

New South Wales

Mark Evans

New South Wales (NSW), Australia's most affluent and densely populated state, includes the Sydney metropolitan area and has a population of close to 7.5 million people. As a result, it accounts for 47 seats in the federal House of Representatives (nearly a third of the total). Its powerful state government has often accentuated that political importance, with the largest lower house of any state (93 seats) elected by the Alternative Vote (AV) and often showing strong 'pendulum' swings between the top two parties (the Australian Labor Party and Liberal-National Coalition). The upper chamber, the Legislative Council (LC), is chosen using the single transferable vote (STV) proportional voting system. It has rarely had single-party majorities, fostering greater political stability.

What does a democratic state government require?

Key elements include:

- ◆ An effective state constitution that provides an anatomy of legitimate public power to: define the limits of state governmental powers; make government accountable to the people by providing for checks and balances; promote long-term structures. A constitution typically (1) lasts for an indefinite term; (2) is difficult to change; and (3) reflects a consensus among those who are subject to its limits and afforded its protections. It condenses the preferences, values and views of the state's people; provides legal authority for the exercise of governmental powers; specifies the civil and human rights of all citizens; and creates (or clarifies) any (legal) duties/obligations that the government must observe or satisfy. The state's relationship with the Commonwealth government is governed by the federal constitution.
- ◆ Rights for Aboriginal and Torres Strait Islander peoples should be fully recognised and implemented as for all citizens. The histories, languages, cultures, rights and needs of Aboriginal and Torres Strait Islander communities and peoples should be addressed, so as to remedy historical injustices.

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- ✦ Electoral systems for the state's Legislative Assembly (LA) and LC should accurately translate parties' votes into seats, in different ways that are recognised as legitimate by most citizens. Ideally the voting systems should foster the overall social representativeness of the two houses of the legislature. Elections and the regulation of political parties should be impartially conducted, with integrity.
- ✦ Political parties at state level should sustain vigorous and effective electoral competition and citizen participation. They should enable the recruitment, selection and development of political leaders for state government; formulate viable policy agendas and frame political choices for state functions; and form governments or, when not in power, hold governments accountable. Political parties should uphold the highest standards of conduct in public life.
- ✦ The core executive and government should operate fully within the law, and ministers should be effectively scrutinised by and politically accountable to parliament. Ministers and departments/agencies must also be legally accountable to independent courts for their conduct and policy decisions. Responsive government should prioritise the public interest and reflecting state public opinion. Its core executive (premier, cabinet, ministers and key central departments) should provide clear unification of public policies across government, so that the state operates as an effective whole. Both strategic decision-making within the core executive, and more routine policy-making, should foster careful deliberation to establish an inclusive view of the 'public interest'.
- ✦ The administration of public services should be controlled by democratically elected officials so far as possible. Officials in state public services should act with integrity, in accordance with well-enforced codes of conduct, and within the rule of law. The rights of all citizens should be carefully protected in policy-making, and 'due process' rules followed, with fair and equal public consultation on public service changes. Public services, contracting, regulation and planning/zoning decisions should be completely free from corruption.

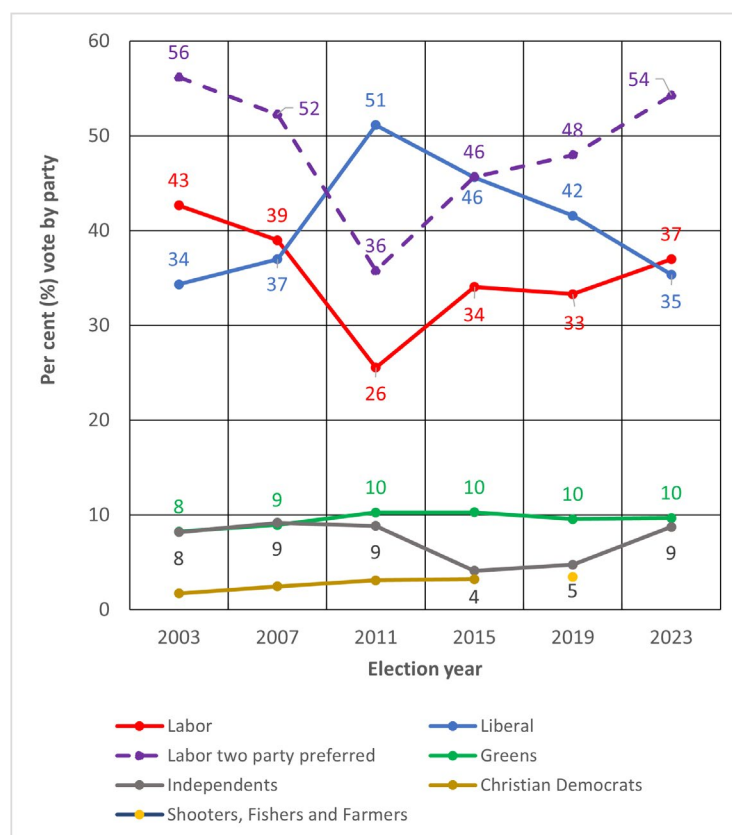
Recent developments

Three recent developments have dominated democratic politics within NSW – electoral competition in the state since 2000; the re-emergence of corruption problems within NSW politics; and the handling of two major crises – the bushfires that raged across the state (2019–2020), and the COVID-19 pandemic (2020–2022). After considering these developments, a SWOT analysis summarises the overall main strengths and weaknesses of NSW's democracy. The later sections of this chapter then examine four features of state politics in more detail.

Electoral politics

New South Wales politics in the last two decades has been dominated by the top two parties (the Liberal-National Coalition and Labor), as they were in the previous century. Between them they have always commanded four-fifths of the votes in the Alternative Vote (AV) and single-member constituency elections for the NSW lower house, each seat having 53,000 to 65,000 electors. The Liberal-Nationals enjoyed a period of hegemony from 2011 to 2023, but that was preceded and followed by periods when Labor was the largest party ([Figure 17.1](#)). Although the Greens have regularly scored a tenth of first-preference votes, and independents have

Figure 17.1: First-preference votes for parties in NSW Legislative Assembly elections, and Labor's two-party preferred (TPP) vote, 2002–2023

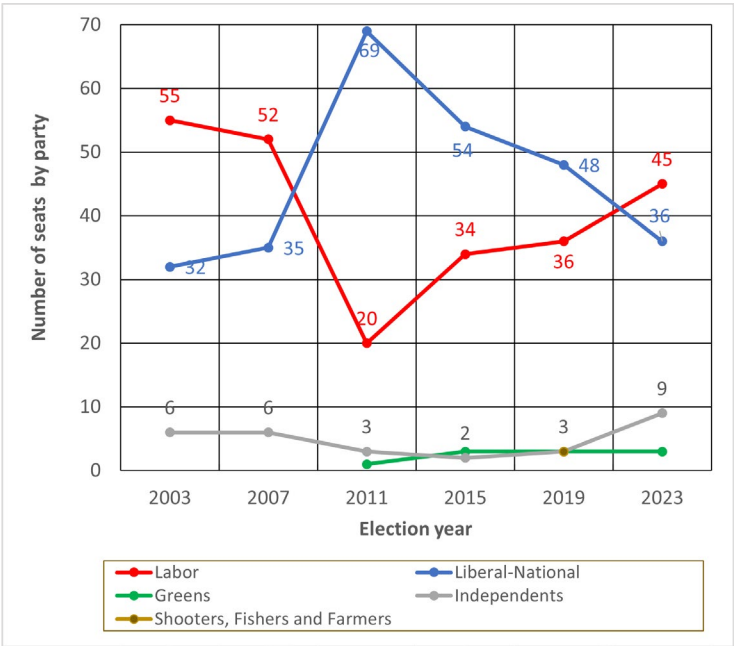


Source: Created from data in NSW Electoral Commission (2023a) 'State election results', various dates.

