance and influence of ministerial advisers since the change of government in 1999 is testament to this – ministerial advisers play an important role in ensuring that governments are manifesto driven. The erosion of the electoral mandate over the latter part of the 1980s and the decade of the 1990s underpinned a number of significant changes (not the least of which was the move to a proportional electoral system). In government, ministerial advisers play an important role in ensuring that the policy and political agenda is commensurate with manifesto commitments. Moreover, one can recast this role in at least two other related ways: through the lens of the New Public Management, ministerial advisers take on the role of purchase and monitoring advisers for their political principals; and consistent with the discourse of the New Public Management, ministerial advisers inject a partisan dimension into the dynamic of policy contestability.

Our argument, then, is that the rehabilitation of the electoral mandate and the quest for responsive competence suggest a need for the kind of capability provided by ministerial advisers. The significant institutional overlay provided by MMP brings with it still further capability demands, and these, too, have a bearing on the role of ministerial advisers. Under MMP, advisers are responsible for managing relationships, facilitating flows of communication, clarifying meaning, and resolving disputes. They may also be required to resolve policy differences (between, for instance, governing parties and a parliamentary support party), bargain over policy particulars, and/or negotiate policy trade-offs (we have developed this argument more fully in Eichbaum and Shaw, 2005, 2006, 2007a).

In these various capacities the ministerial adviser is acting on behalf of a principal other. But the evidence also suggests that advisers can, by virtue of their institutional proximity to ministers, be policy advocates. Rather like Kingdon's (1984) policy entrepreneur, they are able to instigate policy initiatives and, in so doing, contribute to the construction and on-going management of governments' policy agendas (see also Ryan 1995).¹⁵ As Maley (2000) explains, advisers' situation within the political executive grants them access to relationships (e.g. links with departments, external interests, and other ministers' offices) and information (about what's coming up, what is about to be announced or launched, emerging opportunities, etc.). Both are powerful currencies in the policy process which may be leveraged to provide influence on the policy agenda.

This last role raises the second of the issues which, in our view, has not been sufficiently explored in the literature: To whom are advisers responsible? This is related to, but not quite the same as musing on the question of accountability. The latter issue, which *has* been thoroughly rehearsed in the literature, has more to do with the formal statutory or regulatory means through which advisers can be held to account for their actions.¹⁶ Rather, the matter here concerns the scope for independent agency on the part of advisers, and for conflicts between individual ministers' preferences and the programme of the government of the day.

There are two dimensions to this question. The first has particular relevance for relations between the political and administrative executives, and concerns the extent to which a ministerial adviser is – or should be – simply an extension of the ministerial persona. There are many advisers who see the relationship with their minister in this particular fashion. For instance, for one respondent:

the proper role of an Adviser is to act as another set of eyes and ears, and a mouthpiece for the Minister. Everything that they do must be 'authorised' explicitly or implicitly by the Minister. This can include broad delegations *if* the democratically elected Minister so chooses. But

¹⁵ For instance, Andrew (now Baron) Adonis, formerly an adviser to Tony Blair at No. 10 Downing Street, is credited with having instigated the variable tuition fees policy in the UK (Blick 2004: viii).

¹⁶ See Eichbaum and Shaw (2003) for a description of the relevant arrangements in New Zealand and a comparison with equivalent arrangements in other jurisdictions.

constitutionally, advisers should not be seen as ‘players’ in their own right. The Adviser is an ‘agent’ of the Minister. Analogies include an electorate agent for an MP, or a lawyer for a client. The *key* relationship is that between Minister and adviser, because the danger of undue/inappropriate influence on the part of the adviser only arises if they act outside their ‘delegation’. (Respondent 17; original emphasis.)

Clearly, when ministerial advisers act on clear delegations from their minister matters are likely to be relatively non-problematic. But the acknowledgement that ministers may *implicitly* authorise advisers’ conduct suggests there may equally be occasions when ministerial advisers exercise greater agency than is perhaps appropriate. As one respondent succinctly put it, the ‘[m]ajor risk is that they [ministerial advisers] exceed their authority by representing personal views and preferences as being the Minister’s’ (Respondent 12).

To the extent that this occurs – and there is some evidence (see Eichbaum and Shaw 2007b) that from time to time it does – it is not always the result of deliberate mischievousness on the part of advisers. It can, in fact, stem from ministers’ varying understandings of what their advisers should or should not do. As one participant in our advisers’ survey put it, ‘the role of the adviser should be clarified for the benefit of all concerned: ministers, advisers themselves, and officials. In my experience, ministers themselves are not clear about their [advisers’] role, and [so] the roles of advisers vary according to the minister concerned’ (Respondent 15).

