

Political Staff in Parliamentary Government

From backbenchers, to cabinet ministers to first ministers, parliamentarians rely on the assistance of political staff to fulfill their role's many responsibilities. Yet staffers' roles in parliamentary democracy are not well understood. Noting the growing number of ministerial staffers and a similar growth in the perception of their influence over government decision-making, on March 18, 2016, the Canadian Study of Parliament Group convened a seminar featuring two panels of current and former political staff, public servants and academics to examine the role of staffers and their interactions with the public service. Panelists were also asked if they believed reforms were required to address the unique position that political staff hold in relation to parliamentary government.

Will Stos

First Panel

David Zussman, a University of Ottawa professor of public sector management and author of *Off and Running: The Prospects and Pitfalls of Government Transitions in Canada*, told the audience that previous research he had conducted for the OCED revealed other jurisdictions were having similar conversations of concern about the growing role of political staff. Calling the topic, "a legitimate and important area of study because it raises some very significant governance issues," Zussman explained that political staff play a complementary role to public servants and they are not necessarily in competition with each other.

Using a prime minister's staffing as an example, Zussman outlined three models to illustrate how this relationship can work in practice. A collaborative model would find the Prime Minister's Office (PMO) and the Privy Council Office (PCO) discussing and debating ideas together which would be presented to a prime minister. A triangular model would see the PMO and PCO work beside each other and not together to propose actions. Finally, a gatekeeper model would find the PCO working through the PMO to get advice through to a prime minister. All three models have been present in Canada, he told attendees, and no one model is better than another.

Calling political staff more knowledgeable than ever before, Zussman noted that the public service, which

used to generate ideas, is now more geared towards implementation and it no longer has a monopoly on input into policy. Turning his attention to possible reforms, the professor stated that the appointment process of political staff did bother him. Governments tended to make very quick appointments following an election – especially if they were not expecting to win. He suggested that employing something like the Public Service Commission to facilitate the process would bring some more order to hiring and ensure a public posting of job descriptions. Zussman also noted that the federal *Accountability Act* had done away with 'priority status' for former political staffers transitioning into the public service. He argued that it was a mistake to eliminate this status because many bright public servants who had started as partisan staff in the past were always hired at the appropriate levels.

Presenter Liane Benoit, Founder and Principal at Benoit and Associates, first began studying the history of political staff for the Gomery Commission and recalled that there was little to no academic literature available.

She explained that political staff are a convention, and there is no constitutional authority for them. They act as a proxy for ministers and, while they are essential, ministerial responsibility cannot be delegated to them.

Benoit offered an example of how the public service and political staffers both contribute to policy decisions. If the public service gave a minister advice about closing an air base and presented numerous options about possible locations, political staffers

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CSPG board member Carissima Mathen introduces panelists (left to right) David Zussman, Liane Benoit and Lynn Morrison at the CSPG seminar on political staffers.

might decide based on political concerns. They might say, “We can’t close Goose Bay, we only won by 1,000 votes last time and it’s a depressed area. Let’s close Cold Lake in Alberta instead. We’ll never win there and the area can recover faster.”

According to Benoit, modern political staff first emerged under Lester Pearson. Benoit suggested the academic literature also begins during this period in 1964 with Prof. J.R. Mallory after the Rivard Affair ignited debate on political staff. Mallory argued these staff lacked the level of training present in the public service, were inept and wielded power clearly tainted with political motive. But political staffers rebutted these arguments.

Although Pierre Trudeau reduced their salaries to dissuade political staffers from staying in their jobs for long periods of time, their numbers grew. Brian Mulroney brought about the ‘Age of the Chief of Staff’ where a robust political staff was installed to counter the perceived Liberal-oriented public service. Jean Chretien swung the pendulum back and reduced chiefs of staff to executive assistants; but public servants had difficulty with the change because they were used to the increased role of the chiefs of staff. The Martin era emerged around the time of Savoie’s ‘court government’ theory, she added.

Benoit told the audience that the old saying ‘first rate ministers have first rate staff, second rate ministers have third rate staff,’ does have some merit and suggested that good training and consideration of the age and experience of staff are important aspects of hiring. She contended the PCO guidelines from 2004 about what political staff can do relating to the public service are not respected in spirit and encouraged research on the doctrine of plausible deniability.

Benoit concluded with a call for a Canadian version of the White House Interview Process. Interviews with presidential aides going back six decades were put in reports to create an institutional memory. Benoit said a ‘Ministerial Staff Heritage Project,’ would be a worthy undertaking.

Lynn Morrison, the final member of the first panel, recently completed her term as Ontario’s Integrity Commissioner, a position which allowed her to meet with all incoming MPPs about their financial background. She told the conference that she used these meetings as an opportunity to meet and chat with MPPs about their job, obligations, transparency, etc. However, she did not have the same opportunity to meet with political staff to discuss similar issues.

During her investigations into Ontario’s gas plants, she found political staff had ignored long-established procedures and put party interests ahead of public interest. This privileging of partisanship over the public good might be one reason polls have found voters have great distrust of politicians and why one 2014 poll showed 40 per cent of voters don’t trust political staff.

Morrison then presented five recommendations she made as a part of her March 10, 2015 report:

- Establish one set of rules for employees in the office of all MPPs
- Provide written job descriptions and regular performance appraisals. She revealed that not one staffer she interviewed could provide a written job description. She said she does not believe the positions are so important and special that such a description could not be written and added that since her report was released, job descriptions were now available at Queen’s Park.

- Provide mandatory training. She found that loyalty above all else was seen as the key when hiring. Training sets the standard, and should be done on annual basis.
- Provide clarity to the rules on political activity. She distinguished between political and partisan work – she believes too often there is a concern about optics over public interest.
- The leaders must lead. Morrison stated that ministers, MPPs must take a leadership role in ensuring staff understand and follow the rules.