achieved some success, these smaller vote shares have been flat rather than growing over time. The dashed purple line in Figure 17.1 shows Labor's 'two party preferred vote' at the end stage of the AV counting process. Even though Labor has attracted most Greens voters' later preferences, when Michael Baird and then Gladys Berejiklian were the Liberal leader, this was not enough to give Labor a majority. Labor recovered from its disastrous 2011 performance, but its level of support remained depressed for two further elections. In 2023 Labor relied on getting 17 per cent of votes from other parties' supporters to narrowly win the 'two-party preferred' (TPP) vote. (This is the final count stage of the AV system, with only two parties remaining – see Chapter 5.)

As a 'majoritarian' voting system, a key test for AV is whether elections actually give most seats to the 'correct' party, the one winning most of the TPP. Figure 17.2 shows that in NSW it did. There has been a characteristic AV tendency to somewhat over-reward the largest party with seats at the two-party preferred stage of vote. In 2011 the Liberal-National Coalition won nearly three-quarters of all seats after winning 51 per cent of first-preference votes, but it received 64 per cent of the TPP that year (Figure 17.1). In 2015 the Liberal-National coalition won 58 per cent of seats on 46 per cent of first-preference votes, but it also got 54 per cent of TPP that year. These clear outcomes have helped create legitimacy for incoming governments, with ministers able to use their mandates to push through manifesto policies. Critics argue that allied with strong party discipline they have contributed to perhaps overly strong governments, with the

Figure 17.2: Seats won by parties in the NSW Legislative Assembly, 2002–2023



Source: Created from data in NSW Electoral Commission (2023a) ‘State election results’, various dates.

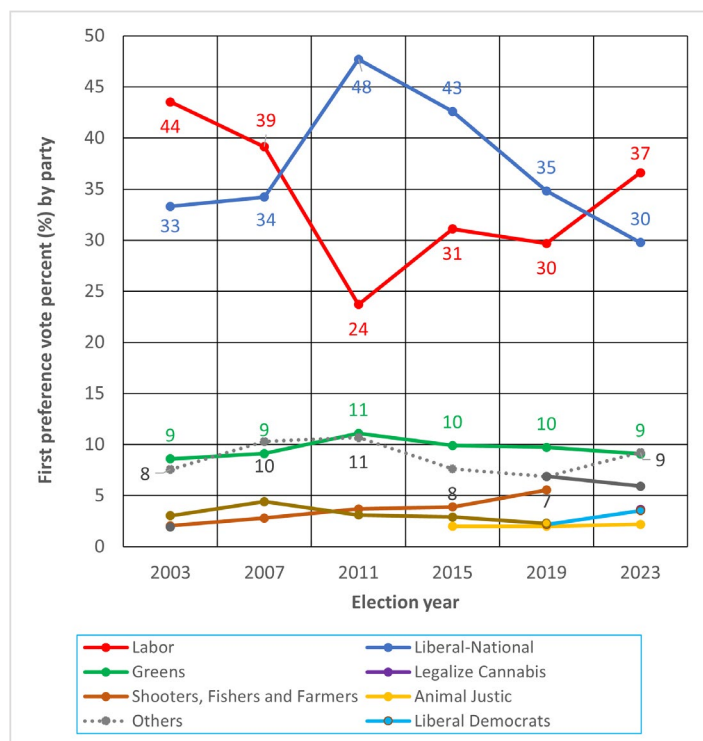
Note: The Legislative Assembly has 93 seats, so a majority requires 47 seats.

executive occupying a dominant position vis-à-vis Parliament (as elsewhere in Australia’s states).

Turning to the NSW upper house, this is the Legislative Council (LC), with 42 seats. Members serve for eight years, with half elected at each state election, using STV in multi-member constituencies. This is a proportional representation (PR) system designed to ensure that parties’ seats shares are closely matched with their vote shares. The single transferable vote also transfers voters’ preferences between parties and candidates if they would otherwise be ‘wasted’. Figure 17.3 shows that the same voting trends that occurred in the lower house elections also broadly prevailed in upper house voting patterns. However, the top two parties between them have commanded a far smaller share of first-preference votes – initially three-quarters of votes, falling somewhat to around two-thirds in 2019 and 2023. However, the Greens’ support has again been around a tenth of primary votes, no higher than in the AV elections. Instead, a wide and shifting range of other small parties (some single-issue causes) have commanded the remaining 15–20 per cent of votes, as Figure 17.3 shows.

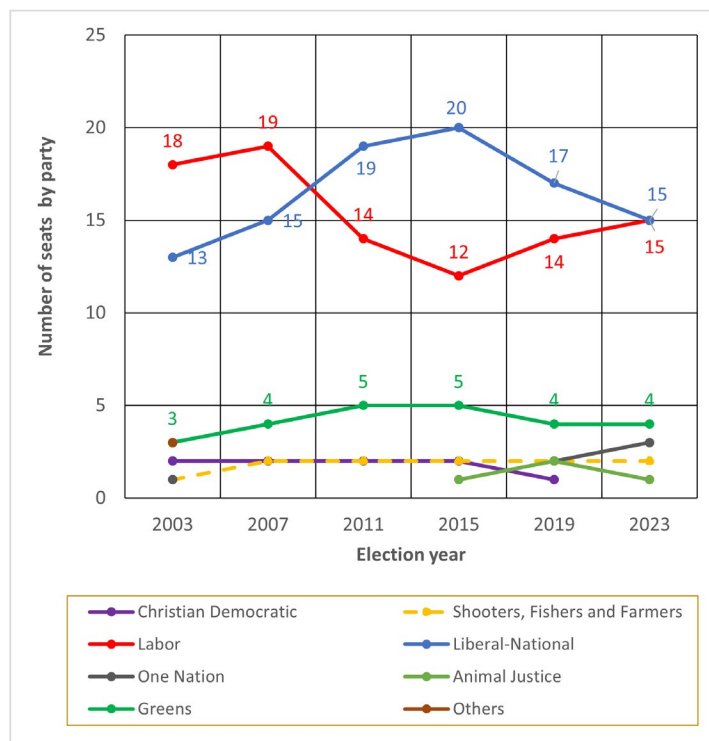
When it comes to gaining Council seats, the Greens have been somewhat more successful, winning one in nine seats, as Figure 17.4 shows. Other smaller or more episodic parties have generally won at least as many or more seats in total, with the result in any given year shaped by current events and the vote transfers between minor parties agreed by their leadership. With between 8 and 12 seats going to the Greens and smaller parties, neither the Liberal-National Coalition nor Labor has commanded a majority in the upper chamber this century. However, Labor has generally been able to rely on the Greens when in office. And the Liberal-National Coalition got close to a majority in 2015 and could generally appeal to Council members from parties like the Christian Democrats or ‘Shooters, Fishers and Farmers’ for support, often by tailoring policies elsewhere to ‘fit’ with a particular member’s strong policy commitments or constituency interests. Nonetheless, the Council has been an effective ‘House of Review’, and its slower-changing composition has increased continuity in state policy-making.

