

MOP(S) Review Taskforce  
Department of the Prime Minister and Cabinet  
PO Box 6500  
Canberra ACT 2600

by online portal only

To whom it may concern

***Submission to the Department of Prime Minister and Cabinet review into the Members of Parliament (Staff) Act 1984 (MOP(S) Act).***

Thank you for this opportunity to make a submission regarding the Members of Parliament (Staff) Act.

I want to acknowledge it has been nearly twenty years since a serious, independent, root-and-branch review of the Act and, as the Jenkins Review demonstrated, the Act and its implementation are clearly out of date and out of step with community expectations.

As a first recommendation, I would ask the review to consider whether a statutory requirement for regular comprehensive reviews of the Act is necessary to continue this work and ensure the Act remains current and reflective of community values and expectations. I would suggest a review to be conducted every five years by an independent oversight body in conjunction with a public inquiry by the relevant Senate committee.

I also recognise that any structural change will only be successful if combined with deeper cultural change, and that any review of the Act will only be effective if the political parties that make the staffing decisions undertake deeper cultural change within their own structures to ensure that the cycles of bullying, harassment and trauma do not continue. My submission however focuses on a structural analysis and reducing the workload stresses on political staffers, recognising that much of this is outside the scope of this review.

Overwork has been cited repeatedly through this process as a key factor in political staffing being a toxic work environment and until we take clear, comprehensive action on that, we will not address the core of the problem.

Increasing the capacity of support offices like the Parliamentary Library and the Parliamentary Budget Office is good but will not address the systemic and cultural drivers for overwork in MPs' offices.

Improving recruitment, behaviour management and termination processes are also important but again do not tackle the issues of overwork.

As to my background in this area, I'm a previous staffer in the ACT Legislative Assembly, worked in democracy and governance campaigns for civil society and as a governance lawyer for the Victorian Government, and a board director for a national political party. I'm making this submission in my own capacity and do not speak for any organisations I work with.

My interest in this area is predominantly as a democracy and governance campaigner and someone with a desire for a robust, accountable and representative Parliamentary structure.

I would like to begin with a short summary of my own thinking around structures and purposes of political offices, a model that I have developed by drawing on extensive research by Professor AJ Brown



at Griffith University and Democracy 2025 at the University of Canberra. I can provide a list of useful readings on request.

I would like to begin by saying that there needs to be a stronger grounding in real workload analyses of political offices, focusing on best practice rather than necessarily the median office. It is important to recognise, in the first instance, that crossbench offices, both individually and as party clusters, operate more akin to shadow cabinet offices than backbenchers.

On that point, I invite the review to reflect on three themes that Australians value in their political offices:

- *engagement* – how individuals interact with political institutions,
- *representation* – how political institutions reflect back those individuals' values through elections, and
- *servicing* – how those elected representatives fulfill peoples' civic-constituent rather than necessarily political needs.

As a corollary to that, I'd invite the review to consider these core functions of a (non-executive) political office as they operate, how they relate to those themes and an offices' real workload:

- *Civic-constituent* (attending community functions, sitting on boards, facilitating applications and complaints to government agencies and running hyperlocal issues campaigns)
- *Parliamentary-political* (voting on legislation, debating motions, making speeches)
- *Parliamentary-administrative* (committee inquiries, questions on notice, estimates)
- *party coordination* (ensuring party consistency, allocation of tasks and duties, liaising with party caucus, liaising with the extra-parliamentary party, liaising with state party caucuses)
- *people management and administration*
- *policy development*
- *policy promotion and campaigns*
- *media and communications*
- *political education and outreach*

These functions are most of what a politician and their office does. Each of these functions are distinct and have unique demands in terms of staffing decisions and expertise. All of these functions have political dimensions, but have very different ways of doing and people have very different perceptions about their relative importance or utility.

The main issue I would like to speak to is the matter of entitlements, which I understand will be out of scope of this review.

These cycles are in part exacerbated by the ad hoc nature of staffing entitlements and the difficult decisions political offices need to make in allocating and recruiting staff to a limited pool of positions available.

Counterintuitively, the smaller the party is in Parliament, the more work it needs to do. The actual workload of a party is roughly the same if you have three MPs or fifty.

You still need to develop a coherent policy position on all the bills and inquiries and motions and announcements that come up. Your MPs' days are filled with local issues campaigns, shaking hands at



a school assembly, speaking at a church gathering or helping people with Centrelink, NDIS or immigration problems.

