



Unit 12: Federalism v Westminster Year 9 - C & C Strand: Laws & Citizens

Topic 9.2: Federalism v Westminster

## The principles of the Westminster system of responsible government

The Westminster system of responsible government developed haphazardly over centuries in what was to become the United Kingdom. The essence of it is that the executive government is formed by the parliamentary members of the political party which commands the confidence of the lower House of Parliament and must remain responsible to the Parliament throughout its term.

### The development of responsible Government in Australia

Prior to the arrival of the British in Australia, Aboriginal and Torres Strait Islander peoples had their own systems of government, which did not involve direct election of representatives or a legislature. The first governmental system imposed by the British was largely autocratic, with the Governor holding most power. There was no legislature in New South Wales until 1823, but even then its members were appointed by the Governor, rather than being elected.

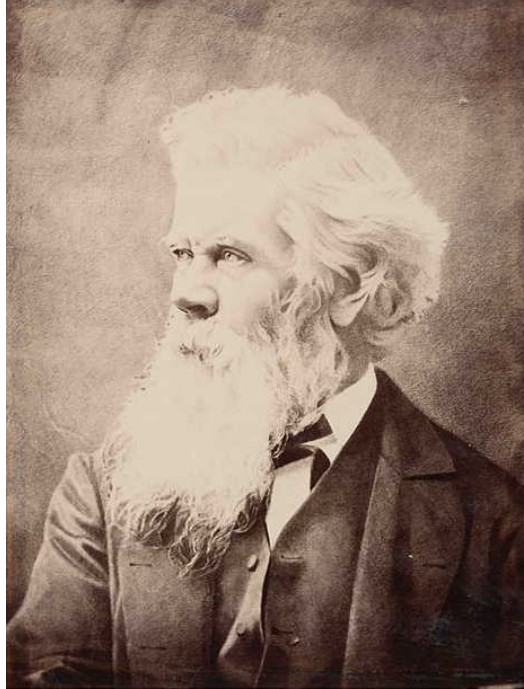
'Representative government', under which the people are able to elect their own parliamentary representatives, did not arrive in New South Wales until 1842. From then, two-thirds of the members of the Legislative Council were elected, but one-third was appointed by the Governor and comprised the Executive Government.

During the 1840s, the colonists in New South Wales campaigned for a system of 'responsible government'. To them, this term meant two things – election by the people of representatives who formed the executive government, and local autonomy. The NSW colonists were fed-up with their laws and policies being overridden in the United Kingdom, through the exercise of the power to disallow laws, the refusal royal assent to them and instructions being given to the Governor on policy matters.

*The Palace of Westminster, London, where the United Kingdom Parliament meets. Simon de Montfort's parliament met at the Palace in 1265. The 'Model parliament', which was the first official Parliament of England, met there in 1295. Since 1707, all British Parliaments have met at the Palace of Westminster.*

*Source: Wiki Commons*





*Sir Henry Parkes: First elected to Parliament 10 June 1854. He served five terms as the NSW colonial Premier between 1872 and 1891. If added together, this made him the longest serving Premier for NSW.  
Source: Wiki Commons*

But when the colonists petitioned the British for 'responsible government' in 1844, their request was rejected as being 'abstract' and 'vague'.

The colonists did, however, have some supporters in the British Parliament. Sir William Molesworth, for example, argued that it was a 'fundamental axiom of constitutional government that no man ought to be entrusted with irresponsible power'. He pointed out that the British Colonial Office was not responsible to the colonists, and that while it was technically responsible to Members of the British Parliament, they were not responsible to the NSW electors. He proposed reforms that would have given NSW autonomy on local matters, but they were rejected by the British Parliament.

The colonists again petitioned in 1852 for local responsible government. They demanded the 'same power of self-government which is possessed by our fellow countrymen at Home'. This included a government comprised of ministers responsible to Parliament, and a Governor who acted upon the advice of responsible ministers, rather than Instructions from the Colonial Office in London. This time the British Government was more conciliatory. It was prepared to accommodate a system of responsible government within the colonies, and make some other concessions, but it insisted on retaining its power to disallow laws, refuse assent to certain bills and to give instructions to the Governor.