Figure 17.3: First-preference votes for parties in the NSW Legislative Council (upper house) elections under STV, 2002–2023



Source: Created from data in NSW Electoral Commission (2023a) 'State election results', various dates.

Figure 17.4: Seats held by parties in the NSW Legislative Council (upper house) following elections, 2002–2023



Source: Created from data in NSW Electoral Commission (2023) 'State election results', various dates.

Notes: The LC has 42 seats, so a majority requires 22 seats.

Preventing corruption and malfeasance

New South Wales has long had one of the most rigorous anti-corruption systems in the country, and for good historical reasons. State politics has struggled to escape a traditional association with criminality ('big city' criminal gangs), cronyism and corruption, reflecting problems of urban growth, soaring property markets and mega public finance projects weakly supervised by NSW regulations and controls ([Wikipedia, 2023a](#)):

Politics then (and now) was a honey pot for some: needy, greedy ministers and MPs were looking to benefit from public works, jobs, development and government contracts, as well as through the manipulation of the criminal justice system ... NSW has also always had a sleazy subterranean network of fixers and door-openers who could influence decisions for the right price ... Sydney has traditionally been thought of as a corrupt old town. Whether this was because of its buccaneering origins in the convict era or because it was where all the action took place has long been an open question. (Clune, 2020)

In the mid-1980s, incoming Liberal Premier Nick Greiner created the Independent Commission Against Corruption (ICAC) ([ICAC, no date](#)) to clean up state governance once and for all. This was in response to a perfect storm of corruption allegations against members of the preceding Labor government (led by Neville Wran between 1976 and 1986 ([Tiffen, 2021](#)), when the corrective services minister and chief magistrate were both tried and subsequently imprisoned for corruption. The ICAC was given significant investigative powers, a broad anti-corruption brief and genuine independence from ministers and the legislature. In the late 1990s, the importance of ICAC independence was underlined when the Wood Royal Commission found entrenched and systemic corruption due to contacts with criminals in the NSW state police ([Wood, 1997](#)).

In recent years, the ICAC has been very active in identifying and investigating potential breaches of parliamentary and administrative standards, demonstrating the capacity of NSW integrity agencies to shore up the protective powers of democracy (see [Figure 17.5](#)). Although it should be noted that several of these investigations are yet to be concluded, their frequency raises the suspicion that corrupt practices have become culturally embedded in NSW government. The period under study will be remembered as one of ICAC assertiveness culminating in the 2021 resignation of former Premier Gladys Berejiklian.

By any standards this was a disappointing track record with serious breaches of integrity happening in both the political and public service realms. A wider report ([ICAC, 2018](#)) on trends and events in corruption made for gloomy reading, and a 2020 report on corruption in water management (a critical area of infrastructure development in Australia) 'made 15 recommendations to the NSW Government to improve the management of the state's water resources, after the undermining of the governing legislation's priorities over the past decade by the responsible department's repeated tendency to adopt an approach that was unduly focused on the interests of the irrigation industry' ([ICAC, 2020a](#)). More optimistically, two high-level reviews sought to safeguard the independence of the ICAC by drawing attention to the role of ministers and the government in deciding annual funding for integrity agencies and the provision of additional funding to address unforeseen integrity problems. One 2020 study by the state Audit Office examined financial management, and another by the Public Accountability Committee of the upper house in early 2021 examined the budget process for independent oversight bodies and the administration of Parliament itself.

Figure 17.5: ICAC investigations into parliamentary and administrative misconduct in the period 2019–2021

Type of investigation	Incident
Parliamentary misconduct	In 2021 Premier Gladys Berejiklian resigned in the wake of the ICAC launching an investigation into whether she broke the law by failing to report the conduct of her ex-lover, the former Wagga Wagga MP Daryl Maguire.
	The ICAC investigated the following cases of misconduct by two MPs – one who resigned as a minister and one who resigned as a parliamentary secretary (ICAC, 2022).
	In May 2021, Gareth Ward stepped down from his role as the minister for families and from the Liberal party room after revealing he was the subject of a police investigation (Guardian, 2021a).
	In September 2019, Premier Berejiklian announced that she had accepted John Sidoti's offer to stand aside from Cabinet where he had served as minister for sport, multiculturalism, seniors and veterans while the ICAC undertook an investigation into him (ICAC, 2022).
	Premier Berejiklian announced in July 2018 that Daryl Maguire had resigned from his position as parliamentary secretary after evidence of telephone recordings involving Mr Maguire was heard by ICAC staff (ICAC, 2020b).
Administrative misconduct	Cases here included a Service NSW officer allowing improper access to restricted database information (ICAC, 2021a); a FACS official who corruptly obtained nearly A\$1.7 million for his own company (ICAC, 2020c); and an ICT manager in DFSI who 'hijacked' a business name to obtain A\$0.5 million (ICAC, 2019). The ICAC also launched several institutional investigations of maladministration during this period.

Sources: As referenced in [Figure 17.5](#).

In June 2021, the ICAC published a report (Operation Eclipse) into the Regulation of Lobbying, Access, and Influence in NSW ([ICAC, 2020b](#)). The ICAC found that new legislation, or significant reform of the current *Lobbying of Government Officials Act 2011* (the *LOGO Act*), was required to safeguard the public interest against the inherent lobbying risks of corruption and undue influence. While interest group lobbying contributed to positive outcomes in the public interest when conducted ethically and honestly, Operation Eclipse and other ICAC investigations had shown that lobbying, access and influence can result in favouritism, or even corrupt conduct. The prevailing regulation was deficient:

'The LOGO Act, while a step in the right direction, falls short of implementing all of the 17 recommendations made by the Commission more than 10 years ago in its previous lobbying investigation, Operation Halifax,' [ICAC] Chief Commissioner [Peter] Hall said. 'In Operation Eclipse, the ICAC has made a further 29 recommendations to address this shortfall and to better regulate lobbying practices in NSW.' ([ICAC, 2020b](#))

In June 2023, the ICAC issued a 688 page report which found that former Premier Berejiklian had engaged in 'serious corrupt conduct' and breached the public's trust, by intervening to allocate state contracts to a former MP with whom she was having a relationship ([Graycar, 2023](#)). This brought to a climax a period of ICAC assertiveness that attracted some criticism.

Critics on the right claimed that ICAC activism was driving talented business people away from entering politics, as well as bringing an untimely end to Berejiklian's otherwise very successful political career. The former Liberal NSW Health Minister Brad Hazzard (one of the former premier's closest allies and confidantes during the COVID-19 pandemic) challenged whether the state's corruption watchdog should conduct inquiries in public. He had 'strong views about the model and how it could be fixed' insisting on an integrity review ([Guardian, 2021b](#); [Sydney Morning Herald, 2021a](#)). Members of the general public also questioned the timing of Berejiklian's (forced) resignation given that the pandemic was still continuing at the time (October 2021). However, Berejiklian's Liberal successor as state Premier, Dominic Perrottet made it clear that he had no intention in interfering with or repealing the ICAC's powers ([Guardian, 2021c](#)), and neither did his Labor successor following the 2023 election. In that campaign period it was also clear that integrity in public office had again become an issue of significant political salience in NSW. Given the Coalition defeat amid corruption concerns, it seems likely that the integrity challenge will warrant and receive close attention, with future ministers motivated to ensure that elected and non-elected officials act with integrity, in accordance with well-enforced codes of conduct, and within the rule of law.