This lack of clarity regarding roles may itself reflect the opaque accountability arrangements that apply to advisers (see Eichbaum and Shaw 2003), and the somewhat haphazard application of protocols governing relations between staff in ministers’ offices and officials (see Eichbaum and Shaw 2007a). One might also note, however, that it may not always be in the political interests of the principal to ensure that his or her adviser always acts on the basis of an explicitly articulated mandate. Indeed, a politically functional – if somewhat expedient – notion of ‘plausible deniability’ has emerged in the Australian context, with ministers from time to time disavowing any knowledge of the actions of their political subordinates, or those subordinates failing to communicate ‘inconvenient truths’ to their minister. To the extent that political advisers *and/or* public servants are complicit in this, the working maxim becomes a convenient variant of ‘don’t ask, don’t tell’ (see Weller 2002).

The second dimension of the responsibility issue has more immediate relevance to relations within the political executive. At issue here is: What happens when a minister’s preferences are not aligned with those of his/her government? The issue is clearly raised by, but not confined to, multi-party government. To the best of our knowledge, that question has not been put in the literature, but concerns were regularly raised by the advisers in our study regarding, in effect, the identity of ‘the employer’. The quote from Respondent 17 (above) suggests that a number of respondents clearly considered themselves, in the first instance, to be their minister’s resource. Others, however, were more equivocal:

[There is a] tension an adviser feels between being responsible for government policy, or agreements entered into by the government, and the wishes of their minister. These two are not the same. With one minister I worked for, there were serious problems for the government caused by his reluctance to acknowledge the Greens’ role in policy development as agreed under coalition arrangements. As an adviser I was specifically instructed to ensure ministers adhered to government policy. However, the employment realities of the role mean that most advisers will support their minister, rather than the 9th floor, in any difference between the two. In part, this situation arises because, throughout my employment, I never felt it was clear exactly who the employer was: Ministerial Services, the Chief of Staff (responsible to the PM), or the minister. These multiple, and at times conflicting responsibilities, make the role even more challenging. (Respondent 10)

Ministerial advisers are particularly well placed to take a whole-of-government perspective to developments within individual ministerial offices and departments. From this view, they are able to ensure that, to some extent at least, particular minister's initiatives are consistent with the wider governmental project. On the other hand, it also seems that, for some advisers, the administration's agenda may at times be at variance with the priorities of the minister. That may suggest an internal tension within the ministerial adviser's overarching role as between an adviser's responsibilities to his or her appointing minister *vis a vis* those to the government in which that minister serves.

Conclusion

For all that they now constitute a significant feature of the executive landscape, ministerial advisers remain an under-researched population in New Zealand. This article has identified a particular need for a more systematic understanding of the roles ministerial advisers play, the extent to which they exercise independence of activity, and the potential consequences when advisers' responsibilities to their ministers pull against those they have to the government of the day.

Equally, more light could usefully be shed on the drivers behind the increasing appointment of ministerial advisers. There is a normative view that advisers are – along with output-based budgeting, structural reform and short-term employment contracts – part of a package of institutional reforms designed to redress the asymmetrical distribution of information within the executive branch which has historically favoured the bureaucracy (Peters 2001, Eichbaum and Shaw 2007b). In this respect, the deployment of advisers represents a response to the problem modern governments often face in controlling the machinery of government, and is consistent with – and a contributing factor to – the demise of the near-monopoly the public service once held over the supply of advice to ministers.

But an explanation of the emergence of political advisers in the New Zealand context can be made without subscribing to the assumptions and prescriptions of rational choice. Most compellingly, in New Zealand, the advent of advisers can be read as a response to the complexities of governing under MMP. Bluntly, in an era of coalition and/or minority governments, political advisers 'run the touchlines' of relationships between coalition partners, and between coalition governments and the parties on which they rely for support in the House. Advisers can also attend to the political dimensions of policy debates within and between parties, and assist in differentiating what is partisan from that which is the proper subject of free, frank and fearless advice (and the proper domain, and responsibility of, career public servants).

In other words, the motives behind the increasing deployment of ministerial advisers may not be solely a function of the sentiments expressed by the young Auckland academic some 25 years ago. Ministerial recourse to independent (of the public service) and politically attuned policy advice preceded the move to MMP and Helen Clark, as a Minister in the fourth Labour Government, made significant and effective use of such advice. Increasingly, however, the trend towards recourse to ministerial advisers needs also to be seen as part of the wider process of institutional adjustment triggered by electoral system change.

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Minding the minister? Ministerial advisers in New Zealand government

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2007