The consequence was that the type of 'responsible government' established in some of the Australian colonies in the 1850s under their new Constitutions mirrored the British

system of government, except that while the Governor primarily acted upon the advice of local responsible ministers, on occasion he could be instructed by the Colonial Office in London, and laws could still be disallowed in the United Kingdom. It was this form of responsible government which was also adopted by the Commonwealth Constitution at the time of federation, with the British overriding controls being gradually limited by convention. Remaining British controls over the States were removed by the *Australia Acts 1986*.

## **The basic principles of the system of responsible government**

The key principle of responsible government is that those who are in charge of the government and public service departments (i.e. ministers) are responsible (i.e. accountable) to the Parliament, and through it to the people.

A minister may be a member of either House, although customarily the Prime Minister is a member of the lower House. At the Commonwealth level, section 64 of the Constitution establishes a grace period of 3 months in which a minister must become a Member of Parliament, but a person cannot remain a minister for more than 3 months without being a Member of Parliament.

Not all States have a constitutional requirement that a minister be a Member of Parliament, but in practice they are. This is because under the constitutional principle of responsible government, the minister must be responsible to Parliament. That means he or she must be able to be questioned by a House (eg in Question Time), appear before parliamentary committees (such as Estimates Committees), present, debate and defend bills within his or her portfolio, and be subject to censure by a House. It would be difficult to arrange matters so that a Minister who was not a Member could still exhibit adequate responsibility to Parliament.

Under a system of responsible government, the person who 'commands the confidence' (i.e. holds the support) of the lower House of Parliament is commissioned to form a government. In practice, the government is formed by the leader of the political party, or coalition of parties, that holds a majority of seats in the lower House. He or she is commissioned by the Governor-General to become Prime Minister and form a Government.

The Prime Minister then advises the Governor-General which Members should be appointed as ministers to hold which 'portfolios' (i.e. responsibility for particular subject matters, such as 'Minister for the Environment').

Ministers are individually responsible to Parliament for the running of their Departments and agencies and for the policies and mistakes made within their portfolio. Ministers are also collectively responsible for the policies of the government as a whole.

If the Government ceases to command the confidence of the lower House, it must either persuade the Governor-General to grant it a dissolution of Parliament and an election, or it must resign.

A loss of confidence can be indicated by a direct 'no-confidence' vote passed by the lower House, or by other means such as defeat on the passage of a money bill (i.e. a bill on tax or spending) or a bill of major importance, or by the Opposition taking control of the business of the lower House. A government is not required to command the confidence of the upper House, but it does need to secure the passage of supply (i.e. be granted by Parliament the money needed to govern). This can lead to conflict if the upper House has the power to block supply.

The Governor-General is obliged by constitutional convention to act upon the advice of his or her responsible ministers in relation to almost all matters (except when exercising the 'reserve powers', such as the appointment and dismissal of the Prime Minister and the refusal of a request for an election). This obligation ends if ministers cease to be 'responsible' (eg because the lower House has voted to show it has no confidence in them).

A change of government can occur without an election, if the government resigns (eg because it has lost the confidence of the lower House) and another government can be formed which commands the confidence of the lower House – but this is rare.



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## The formation of government: Introducing responsible government and representative government (Student Resource)

Australia's system of government is founded in the liberal democratic tradition. Based on the values of religious tolerance, freedom of speech and association, and the rule of law, Australia's institutions and practices of government reflect British and North American models. At the same time, they are uniquely Australian.

One of the oldest continuous democracies in the world, the Commonwealth of Australia was created in 1901 when the former British colonies – now the six states – agreed to federate. The democratic practices and principles that shaped the pre-federation colonial parliaments (such as 'one man, one vote' and the beginnings of women's suffrage) were adopted by Australia's first federal government. The Australian colonies had inherited an electoral tradition from Britain that included limited franchise and public and plural voting. Abuses such as bribery and intimidation of voters stimulated electoral change. Australia pioneered reform that underpin the electoral practices of modern democracies.