Crisis politics – bushfires and the COVID-19 pandemic

New South Wales is the most densely populated state, and most of its population is concentrated in and around Sydney and a few other cities and towns. In terms of area, it is only the fifth largest state in Australia, but it still has an extensive landmass (just under 801,000 sq kms). Much of it consists of bush forest and pasturelands, where summer wildfires regularly occur, usually on a manageable scale. However, the 2019–2020 bushfire season proved to be devastating, with unprecedented large, intense and uncontrollable fires that claimed 25 human lives, burnt over 2,000 homes and killed an estimated one billion animals (not counting invertebrates) ([Pickrell, 2020](#)). At the height of the crisis acrid smoke from the NSW fires blanketed the Sydney conurbation for days on end. In contrast to the apparently slow-to-react federal PM Scott Morrison, the Liberal state Premier Gladys Berejiklian emerged from the bushfire crisis with an enhanced reputation ([Clune, 2021](#)). As Niki Savva (2020) put it:

When the fires hit NSW, she made a point of being there, every day, standing next to the fire chief, Shane Fitzsimmons, supporting him and allowing him to do his job. She visited affected communities. Her embraces were accepted. No one refused to shake her hand [which happened to PM Scott Morrison].

The government was also transparent about its performance, commissioning an independent expert inquiry into the 2019 to 2020 bushfire season. Its final Report in July 2020 concluded:

This season also challenged assumptions about how we fight fires ... despite the bravery and ingenuity of our firefighters in the face of enormous risk, capable Incident Management Teams coordinating the responses to the various big fires, and the huge expenditure on firefighting. We need to know much more about bush fire suppression methods and how effective they are, especially in the face of megafires like these. Techniques and strategies that worked in previous seasons often did not work as well in the 2019–20 season ... There are important firefighting enhancements needed – more emphasis on getting fires out early; improved backburning protocols; training and information around heavy plant use; the right mix of aerial firefighting assets; and increased aerial night firefighting. There is

Figure 17.6: The net approval rating in 2020 survey responses to the question, ‘How well is your state government responding to the pandemic?’

Date in 2020	Victoria	New South Wales	Queensland	Southern Australia	Western Australia
<i>Per cent saying ‘very well’ or ‘fairly well’ minus per cent saying ‘very badly’ or ‘fairly badly’</i>					
July	30	62	84	88	98
November	56	78	70	87	96
Change	26	16	-14	-1	-2
<i>Per cent saying ‘very well’ minus per cent saying ‘very badly’</i>					
July	8	22	2	60	82
November	30	41	44	60	75
Change	22	19	42	0	-7

Source: Scanlon Foundation ([November 2021](#)), ‘Mapping Social Cohesion 2020 Report’, computed by the author from Table 25.

also a need for improved telecommunications, both to ensure the community can access the information it needs to make timely and appropriate decisions, and to enhance firefighting capability. (NSW Bushfire Inquiry, 2020)

Berejiklian responded in much the same way to the COVID-19 outbreak in the state from 2020 to 2022, although this time with the Chief Medical Officer (Kerry Chant) by her side ([NSW Parliamentary Research Service, 2021](#)). Although the second wave of the outbreak proved to be more difficult and unpredictable to manage, by the time of the premier’s resignation in October 2021 (following corruption or ‘sleaze’ allegations), the spread of the disease was coming under control. Berejiklian’s calm, competent and transparent approach in daily press conferences held in the worst times resonated with the electorate. Public trust increased. As noted earlier, until COVID-19, Australians’ trust in ‘people in government’, ‘legislative assemblies’ (28 per cent), and ‘political parties’ (11 per cent) were at their lowest on record. The effective management of COVID-19 shifted public opinion at both the Commonwealth (up to the vaccine rollout) and state levels. In mid-year 2020, public confidence in the NSW government’s tackling of the disease was well below levels in three smaller and less affected states (the right most columns in [Figure 17.6](#)), but clearly above the very low levels in Victoria. Over the next six months, confidence in the Liberal-National state government increased, especially looking at the net strong approval rows (‘very well’ minus ‘very badly’) where net approval doubled.

As well as building public support despite long periods of lockdown and an upsurge in social protest, and later some political uncertainty over the premiership change, NSW ministers also proved transparent in terms of their willingness to reflect on the government’s performance in managing the pandemic crisis. Relatively few major outbreaks of the disease happened, but in all over 2.2 million cases of COVID-19 occurred by June 2022, as measured by an extensive testing programme ([NSW Health, 2022](#)). Over the pandemic period (2020–mid-2022) 7,300 deaths were attributed to COVID-19. NSW was also relatively quick to get going with vaccinations against COVID-19. By March 2022, more than 17 million shots had been administered, despite some anti-vaccine protests and conspiracy theories circulating on social media. The LC’s Public

Accountability Committee launched a long-running inquiry into a wide range of public issues and complaints over incidents throughout the period, but it was generally supportive of the government’s efforts.

Strengths, weaknesses, opportunities, and threats (SWOT) analysis

Current strengths	Current weaknesses
AV elections for the lower house LA have regularly awarded majorities of seats to whichever of the top two parties is ahead in the two-party preferred vote, fulfilling their majoritarian rationale.	AV tends to slightly over-reward the largest party in primary votes with LA seats, at the expense of the Greens and smaller parties.
STV elections for the LC clearly follow much the same trends as in the lower house, but match the seats shares of the Greens and smaller parties to their vote shares.	Which of the ‘Other’ parties wins LC seats is something of a lottery, shaped by close-to-election events and how minor party leaders agree that their unused votes should transfer from one to another candidate.
The majoritarian lower house LA and the proportionally representative upper house LC balance each other in realising different kinds of political benefits. The LA’s clear alternation of state premiers and ministers in office prevent democratic sclerosis, while the greater continuity in Council elections and the fact that no one party commands an LC majority helps to foster more consensual legislation.	Bargaining between ministers and smaller parties to secure a LC majority for their legislation can lead to ‘trades’ that look like ‘pork barrel’ politics (see Chapter 15) directing benefits to particular members’ areas.
Elections in NSW are free and fair, with strong quality assurance underpinning its electoral process through the independent Electoral Commission.	There have been no recent reviews of the NSW Constitution despite evidence of strong public support for constitutional change in two areas: protecting and advancing the rights of Aboriginal and Torres Strait Islander Peoples and support for a Bill or Charter of Human Rights (perhaps similar to that in neighbouring Australian Capital Territory (ACT)).
The NSW executive has mostly operated in ways that have been responsive and effective. The Liberal-National Coalition governments before 2022 effectively handled two of the most dramatic crises in recent Australian history. The NSW State Government has demonstrated significant transparency in articulating its governing vision, priorities and outcomes. Sporadically arising integrity issues have not yet had adverse impacts on public trust.	State governments have continued to suffer from integrity problems, most notably the resignation of the state Premier Berejiklian (in October 2021) over failing to act impartially in the award of publicly funded contracts.