She concluded by quoting former Integrity Commissioner Greg Evans' line: 'Integrity is doing the right thing even when no one is looking.'

In discussion that followed the panel, audience members asked about how ministers and MPPs might be able to lead and train staff if they had no previous experience in government or with human resources. Morrison noted that training was provided to them at Queen's Park, but it was not mandatory.

Another questioner described the two spheres at work – the permanent government/public service and the temporary government/ministers/political staff – and expressed concern that Zussman seemed to talk about the public service as just the implementers of policy. Zussman stated that the past (federal) government had a very clear policy agenda and the public service's policy agenda atrophied. Instead, the public service became very good at implementation. He said there was an imbalance struck compared to the public service's historic role that requires a rebalancing.

Second Panel

The seminar's second panel featured three current or former political staffers who shared insight into their on-the-job experiences.

A former provincial minister in Ontario who had his own political staff, John Milloy also personally experienced the job of a political staffer in the pressure-filled role "issues manager" for Prime Minister Chretien. Milloy, who is also an assistant professor of public ethics at Waterloo Lutheran Seminary, explained the positives and negatives of political staff, noting they make it possible for parliamentarians to fulfill their many responsibilities but also can become a group of unelected people who send policies forward and prevent access of others.

He also raised the question of who is actually in charge –parliamentarians or their staff. He recalled a situation during the gas plant fallout, on record in the *Toronto Star*, when it was reported that a member of the premier's office staff sent an email from to the premier's press secretary which tried to prevent him from speaking to the media.

Milloy sympathized with staffers who now struggle to find employment in related fields. He said it has been a mistake create lengthy cooling off periods for these staffers because potential staffers must now worry about what they can and can't do following their employment. He also noted that politics is about power and survival and reform initiatives don't necessarily appreciate this. He suggested that centralization of messaging/policy in the premier's office is necessary to keep things afloat, particularly since the permanent campaign is now a fact of life in politics.



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Paul Wilson the CSPG audience from the podium as (left to right) CSPG board member and moderator Anna L. Esselment, John Milloy and Theresa Kavanagh listen.

Milloy argued that the best way to combat concerns about the power of political staffers would be to curb the permanent campaign by potentially banning partisan advertising on TV and radio during non-writ periods, setting stricter spending limits and reducing the need for party fundraising required to fund these activities.

He concluded that while political staffers do play an important role, and he gained lots of experience while working as a staffer, ultimately the inexperience of many staffers shows through and in no other workplace would such employees get so much power so quickly.

Paul Wilson, a professor at Carleton University's Clayton Riddell School of Political Management and former Conservative staffer, began his presentation by picking up on a point made by Morrison earlier in the morning – most people don't trust political staffers. "Why would they trust them?" he asked, listing examples of negative media portrayals of political staffers.

Nonetheless, Wilson argued political staffers are legitimate and essential support for ministers. He also noted that there had been a lack of differentiation of political staff in the presentations thus far with a focus on ministerial staff instead of members' staff and suggested we might benefit from a "Hinterland's Who's Who of staffers."

Wilson told the audience that there are clear differences between policy staffers who operate as marathon runners and explore grey areas versus issues management staffers who might only be concerned with how to get through the day or even Question Period and only want the main lines to get across, not all of the detail. Meanwhile, MPs' staffers don't have the resources they really need to handle the heavy lobbying individual parliamentarians now face. MPs' staff are almost totally ignored in the scholarly literature, he added

Wilson concluded that without political staffers ministers would cede their ability to make policy decisions to the public service. These staffers act as a necessary triage.

The final presenter, Theresa Kavanagh, a logistics officer for NDP Whip's office and long-time Hill staffer, expressed her support for Benoit's Heritage Project idea, noting that every new government reinvents the wheel.

Kavanagh had initially entered politics as an NDP candidate in 1988, but she became a staffer for an MP. She said a good staffer is observant and needs a good core of ethics, not necessarily training with course work. However, she mentioned the Library of Parliament offers very good training programs for new staffers. Although an earlier presenter highlighted the lack of written job descriptions for staffers, Kavanagh told the audience that the NDP, with a unionized workforce, has job descriptions and seniority which provides some job security for staffers.

Although ministers' staffers tend to have more of a role in policy development, she suggested that MPs' staffers work on Private Member's bills that often plant seeds for future government legislation.

Kavanagh concluded by repeating an earlier point about political staffers having a gatekeeping role, sometimes concerning the public service, but also with respect to managing the media.

In discussion following the second panel, Milloy was asked about changing political staff behaviour by changing the incentives. Milloy said the incentive is always to win and tombstones of political careers won't say "they did the right thing." He said that while most political staffers talk about leaving for other fields, they tend to stay on, so there is a need to win to stay employed. Milloy said his idea of getting rid of political fundraising might be radical but it would dramatically shift the culture. He suggested that when you "follow the money," fundraising is at the heart of many political scandals.

Kavanagh was asked if unions for political staff impede need for occasional change in culture and youth enthusiasm in politics. She responded by stating that turnover is going to happen regardless and in her office, and in other parties without unions, there's always a mix of experience and youth. Unions simply offer a different form of workplace protection, she contended.

Milloy and Wilson, who worked as ministerial staffers, were asked they had a positive relationship with public servants? Wilson, who often worked with senior public servants, said that when he started in the Justice ministry, the Conservatives were skeptical about public servants being Liberal; but he was very impressed with the quality of advice. While the public service is bringing forth analysis and advice, Wilson said political staff has a job to make sure the best advice is coming up to ministers.