In 1856, Victoria, Tasmania and South Australia introduced the secret ballot, which became known throughout the world as 'the Australian ballot'.

*Prime Minister Anthony Albanese formed government on May 23, 2022, with the full ministry being sworn in on June 1 2022  
Source: Anthony Albanese Twitter*





*The House of Representatives (Left) and the Senate (Above) Chambers in Parliament House Canberra*  
Source: Wiki Commons

In 1856, South Australia also eliminated professional and property qualifications and gave the vote to all adult men. From 1895 adult women could vote in South Australia. In the 1890s most colonies adopted the principle of one vote per person, stopping the practice of plural voting.

Australia's government is based on a popularly elected parliament with two chambers: the House of Representatives and the Senate. Ministers, who sit in these chambers, conduct executive government, and policy decisions are made in Cabinet meetings. Apart from the announcement of decisions, Cabinet discussions are not disclosed. Ministers are bound by the principle of Cabinet solidarity, which closely mirrors the British model of responsible Cabinet government.

Although Australia is an independent nation, King Charles III of the United Kingdom is also formally King of Australia. The King appoints a Governor-General (on the advice of the elected Australian Government) to represent him. The Governor-General has wide powers, but by convention acts only on the advice of ministers on virtually all matters.

## Frequent elections

A federal general election must be held within three years of the first meeting of a new federal parliament. The average life of parliaments is about two-and-a-half years. In practice, general elections are held when the Governor-General agrees to a request from the Prime Minister, who selects the date of the election.

The governing party has changed about every five years on average since federation in 1901, but the length of hold on government has varied greatly. The Liberal Party led a coalition with the longest hold on government - 23 years - from 1949 to 1972. Prior to World War II, several governments lasted less than a year, but since 1945 there have been only eight changes of government.

## Voting

It is compulsory for citizens aged 18 years and over to vote in federal and state elections, unless they are disqualified for some reason (eg certain prisoners). Failure to vote without a reasonable excuse, such as illness, may result in a small fine or prosecution. Compulsory voting is required by legislation and is not specified in the Constitution.

## Parties

In comparison to some other countries, Australia's political parties and their internal operations are comparatively unregulated, but internal party discipline is extremely tight. There is an official system of party registration and reporting of some party activities through the Australian Electoral Commission and its state and territory equivalents.



## The Basic Principles

Governments are ordinarily formed after an election, once the result is known. The Australian Electoral Commission (AEC) is responsible for counting all votes and announcing the results. Usually, the swearing-in of the ministry is held when counting has been completed (unless an interim ministry is sworn-in in the meantime).

A government may also be formed in the middle of a parliamentary term, if the previous government resigned or was dismissed.

The primary convention of the system of responsible government is that the government must 'command the confidence' of the lower House. This means that, at the very least, it must be able to get Parliament to pass the appropriation bills which provide the government with the money needed to run the Government. This is known as the passage of 'supply'. If a government cannot convince Parliament to let it have the money necessary to pay public servants and fund the functioning of the government, then it cannot govern. It must either resign or go to an election.

After an election the person who leads the political party or coalition of parties which 'commands the confidence' of the lower House of Parliament is commissioned to form a government. Ordinarily, this will be the leader of the party or coalition of parties which wins a majority of seats in the lower House. It is irrelevant which party won the most votes overall in the election, or the greatest proportion of the vote.

*Prime Minister Albanese with President Biden  
at the AUKUS meeting in San Diego, USA  
March 2023*

*Source: Anthony Albanese Twitter*

The only relevant issue is the number of seats won in the lower House, as this is the primary indicator of who commands the confidence of the lower House.

After the federal election on Saturday May 21, 2022, it became clear the Labor Party (ALP) had won enough seats in the House of Representatives to govern in its own right. The next day, Sunday May 22, the outgoing Prime Minister, Scott Morrison, resigned on behalf of the Government and the Governor-General, David Hurley, swore in the new Prime Minister, Anthony Albanese, and four key Cabinet Ministers, as an interim ministry until the full ministry could be later sworn-in.