<p>The state parliament has been effective in holding the executive to account. The committee system is working well and generally meeting its objectives. The parliament responded well to the challenges of COVID-19. The committee system has discharged its functions effectively in terms of executive scrutiny.</p>	<p>Despite the development of a new ePetition platform, the state parliament still has a very traditional approach to connecting with NSW citizens and the quality of parliamentary debate is not measured in both Houses.</p>
<p>Political parties play an important role in promoting electoral competition and citizen participation.</p>	<p>Before 2023, NSW political parties performed badly in ensuring gender equality and First Nations representation in the membership of the parliament, but recent improvements have occurred (Gobbett, 2017).</p>
<p>NSW has a strong ICAC, which has repeatedly acted firmly against some significant problems of continuing corruption in state politics and public services, including investigating the state premier (Berejiklian) while she was in office (see above).</p>	<p>The independence of the ICAC could be threatened by the fact that ministers determine its finances, and by some party-politicised questioning of its powers and activities.</p>
<p>The NSW public service is leading the way in organising public service production around publicly valued outcomes and using digital technology and user-centred design to enhance the quality of delivery.</p>	<p>It is evident that integrity in public office in both the public sector and politics has become an issue of significant political salience.</p>
	<p>The capacity of the NSW State Government to respond to the challenges of recovery is undermined by the size of its tax revenue base. The gap between NSW's share of expenditure and share of tax revenue has widened more than any other advanced economy in the federation, and more than most unitary states tracked by the OECD.</p>
<p>In policy terms, the NSW State Government has performed relatively strongly in measures of urban economic development as measured by gross state income (GSI) per capita and employment. Other indices (such as Year 9 education outcomes, health costs, homelessness, and energy efficiency) have also fared well. NSW also has generally strong results on good governance (transparency and accountability), electoral integrity and public finance measures.</p>	<p>Compared to other states, the NSW State Government has performed relatively poorly in measures of regional development and employment, regional health outcomes, and urban housing stock and rental stress.</p>

Future opportunities	Future threats
NSW is uniquely placed to benefit economically from the global move towards carbon neutrality due to a large (and windy) land mass, high solar radiation, plentiful ocean access and strong human capital to form the basis of innovation in carbon abatement technologies and regenerative agriculture.	A coherent and coordinated strategy that defines clear goals and corresponding policy settings for the path to achieving net zero emissions is needed as soon as possible and preferably by 2050.
Outcome-driven policy, program and service management and measurement will lead to better outcomes for citizens and increased public sector productivity.	Policy-program-service fragmentation will continue to increase the costs of delivery and fail to deliver good outcomes for citizens.
Legislative and resource support for oversight and integrity agencies will enable the suppression of administrative and political misconduct.	Continuing pressure on transparency, oversight, integrity and accountability mechanisms might lead to a slump in or the collapse of public trust.
Regional growth in Sydney regional and coastal corridors provides an opportunity for attracting skilled migrants.	Lack of investment in regional infrastructure may undermine growth opportunities.
Bridging the capability deficits in the NSW Public Service is needed to build professional skills and a diverse and inclusive, digitally literate workforce, which is led with integrity and <i>communicates</i> with influence.	The state public service has sometimes failed to compete for highly skilled knowledge workers. A failure to address the issue of increasing wage inequality may also exacerbate the size of the urban and regional poor and undermine social cohesion.
There is potential to leverage off the NSW public service footprint to promote localism.	Continued disconnection of the ‘Sydney village’ from regional Australia leads to increased public distrust and escalating costs of delivery.
Building on successful COVID-19 experimentation may help establish new productive ways of working.	The escalation of the cyber-security threat to the security of the NSW government information management systems is worrying.
Exploiting the opportunities afforded by advances in digital technology could enhance real-time decision-making and improve the ‘end-to-end’ quality of the service experience.	The persistence of the US–China–Australia trade war meant that two-way trade with China declined 3 per cent in 2020, totalling A\$245 billion (Australia’s global two-way trade declined 13 per cent during this period).

The chapter will now consider four more detailed aspects of democracy in NSW – the state’s (static) constitution, how well parties have represented citizens and communities, the role of parliament in holding ministers to account, and the operations of the core executive and public services.

Constitutional containment

Normally written constitutions are made deliberately hard to change as a means of stabilising fundamental political arrangements against poorly considered or ill-advised changes. However, the NSW Constitution is relatively easy to change as the *Constitution Act 1902* can be modified by simple majorities of both Houses. Since 2019, two such changes have been made to the *Constitution Act 1902* by an ordinary amendment Act in Parliament, both of them responding to issues around the management of the COVID-19 pandemic ([NSW Legislation, no date](#)). One change in 2020 enabled persons previously required to be physically present under the *Constitution Act 1902* to be present in other ways (allowing MPs to attend digitally) and it also enabled Bills to pass without actually being physically presented in person to the Governor. After 18 months, these provisions were repealed and then extended via a new constitution amendment act ([NSW Government, 2021](#)).

With these minor exceptions, however, there have been no recent reviews of the NSW Constitution despite evidence of strong public support for constitutional change in two areas – protecting and advancing the rights of Aboriginal and Torres Strait Islander Peoples; and the idea of a state-level Bill or Charter of Human Rights, perhaps on the lines of those already on the statue book in Victoria, Queensland and the ACT (see [Chapter 3](#)).

Aboriginal and Torres Strait Islander Peoples

In 2023, there were 255,000 First Nations citizens in NSW, more than any other state by a long way, and five times the number in neighbouring Victoria ([Australian Bureau of Statistics, 2023](#)). First Nations Peoples formed 4.1 per cent of the state population, slightly higher than the national average. Some fairly recent NSW legislation promoted the rights of First Nations Australians, such as the *Aboriginal Languages Act 2017* ([NSW Government, 2017](#)). It provided for the establishment of an Aboriginal Languages Trust to facilitate and support Aboriginal language activities to reawaken, protect and grow them. It also mandated the development of a strategic plan for the further nurturing of these languages. This is an important issue for First Nations Peoples, since there are a great many Aboriginal languages (between 250 and 363), each freighted with distinctive cultural heritage and associated with a distinct community and area of the country. Historically many languages have been lost or are now spoken by very few people. In NSW there are three ‘living languages’ spoken by more than 100 people ([Wikipedia, 2023b](#)).

On the idea of a state treaty with First Nations Peoples, up to 2023 Liberal-National Coalition ministers had not commenced any process to negotiate such a treaty, in contrast to some other states and territories (for example, Victoria, Queensland and the ACT). However, the Labor opposition’s 2019 election manifesto included a commitment to begin a treaty process ([Guardian, 2018](#)). In March 2021, 63 per cent of NSW survey respondents supported a constitutional voice for Australia’s First Nations Peoples ([Deem, Brown and Bird, 2021](#)). In early 2023, the Coalition ruled out any state treaty with First Nations people ([Guardian, 2023a](#)). The state Australian Labor Party (ALP) manifesto included a plan for ‘a pathway to a treaty’ once in government ([O’Neill, 2023](#)), promising a year-long consultation process, set back by the loss of the national Voice referendum in 2023 (see [Chapters 3 and 4](#)).