At the moment, staffing allocations to MPs is a haphazard, and almost entirely at the discretion of the Prime Minister of the day. An incoming government might entice crossbenchers with extra staff allowances or strip everyone's staffing back entirely.

With that sense, you can visualise (loosely) the workload on an inverse log - the rate of work and coordination rises rapidly as your party room swells from one to five to twenty members before easing off as a full Shadow Cabinet is formed.

As an example of a tailing model, entitlements could be structured around a convention that MPs receive 3 additional allocations for each MP in their party or grouping up to a party room of 5, then 1 additional allocations per MP up to a party room of 20, and 0.5 additional allocations per MP in the party room beyond that. This would, in the current Parliament, grant:

- Labor would receive 72 additional entitlements (excluding Ministerial staff)
- the Coalition would receive 100 additional entitlements if its constituent parties are treated separately (Liberals 40, Liberal Nationals 33, Nationals 24 and Country Liberals 3) or 53 if treated as one entity
- the Greens 26
- Pauline Hanson's One Nation 6
- Jacqui Lambie Network 6
- and the remaining crossbenchers 3 each.

This is significantly less than the total additional entitlements in the previous term of Parliament, but more than that under the previous Labor Government.

As a first step, the review should review minimum expectations and entitlements for Parliamentary parties and what Parliamentary party status is.

Previous convention set in the 1980s that Parliamentary party status is a simple yes/no question on having five seats across both Houses and the assumption that there will only be one Official Opposition with all the entitlements that comes with that is increasingly looking precarious as Parliament's party make-up fractures.

Formalising conventions around party status and entitlements in legislation is an important step towards transparency and fairness. I would suggest a tiered approach based on a combination of proportion of Parliamentary seats held and nation-wide primary vote would be fairer and more consistent with state approaches.

Currently, holding 2% of seats (5 seats) entitles a party to additional resources. I would suggest reducing the minimum to 1% (3 seats) as a baseline resourcing allowance with an additional tier at 5% (12 seats) for a more fulsome entitlement and finally equivalent to Opposition status at 20% (45 seats). By making this a proportionate approach allows flexibility should the size of Parliament change.

At that baseline level, it is appropriate for the party to be additionally entitled to a senior coordinating position, a senior workforce management position, a policy adviser, a media adviser and a Parliamentary procedure adviser.

At the more fulsome level, I suggest that Parliamentary parties with more than 5% of seats should be entitled to at least six director-level (Senior Adviser 1 equivalent) positions - Chief of Staff and directors of media, campaigns, policy, people, and strategy - plus six senior (Adviser equivalent) positions to



cover party liaison, Parliamentary procedure, recruitment and human resources, media and communications coordination, legal and legislation, and committee coordination.

It would be appropriate that these positions come out of any overall entitlement bucket as discussed above.

I cannot stress enough how important a dedicated workforce manager like a Director of People is to the wellbeing of a staffing cohort. Individual MPs do not have the requisite management and human resources skills or experience to manage their own staff effectively nor do parties maintain clear complaints and dispute resolution systems that do not put staffers in a position where they need to decide between their own career, their wellbeing and the success of the party they support.

In the longer term, these decisions should not be made by any elected representative who will always be compromised by political goals to make decisions about the wellbeing of staff and the needs of a modern democracy. Asking the independent Remuneration Tribunal to make determinations on at least crossbench staffing entitlements is existing practice in Queensland (see Determination 23/2021 which includes a conservative but comprehensive analysis of the workload of a crossbench office) and should be investigated nationally.

The independent Remuneration Tribunal already has the resources and expertise to determine what's appropriate for an MP's pay, travel allowances and communications expenses. They already adjust pay scales for party positions like leader, whip or portfolio spokesperson.

The tribunal conducts annual reviews of the duties and workload of an MP, compares it to other jurisdictions and industries, and determines an appropriate level of remuneration. They do this for public service executives, judges and statutory appointees.

The tribunal could also then objectively assess the incumbency benefit, both to the parties of government and to elected politicians generally, and aim to alleviate that or consider structures that provide a level of equitable offset for emerging parties and candidates.

Leaving these decisions to Ministers makes the outcomes too inflexible to changing circumstances or left to cynical political ends.

I would finish by also asking, separate to my suggestions above, that the review consider whether existing electorate office allocations and pay rates are appropriate for backbench MPs in both Government and Opposition where they are required to do considerable travel, committee work and policy research.

I am available for further discussion if required.

Yours sincerely

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