This allowed the new Prime Minister and Foreign Minister to attend an important international summit, known as 'the Quad' in Japan along with the President of the United States, Joe Biden, the Prime Minister of Japan, Fumio Kishida and the Prime Minister of India, Narendra Modi.

The full Albanese ministry was later sworn-in by the Governor-General on June 1, 2022.





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## The formation of governments: Introducing responsible government and representative government (Teacher Resource)

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*Prime Minister Anthony Albanese formed government on May 23, 2022, with the full ministry being sworn in on June 1 2022  
Source: Anthony Albanese Twitter*





*The House of Representatives (Left) and the Senate (Above) Chambers in Parliament House Canberra  
Source: Wiki Commons*

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### **If the incumbent wins**

If an election is held and the party that was in government when the election was called wins a majority again in the lower House, then it continues to govern. Depending on the practice or law in the relevant jurisdiction (see, eg Tasmania, which requires fresh ministerial appointments to be made post-election), the Prime Minister or Premier may simply continue governing with his or her existing ministry.

More commonly, however, he or she will resign and be reappointed as Prime Minister or Premier. The resignation of a Prime Minister or Premier includes the resignation of the entire ministry. This means that when the Prime Minister or Premier is reappointed, he or she can advise on the composition of a new ministry, rather than making messy individual changes. It also gives the community the visual imagery of a fresh start, with a new government being sworn in.

For example, when the Morrison Government won the 2019 election, the Prime Minister, Scott Morrison, [wrote to the Governor-General](#) on 29 May 2019 advising him that as he wanted to make some changes to his ministry, he wished to tender his resignation as Prime Minister, including that of his present ministry, and to be appointed again as Prime Minister. He would then advise the Governor-General of the appointment of a new full ministry, as set out in the list attached to his letter. He also attached a letter from the Leader of the National Party confirming that Mr Morrison had its support in the formation of a Coalition Government under his leadership. This was necessary to show to the Governor-General that Morrison would continue to command the confidence of a majority in the House of Representatives.

### **If the Opposition wins**

If the Opposition wins the election, then by convention, the Prime Minister or Premier should resign. The Governor-General or Governor cannot fill the position of Prime Minister or Premier unless it is vacant. Until the outgoing government resigns, it acts as a 'caretaker' government, which means that it does not make any major decisions that would bind the incoming government, without consulting it.





*Prime Minister Albanese with President Biden  
at the AUKUS meeting in San Diego, USA  
March 2023*

*Source: Anthony Albanese Twitter*

There is also a convention in Australia that there should not be any period in which there is no government in office. The switch from one government to the next should be immediate, with no gap in-between. Accordingly, a defeated Prime Minister or Premier will write a letter of resignation to the Governor-General or Governor, but state that the resignation shall not take effect until immediately before the new Prime Minister or Premier is sworn-in. This avoids any problems that might arise if there were a period during which no one was able to exercise ministerial powers to deal with an emergency.

Sometimes when an Opposition wins an election, it is not ready to take over immediately, as it needs to sort out such matters as who will hold particular ministerial appointments. This can take some time, especially if the election results in some seats is being re-counted or challenged. It is therefore not uncommon for a government which has lost the election to remain in office, as a caretaker government, for more than a week after the election, until such time as the new government is ready to be sworn in.

For example, after the Howard Coalition Government lost the 2007 election and the Prime Minister John Howard lost his own seat, Howard remained Prime Minister, and his Government remained in office as a caretaker government, from election day on 24 November 2007 until the Rudd Labor Government was sworn in on 3 December 2007.

Sometimes the incoming government is in a hurry and wants the transition to occur earlier. This happened in 1972 when the Whitlam Labor Government won office. The election was held on 2 December 1972, and while it was clear that Whitlam had won, counting was continuing in some seats.

Ordinarily, the incumbent Prime Minister, William McMahon, would have stayed on as caretaker during that time, but Whitlam wished to start governing immediately. So on 5 December 1972, the Governor-General swore in a two-man Ministry, comprised of Gough Whitlam and his deputy Lance Barnard, with them holding all ministerial offices between them, until a new full ministry was sworn-in on 19 December 1972.