Charter/Bill of Rights debate

Australia remains one of the few common law countries without a Bill of Rights, although Victoria, Queensland and the ACT have human rights acts (see [Chapter 3](#)). Surveys of Australian people have shown increasing majorities of respondents endorsing the idea of a Bill of Rights, with support growing especially among younger age groups ([Human Rights Law Centre, 2021](#)). However, the tradition of strong executive government in NSW has generally militated against either of the top two parties being keen to progress the issue at state level. A Standing Committee on Law and Justice was established in early 2001 to explore the case for a NSW Bill of Rights. In October the same year its report asserted that:

... it is not in the public interest to enact a statutory Bill of Rights. Its finding is based upon the undesirability of handing over primary responsibility for the protection of human rights to an unelected judiciary who are not directly accountable to the community for the consequences of their decisions. The Committee believes an increased politicisation of the Judiciary, and particularly the judicial appointment process, is a likely and detrimental consequence of a Bill of Rights. The independence of the Judiciary and the supremacy of a democratically elected Parliament are the foundations of the current system. The Committee believes both could be undermined by a Bill of Rights. ([Standing Committee on Law and Justice, 2001](#))

Thrust into renewed prominence by the COVID-19 experience, the rights landscape in NSW remains a complex and fragmented one to describe, but seems to work reasonably well in protecting mainstream rights ([Cho, 2022](#)) rather than the rights of minorities (see [Chapter 2](#)).

Political parties and community representation

Comparative evidence suggests that (in theory) parties and the politicians who represent them perform three sets of *overlapping* and *reinforcing* functions in a democratic political system – governance, community linkage and integrity roles. In terms of their governance role: they support the recruitment, selection and development of political leaders for government; formulate viable policy agendas and frame political choices; and form governments, or, when not in power, hold governments accountable. The community linkage role involves expressing broad values and ideological positions to capture the wider concerns of citizens and educating citizens about political issues. Traditionally this role would also include supporting the recruitment, selection and development of local political leaders. And, perhaps most significantly, political parties are supposed to be guardians of liberal democratic norms and values, organisations that uphold the highest standards of conduct in public life. This is termed the ‘integrity’ role, and it plays a crucial role in linking state and local politics and maintaining trust between government and citizen.

The evidence from NSW outlined above suggests it is the integrity role of parties that has been most in decline in state parties, below the level of legislators or ministers. Critics allege that the ‘New South Wales Labor Party is wildly corrupt’ and that ‘Thanks to gerrymandered and malapportioned [internal] party elections, the New South Wales branch is dominated by factional power brokers and bureaucrats’ ([Chiu, 2022](#)). In 2021, the ICAC investigated whether state branch

officials of the ALP, members of the Chinese Friends of Labor, political donors and others had entered into, or carried out, a scheme to circumvent prohibitions or requirements of the legislation relating to political donations. Other local-level scandals have related to Labor ‘branch stacking’ (artificially enlarging the membership to win a seat nomination) and allegations of Liberal Party members on a local council receiving funds to be friendly to a Sydney developer ([Australian Financial Review, 2023](#)). At the senior party levels, on the Liberal side several ministers were investigated by the ICAC during the 2019–2023 government and in 2021 the state premier resigned over misconduct. The ICAC later declared the misbehaviour involved as corruption after its investigation, a verdict that the new Labor premier refused to endorse to the media.

Integrity problems inside the top two parties have not translated into problems with elections themselves, however. The state’s independent Electoral Commission is responsible for conducting, regulating and reporting on general elections and by-elections for the NSW Parliament ([NSW Electoral Commission, 2023b](#)). Its brief includes:

- ✦ running independent, fair and accessible elections
- ✦ providing transparent processes and guidance to assist political participants (including candidates, parties, elected members, donors, third-party campaigners and lobbyists) to comply with their legal obligations
- ✦ publishing political donation and expenditure disclosures and registers of political parties, candidates, agents, third-party campaigners and political lobbyists
- ✦ engaging with the public to make it easier for people to understand and participate in the democratic process
- ✦ investigating possible offences and enforcing breaches of electoral, funding and disclosure, and lobbying laws
- ✦ maintaining the electoral roll.

The Electoral Commission compiles reports for parliament and maintains a register of political donations and electoral expenditure disclosures demonstrating that elections and the regulation of political parties are impartially conducted, with integrity ([NSW Electoral Commission, 2023c](#)).

As in other Australian states, the NSW political parties have played a critically important role in promoting electoral competition and citizen participation but have performed poorly on some ‘shaping’ aspects. For instance, in terms of ensuring gender equality in the legislature, [Figure 17.7](#) illustrates the scope of the continuing under-representation of women in parliament, with a 59/41 per cent male/female ratio in the LA, and a 71/29 per cent ratio in the LC ([Parliament of NSW, 2023](#)). Helped by setting a quota for women, Labor has been further ahead in ensuring equality in the LA, with the Liberals previously lagging. But the former Premier Gladys Berejiklian said that she was now open-minded on introducing quotas in the Liberal Party, because party targets to increase the number of women candidates had failed ([Sydney Morning Herald, 2021b](#)). In 2019, Berejiklian became the first female NSW premier to win a general election, a major milestone both for her personally and for NSW women in politics.

The representation of First Nations peoples, and those of Australian Chinese or Australian Indian identity, has historically been scarce in the membership of both chambers ([Parliament of Australia, 2017](#)). There were only two First Nations members of the NSW LA up to 2023, despite having the largest and fastest growing Aboriginal and Torres Strait Islander population in the country as a whole. There were no Australian Chinese or Australian Indian members, despite these groups being the fastest growing populations in NSW (and indeed across Australia).

Figure 17.7: Women members in the NSW Parliament in 2023

Party	Legislative Assembly (LA) (93 members)		Legislative Council (LC) (42 members)	
	2019–2022	2023 on	2019–2022	2023 on
Labor	17	22	4	6
Liberal	10	9	2	6
National	3	2	2	2
Greens	2	3	5	4
Others	1	2	1	2
All women	33 35 per cent	38 41 per cent	14 33 per cent	20 48 per cent

Source: **Parliament of NSW (2023)** ‘Women members in the NSW Parliament: statistics, as at 9 May’.

Parliament and the executive

As in other states, the LA is where the state premier and ministers sit and where the government party has normally had a majority, as it did this century up to 2019. Strong party whipping in the house means that executive decisions can be scrutinised by the main opposition at question time and in debates, but ministers are normally protected from any censure or criticism, unless on matters attracting bi-partisan dissent. Legislation also generally goes through the LA with only government-side amendments, but since bills also have to pass the LC, ministers may make more concessions with this in mind. This pattern changes somewhat when the governing party has no LA majority on its own, as is the case following the 2023 election, where Labor and Greens had to negotiate a coalition agreement. From 2019, the Liberal-National Coalition government previously had a majority of just one, but negotiated extra support from among the ‘other’ MPs to cushion this margin.

Debates in the LA pretty much follow the Australian norm of vigorous argument and language deployed in an adversarial manner, but rarely shedding much additional illumination on policy issues. There are exceptions to this pattern, often occurring where ministers introduce a bill ‘nailing their colours to the mast’ in the usual manner, but then run into difficulties with a powerful interest group linked to the governing party or crossbenchers. Blunt cites the example of the NSW Government’s Police Death and Disability Bill 2011, which saw a two-week period between the Bill being introduced and debate resuming. He writes:

During the intervening period there was clearly a great deal of activity, lobbying and negotiations, particularly involving the Police Association. Indeed throughout the final sitting week of the year, a negotiating team from the Police Association were frequently seen in the parliamentary cafeteria between meetings with cross bench members and government officials. (Blunt, 2014)

In May 2023, the new Assembly speaker, Independent MP Greg Piper, declared his intention to ‘bring the “bear pit” out of the gutter’, promising to ‘prioritise improving parliamentary workplace safety and removing the “venom” from debate’ ([Guardian, 2023b](#)). He also pledged action on issues about improper conduct towards women MPs and parliamentary employees raised in the previous period.