The same approach was taken by the O'Farrell Coalition Government in New South Wales in 2011. It had clearly won the election held on 26 March 2011, so rather than wait for the count to be finalised, Barry O'Farrell and his deputy Andrew Stoner were sworn in on 28 March 2011 to hold all ministerial offices until a full ministry was sworn-in on 3 April 2011.

After the federal election on Saturday 21 May 2022, it became clear the Australian Labor Party (ALP) had won enough seats in the House of Representatives to govern in its own right. The outgoing Prime Minister, Scott Morrison, resigned on behalf of the Government and on 23 May the Governor-General, David Hurley, swore in the new Prime Minister, Anthony Albanese, and four key Cabinet Ministers, as an interim ministry until the full ministry could be later sworn-in.

This allowed the new Prime Minister and Foreign Minister to attend an important international summit, known as 'the Quad' in Japan along with the President of the United States, Joe Biden, the Prime Minister of Japan, Fumio Kishida and the Prime Minister of India, Narendra Modi.

The full Albanese ministry was later sworn-in by the Governor-General on 1 June 2022.

## A reserve power

In appointing the Prime Minister or a Premier, the Governor-General or Governor is exercising a 'reserve power', because he or she is not bound to act upon ministerial advice in doing so.

The Governor-General or Governor is, however, bound by constitutional convention (not law) to appoint the person most likely to command the confidence of the lower House of Parliament. In ordinary times, everyone knows who that is, and there is effectively no real discretion in the choice. When there is a hung Parliament, however, it is a different matter.





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## The formation of Government in a hung Parliament

The formation of government becomes difficult when the election result is unclear. For example, neither major party may win a majority, leaving the balance of power in the hands of a number of Independents or members of minor parties (known as 'cross-benchers' because they do not sit on either side of the House, but across the middle of one end). The question of who commands the confidence of the lower House will then depend upon who the cross-benchers are prepared to support.

Alternatively, there may be three or more significantly sized parties, none of which holds a majority in the lower House, and the question is which of them is prepared to form a coalition, or support each other

### The incumbent's advantage

If it is clear, after an election, that the Government has lost and someone else can command the confidence of the House, convention requires the Government to resign. If the outcome is inconclusive, pending recounts or re-running failed elections, or there is a hung Parliament, the incumbent government (ie the existing government from before the election) remains in place until the Prime Minister resigns. The Governor-General cannot fill a vacancy until it exists.

If the Prime Minister resigns, then the Governor-General commissions as the new Prime Minister the person who is most likely to command the confidence of the House of Representatives (who is not necessarily the leader of the party that won the largest proportion of votes in the election).

But in the absence of a clear election result, the Prime Minister is entitled to stay on in office, leading a caretaker government, until he or she faces Parliament, leaving it to the House of Representatives to decide who commands its confidence.

First, however, the Government and the main Opposition party will usually negotiate with the cross-benchers who hold the balance of power.



*Senator David Pocock (far right) was a new independent elected by voters in the ACT, May 2022*

*Source: Australian Senate Twitter*



*Prime Minister Julia Gillard, Australia's first female Prime Minister, in 2010.*

*Source: Wiki Commons*



*Commonwealth Ministers after being sworn in by the Governor-General in June 2022*  
*Source: Anthony Albanese Twitter*

This is what happened after the 2010 election. Neither Julia Gillard's Labor Government nor Tony Abbott's Coalition Opposition won a majority in the House of Representatives. Labor won 72 seats, the Coalition won 73 (including one of its Nationals Members who said he would sit on the cross-bench), the Greens won 1 and there were 4 independents. The House of Representatives at that time had 150 Members. To get a majority, one side needed 76 seats. This would allow the Government to provide the Speaker (who only gets a casting vote) and still have a majority of 75 to 74 on the floor of the House. Negotiations took place over 17 days. Gillard managed to persuade the Greens Member and 3 Independents to support her Government on the issues of supply and confidence, giving her the 76 votes needed to command the confidence of the lower House. This was enough for her to form a new Government.