The full house LA debates are also underpinned by a well-developed and active committee system. In the 2015–2020 period, [Figure 17.8](#) shows that there were on average over 20 hearings, spanning nearly 80 hours and covering hundreds of submissions and witnesses. While the 2020–2022 pandemic had a significant impact on how the Committee system operated, activity levels stayed high, thanks to video-conferencing.

Full house debates are more restrained in the LC, as befits a house of review, and policy issues are sometimes better explored during the passage of legislation. The upper house also has a committee system that was very active in a scrutiny role over the COVID-19 period. The Select Committee on the LC Committee system reported in November 2016 that:

... the Legislative Council committee system is working well and generally meeting its objectives. Nevertheless, a small number of issues emerged during the inquiry requiring further attention. These include the perceived need for the Legislative Council to play a more significant role in legislative scrutiny, the framework for committee powers, the duration of Budget Estimates hearings and the efficacy of the government response process. (Parliament of NSW, 2016)

Figure 17.8: The activities of the NSW's Legislative Assembly committee system, 2015–2020

Activity	Five years, 2015–20	
	Total	Annual average
Submissions	3,178	636
Witnesses	1,145	229
Meetings	511	102
Hearing hours	391	78
Reports	147	29
Hearings	102	20

Source: Parliament of NSW (2016) Select Committee on the Legislative Council Committee System.

The Select Committee also noted that the quality of parliamentary debate is still to be measured in both houses with any degree of sophistication – an issue that all parliaments struggle with – which means that we do not have a complete data set on the quality of executive scrutiny (see also [Blunt, 2014](#)).

COVID-19 changes and connecting with citizens

Generally acting in a bi-partisan manner parliament responded effectively to the challenges posed by COVID-19. The lower house Speaker noted in his 2019–2020 Annual Report that ‘... the LA did far more than simply manage during the pandemic. Rather, the staff and Members of the Assembly used the opportunities of 2020 to innovate ...’ ([Parliament of NSW, 2020a](#)). This included using the change imperative of social distancing to modernise working practices through pairing arrangements, the development of a new e-Divisions app to support ‘walk-through’ divisions and reliable digital record-keeping, including a new Running Record. When the public galleries closed, the LA was also able to pivot live-streaming via social media and digitised video tours of the Chamber and hearings and meetings were transitioned to virtual platforms.

Possibly the most innovative response to COVID-19 by Parliament was the development of a new e-petitions platform described as a ‘Covid-safe opportunity for citizens to collect signatures digitally instead of in-person and on paper’. This engagement instrument will also help parliament to connect better with NSW citizens in remote and regional areas. However, despite

this recent advance Parliament still has a very traditional approach to connecting with NSW citizens. In 2020, the Parliament of NSW (2020b) published a Communications, Engagement and Education Strategy. However, there was general agreement that the state parliament had to improve its work in this area. The 2019–2020 Annual Report of the LA noted:

We have both a duty and a desire to engage with the public we represent and to ensure that they are aware of and understand the Assembly's role and work; and just as importantly that they are encouraged to get involved and participate in that work if they wish. It is only through promoting the work of the Assembly, building awareness of the benefits of a successful democracy, and providing real opportunities for engagement that trust and confidence in processes and the Parliament of NSW is maintained. Specific initiatives for 2020/21 reporting year will include developing a range of outreach activities in metropolitan and regional areas that connect people of all backgrounds with the Assembly, its Committees and our elected representatives. (Parliament of NSW, 2020a)

The core executive, premier and government

After the long-running, four-term Labor premiership of Bob Carr (1995–2005) subsequent premiers have served for shorter periods of three to four years at most, but the top two parties have alternated in power in longer blocks of time, each with several changes of premier along the way, Labor from 1995–2012, and then the Liberal-National Coalition from 2012–2023. Since the state government controls a broad range of services that matter a great deal to NSW citizens, running the government involves keeping track of multiple policy areas simultaneously.

The 14 top policy priorities of Gladys Berejiklian's premiership are shown in Figure 17.9 to demonstrate that every state government sets out highly specific policy pledges, focusing on precise deliverables and on a quantitatively specified level of improvement promised. This approach reflected her Liberal-National Coalition government's public face commitments to being transparent and 'business-like' in improving government efficiency. The new Labor government from 2023 is likely to follow a similar stance on both fronts, reflecting an NSW state tradition of ministers embracing specific targets that are publicised to voters.

In addition, in September 2021, the Liberal-National Coalition government also committed to its 'Net Zero Plan Stage 1: 2020–2030' as the foundation for NSW's action on climate change. It seeks to deliver a 50 per cent cut in emissions by 2030 compared to 2005 levels (up from a previous emissions reduction target from 35 per cent. This ambitious move came at a time when the Liberal-National federal government remained publicly split on the issue, reflecting Australian states' ability to 'nudge' Commonwealth policy along, and the 'competition by comparison' that goes on among states.

In part, this approach reflects the confidence that single party governments with strong majorities can have that their measures will pass parliament. Ministers are accountable via Question Time and Assembly debates, but unless there are internal differences within the governing party, they are safe in office and rarely need to backtrack on their announced policies. Ministerial turnover is also moderate, although changes of state premier normally trigger some other consequential movements of portfolios. However, the structure of departments has been relatively stable, with one major exception, the creation of Services NSW,

Figure 17.9: The 14 policy priorities of Gladys Berejiklian's premiership**Lifting education standards**

1. Increase the proportion of public school students in the top two NAPLAN [school assessment] bands (or equivalent) for literacy and numeracy by 15 per cent by 2023, including through statewide rollout of 'Bump It Up'.
2. Increase the proportion of Aboriginal students attaining year 12 by 50 per cent by 2023, while maintaining their cultural identity.

Keeping children safe

3. Decrease the proportion of children and young people re-reported at risk of significant harm by 20 per cent by 2023.
4. Double the number of children in safe and permanent homes by 2023 for children in, or at risk of entering, out-of-home care.

Breaking the cycle

5. Reduce the number of domestic violence reoffenders by 25 per cent by 2023.
6. Reduce adult reoffending following release from prison by 5 per cent by 2023.
7. Reduce street homelessness across NSW by 50 per cent by 2025.

Improving the health system

8. Improve service levels in hospitals: 100 per cent of all triage category 1, 95 per cent of triage category 2 and 85 per cent of triage category 3 patients commencing treatment on time by 2023.
9. Improve outpatient and community care: reduce preventable visits to hospital by 5 per cent through to 2023 by caring for people in the community.
10. Reduce the rate of suicide deaths in NSW by 20 per cent by 2023.

Better environment

11. Increase the proportion of homes in urban areas within 10 minutes' walk of quality green, open and public space by 10 per cent by 2023.
12. Increase the tree canopy and green cover across Greater Sydney by planting one million trees by 2022.

Better customer service

13. Increase the number of government services where citizens of NSW only need to 'Tell Us Once' by 2023.
14. Implement best-practice productivity and digital capability in the NSW public sector. Drive public sector diversity by 2025 through:
 - ✦ having 50 per cent of senior leadership roles held by women
 - ✦ increasing the number of Aboriginal Peoples in senior leadership roles
 - ✦ ensuring 5.6 per cent of government sector roles are held by people with a disability.

discussed later in this chapter. Apart from the considerable integrity issues affecting ministers and politicians discussed earlier, the executive and public services operate within the law. In fact, recent executive decision-making has only been legally contested once. In 2017, some councils successfully challenged in the courts the executive's policy of pushing ahead council mergers, an embarrassing defeat ([Sydney Morning Herald, 2017](#)). No proceedings against ministerial actions were initiated by the Law Enforcement Conduct Commission, the NSW Ombudsman, or the Electoral Commission.