If, after negotiations, it appears that sufficient cross-benchers will support the Opposition so that it can command the confidence of the House, the Prime Minister (or in a State, the Premier) will usually resign, rather than face defeat in the lower House. This happened in Victoria in 1999. The election on 18 September 1999 produced a hung Parliament with 3 Independents holding the balance of power, and a supplementary election having to be held in one seat due to the sitting Member dying on polling day. The negotiations continued for four tense weeks, while also waiting for the supplementary election to be held.

Labor won the supplementary election on 16 October, and two days later the Independents agreed to support a Bracks Labor Government on confidence and supply. This caused the Premier, Jeff Kennett, to resign on behalf of the Coalition Government, rather than waiting for Parliament to sit and decide the matter

But if some uncertainty remains as to how Members will vote on confidence in the House, the Prime Minister or Premier is entitled to stay on to face the House, as long as this happens reasonably promptly. At the Commonwealth level, section 5 of the Constitution requires Parliament to be summoned to meet no later than 30 days after the return of the election writs (which formally record who has won each seat). This means that an incumbent Government could not just keep governing and avoid facing Parliament until the money ran out. Some, but not all States, have similar constitutional or legislative obligations to sit shortly after an election count is finalised.

What if a Premier, after an inconclusive election, tried to keep governing without summoning Parliament to sit? In such a case, the Governor would be entitled to warn the Premier that if he or she did not ensure that Parliament sat soon, the Governor would consider dismissing the Government and appointing someone else to form a Government who would give an assurance that Parliament would be summoned immediately to resolve the question of confidence. Facing such a threat, it is likely that the Premier would summon Parliament, rather than face dismissal.

## A vote in Parliament

At the South Australian 1968 election, both Labor and the Coalition (known as the 'Liberal and Country League') won 19 seats, even though Labor had won 53.2% of the two-party preferred vote and the Coalition had won 46.8%. This was because the electoral system suffered from malapportionment that favoured the Coalition. The remaining seat in the Legislative Assembly was held by an Independent, Tom Stott. The incumbent Premier, Labor's Don Dunstan, chose to face Parliament to determine the fate of his Government. Stott was appointed Speaker and in a tied vote on confidence, cast his vote to declare no confidence in the Labor Government and support the formation of a Coalition Government.

Dunstan resigned and the Coalition Leader, Steele Hall, was appointed Premier by the Governor, Sir Edric Bastyan. It has been alleged that Bastyan told Hall that he would commission him as Premier if he would give an undertaking to legislate to remedy the electoral malapportionment, even though it favoured his coalition of parties. Hall apparently gave the commitment and fulfilled it, costing him the next election.

In Tasmania in 1989, Robin Gray's Liberal Government won 17 seats, the Labor Party won 13 and the Greens won 5. Labor and the Greens formed an 'Accord', which would have allowed Labor to command the confidence of the lower House. Gray refused to accept this outcome and insisted on facing Parliament to determine confidence. The lower House then voted no confidence in Gray's Government and confidence in the formation of a Government by the Labor Leader, Michael Field.

Gray had seriously considered then advising the Governor to dissolve Parliament for a fresh election, rather than resigning when defeated on confidence. He had prepared a 26 page written advice to the Governor about it. But when he raised it in advance with the Governor, the Governor had warned that he would be unlikely to accept such advice.

The Governor has a reserve power to refuse a dissolution, and is particularly justified in doing so if an election has only recently been held. The vote of the people in an election must be given effect and cannot be overturned just because the incumbent Premier does not like the result. In the end, after a bribery scandal emerged, Gray resigned, rather than advising a dissolution.



## Topic 9.2: Lesson/ Activities Four

The Westminster system and the  
formation of government



AUSTRALIAN  
CONSTITUTION  
CENTRE

Time/Lesson	Learning Goal
<ul style="list-style-type: none"><li>1 hour/ 1 Lesson</li></ul>	<ul style="list-style-type: none"><li>To understand the basic principles of the system of responsible government.</li><li>To understand how government is formed, including in a hung Parliament.</li></ul>
Rationale	Success Criteria
Students will better understand the system of responsible government under which they live and the way in which government is formed after an election, including when there is a hung Parliament.	Students can <u>explain</u> the basic principles of responsible government and how a government is formed after an election.
Teaching Reference Document	
<ul style="list-style-type: none"><li>TRD 109: The principles of the Westminster system of responsible government</li><li>TRDs 110 and 111: The formation of government - introducing responsible and representative government (student and teacher resources)</li><li>TRD 112: The formation of Government in a hung Parliament</li></ul>	
Resources	
<ul style="list-style-type: none"><li>Access to the internet for research</li></ul>	
Tuning In	
<ul style="list-style-type: none"><li><b>WATCH:</b> Video on hung Parliaments (Antony Green, ABC): <a href="https://www.youtube.com/watch?v=k-m_hsA6znQ">https://www.youtube.com/watch?v=k-m_hsA6znQ</a>; or Channel 9 summary of hung Parliaments: <a href="https://www.youtube.com/watch?v=SnOFBAekdRA">https://www.youtube.com/watch?v=SnOFBAekdRA</a></li><li><b>EXPLAIN:</b> Under a system of responsible government, the government is formed by the party or coalition of parties that holds majority support in the lower House. If no party or coalition does, there is a hung Parliament. Each side will seek the support of independents or minor parties to enter into a 'confidence and supply' agreement, guaranteeing the ability of the government to function.</li></ul>	
Teacher Instruction	
<ul style="list-style-type: none"><li><b>READ:</b> TRD 109: The principles of the Westminster system of responsible government.</li><li><b>ANSWER</b> Questions when reading: What does responsible government mean? Who gets to form a government after an election? Must a minister be a Member of Parliament? Who appoints the Prime Minister and what principle do they rely on? Who decides who the other Ministers shall be? Who advises the Governor-General? Can there be a change in government without an election?</li><li><b>READ:</b> TRD 112: The formation of Government in a hung Parliament</li><li><b>ANSWER</b> Questions when reading: What is a hung Parliament? What advantage does the incumbent Prime Minister have (i.e. the person who was Prime Minister before the election was held)? What is a confidence and supply agreement? Who are the cross-benchers? What if a defeated Prime Minister doesn't like the outcome - can they keep governing without facing Parliament or advise the Governor-General to hold a new election so the people 'get it right'? How might the Governor-General respond?</li></ul>	

## Group Independent Learning

**RESEARCH:** Ask students to research the 2010 hung Parliament and the Gillard minority government. Who agreed to 'confidence and supply' agreements with Prime Minister Gillard and why? What conditions did they impose in exchange for their agreement? (Note, one condition was holding a referendum on Indigenous constitutional recognition, although it didn't happen.) Were all those conditions met, and if not, why not? How productive was the Gillard minority government? Did it manage to get its legislation through Parliament, even though it did not hold majority support in either House? Did it make any significant laws (eg the introduction of the NDIS)? Was the hung Parliament good or bad for democracy? A good starting point for research is here: <https://theconversation.com/looking-back-on-the-hung-parliament-16175>.

## Wrapping It Up

**DISCUSS:** What makes the Government responsible to Parliament? How important is it that ministers can be questioned in Parliament and held to account by Members of Parliament? Compare with the US system where the President does not have to face and be questioned by Congress. Which system do you think is better?

## Differentiation/Enrichment

**EXTENSION:** Students research 'confidence and supply' agreements. What type of conditions tend to be included in them? Have they had long term effects in improving the quality of governance? A good starting point is: Inside Story: <https://insidestory.org.au/the-fabulous-fiftieth-nsw-parliament-and-other-minority-governments/>. Copies of such agreements can be found here: <https://www.parliament.nsw.gov.au/researchpapers/Pages/minority-governments-in-australia-texts-of-accor.aspx>.

## Assessment Strategies

Assess the research undertaken by students and their response to questions.