The Grattan Institute's (2018) State Orange Book provided a comparative assessment of the policy performance of Australia's states and territories. As one of the largest and richest states NSW might be expected to have performed well, as indeed it did on measures of urban economic development (as measured by GSI per capita and employment), improving Year 9 education outcomes, keeping down health costs, combatting homelessness, and promoting energy efficiency. However, the state did poorly in measures of regional development and employment (in more rural areas away from the Sydney conurbation) and regional health outcomes, and while urban housing stock grew insufficiently the levels of 'rental stress' increased. NSW also had the strongest results on good governance (transparency and accountability), electoral integrity and public finance measures.

NSW is statistically the most affluent state in Australia with balanced income (12 per cent) and wealth (13 per cent) and contributes over 50 per cent of Australia's gross domestic product (GDP) (McCrindle, 2023). It has 7 out of 10 of the richest suburbs, the largest infrastructure investments in the nation and a broad base of industries (Canstar, 2024). However, the same ranking shows that it also suffers from significant urban and regional poverty with 8 out of 10 of the poorest suburbs in Australia. Sydney dropped from third to eleventh in the 2021, *Economist's* 2021 Global Liveability Survey (Sydney Morning Herald, 2021c), but soon returned to fourth in 2023.

Outcomes-driven public service production

In 2013, the NSW public services began an evolution of the previous administrative model, a change that reflected the improvements made in digital and online services delivery. In a large state with huge regional areas far from the nearest state offices it made sense to enhance online services. The state also created in-person 'one-stop shops' and smaller part-time hubs in more accessible towns. Key to these changes was the creation of a single agency, called Services NSW. It specialised in services delivery across multiple portfolios or conventionally separate policy departments, and its service remit and website always sought to avoid being 'siloed'. Over time, a larger share of state services moved over to delivery via Services NSW. The service reported high levels of customer satisfaction for consumers (82 per cent) and businesses (81 per cent) in 2020, up slightly from 2016 (NSW Public Services Commission, 2021). But it also reported that more could be done to improve interactions between government and consumers and businesses. Six years after its start the same core ideas were also picked up by the Liberal-National Coalition government at federal level:

Services Australia will pick up its lead from a similar organisation established by the New South Wales Government called Services New South Wales, which I think has been a very important reform in New South Wales and made dealing with government much easier,' Morrison said. 'That's what we want government to be for Australians, we just want it to be much easier. (Canberra Times, 2019)

The NSW public service is also committed to continuous improvement, periodically reflected in a range of commissioned reviews leading to tangible reforms in public service management and delivery, such as those on recruitment in 2018 and on state employment in 2020.

Australia has experienced over a decade of experimentation in outcomes performance management since the introduction of the Intergovernmental Agreement on Federal Financial Relations in 2008 heralded a new approach to negotiating, managing and monitoring the transfer of funds from the Commonwealth to the states and territories. In terms of better practice in Australia – the NSW government (working closely with Social Ventures Australia), has led the way in the transition to outcomes-driven performance management. Up to 2023, the NSW government had the most ambitious reform agenda, and had started reorganising its whole

governance system around the achievement of politically mandated outcomes through clusters of agencies with shared outcomes and accountabilities underpinned by outcomes budgeting (for example, the ‘stronger communities’ cluster ([Audit Office of NSW, 2019](#)). In 2020–2021, the NSW government also introduced outcome budgeting ([NSW Budget, 2022](#)). There were 37 agreed outcomes, which covered the totality of all government activity, and had embedded in them the premier’s 14 Priorities (see earlier, [Figure 17.9](#)).

Two senior NSW state government executives interviewed by the author in 2021 observed:

This has been the biggest reform of NSW government since Federation but has largely gone on under the radar. (Executive 1)

We feel empowered and liberated. We can focus on those things that matter most. It’s very motivating. (Executive 2)

In addition, all the state executives interviewed for this chapter viewed high-quality collaboration between government and the community of practice as the key to achieving good program outcomes. One commented: ‘It can only work through a co-governance approach.’ They also observed that the same trust systems need to be built between Commonwealth and state governments to join up information management systems to enable a whole-system approach to outcomes measurement: ‘This will allow us to target need and shift resources to where they can have best value’ (*Executive 3*). Public service officials argue that it is the performance (supply) of government that matters most in orienting the outlooks of citizens and building trust, together with commitment to procedural fairness and equality.

Vertical fiscal imbalance

Although NSW is the largest economic actor in the federation, like all other states (except West Australia) it is acutely dependent on Commonwealth government transfers, since the federal government collects most of the largest and most buoyant taxes (see [Chapter 16](#)). An increased vertical fiscal imbalance within the federation has been caused by the Commonwealth incrementally accreting economic power, by engaging in policy domains not conferred upon it by the Constitution and using funding agreements to control policy systems and indicative programs. OECD data shows that from 1995–2017, the state and local share of expenditure by all Australian governments increased by 4.7 percentage points, but their share of national tax revenues fell by 3.1 percentage points. The gap between NSW’s share of expenditure and share of tax revenue has widened more than any other advanced economy federation, and more than most unitary states tracked by the OECD.

In the aftermath of bushfires and COVID-19, the capacity of the NSW state government to meet the economic and social challenges of recovery was undermined by the restricted size of its tax revenue base. In August 2020, a Review Panel completed the *NSW Review of Federal Financial Relations*. It concluded that:

... state and territory governments (collectively, ‘the states’) confront a significant decline in their tax revenues at the same time as they inject all of their fiscal firepower into the economy to avoid serious economic collapse. They now face an era of higher debt, challenging their ability to sustainably deliver essential services and infrastructure. With economic recovery now a priority, the question facing the Review is how state governments can provide taxpayers with reliable, quality government services, while keeping the taxes they pay as low as possible. (Thodey, 2021)

Conclusion

The evidence presented here suggests that the NSW Government appears Janus-faced, like its former premier, Gladys Berejiklian. She will be remembered as an intelligent, resilient, calm and highly effective politician caught up in a tissue of minor lies against her better judgement. The democratic system will of course survive, but this and other scandals have done nothing to quell the view that NSW politics continues to be a ‘honey pot for the needy and greedy’ at a time when it needs the moral authority to rise to the great challenges, from climate change to inequality, that they must confront. It is evident that a lack of integrity in public office in both the public sector and politics has become culturally embedded and is an issue of significant political salience. Nor is the composition of the NSW government and parliament yet representative of the community it serves either in gender or ethnic terms.

However, the state election of 2023 showed that voters were aware of problems and were prepared to take enough action to ensure that course corrections occurred. And perhaps change may also happen in the newly ‘hung’ legislature. In many other respects, NSW democratic institutions are in good shape with free and fair elections, close legislative, media and social media scrutiny of ministers, and an executive that has publicly committed to being accountable, transparent, responsive and effective. The NSW system of justice and integrity agencies has proved robust, independent and fair, and the public services have generally been run professionally and with some innovation and creativity.

Note

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