

Forming power sharing government

An analysis of 25 power sharing parliaments in Australia shows that there is great variety in what crossbenchers negotiate in exchange for confidence and supply. Typical areas of negotiation are parliamentary reform, policy reform, more staff and resources and ministerial or presiding officer positions for crossbenchers.

Discussion paper

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Summary

The polling suggests that the upcoming 2025 federal election could result in a House of Representatives where no one party or existing coalition holds a majority of the seats. If so, the Prime Minister will depend on the support (or “confidence”) of some number of independent and minor party MPs on the “crossbench”.

A study of negotiations following 25 Australian elections where no one party won a majority offers some guidance to how power sharing negotiations may play out if the same occurs in the upcoming federal election.

- **Negotiations may take time:** Negotiations have sometimes been resolved in a matter of days, but can take weeks or months – or not formally conclude until Parliament sits. Most negotiations took at least two weeks.
- **Negotiations usually draw on many years of parliamentary experience:** Crossbenchers negotiating with the government often have many years of parliamentary experience collectively, even if some are newly elected.
- **Agreements take a variety of forms:** Some power sharing parliaments have negotiated formal charters or agreements that cover policy reform, changes to parliamentary processes, positions for crossbenchers and other undertakings. Others have operated on formal agreements but limited them to confidence and supply. Some proceed without any formal agreement.
- **Agreements may be with the unsuccessful major party too:** In some negotiations, crossbenchers reach agreement on reform with *both* major parties.
- **Crossbenchers do not have to go with the party that wins more seats:** A major party that holds more seats than its rival is in a better negotiating position – but by no means guaranteed success.

While Liberal and National power sharing agreements (called the Coalition Agreement) have always been kept secret, power sharing agreements between governments and the crossbench are often public – and even when not public have often been widely reported upon.

This public information gives insight into what crossbencher MPs might demand in exchange for their support. Across power sharing parliaments, crossbenchers have negotiated for:

- **Reforms to parliamentary process and procedure:** These include dedicated time for private member’s bills to be debated and voted upon; more productive Question Times; greater committee scrutiny of the government; fixed parliamentary terms; and Parliamentary Library expansions.

- **Staff and resources:** In a power sharing parliament, crossbenchers are a potential deciding vote on every motion and every piece of legislation. Crossbench negotiations often include new staffing arrangements, either on an ad hoc basis or by setting consistent rules.
- **Policy reforms:** Policy reform areas include elections, integrity, civil rights, support for the regions and environmental and climate policy, among many others.
- **Positions:** Speaker or ministerial positions are often allocated to crossbenchers.

And what can be expected of the power sharing parliament that results?

- **The parliament is likely to see out the full term:** Most power-sharing parliaments see out the full term (which is three years at the federal level). When the government does go to an early election, it is often for a perceived political advantage, not because the crossbench has become difficult to work with.
- **Power sharing parliaments help enforce ministerial responsibility:** The Westminster tradition of ministerial responsibility (or responsible government) has been enforced by crossbenchers.
- **Opportunities for crossbencher bills and amendments:** Outside of any agreement, crossbenchers can use the numbers in a power sharing parliament to pass legislation – including truth in political advertising laws, drug decriminalisation, sex work decriminalisation, abortion decriminalisation, voluntary assisted dying and the medical evacuation of sick refugees and asylum seekers.
- **Negotiations may continue through the Parliament:** In response to changing circumstances, the government, opposition or crossbench may renegotiate or void agreements. That said, power sharing parliaments very rarely replace the government as a whole.
- **Power sharing governments are competitive at the next election:** In just over half of all cases, the major party in government was re-elected at the conclusion of a power sharing parliament. In some cases, like Queensland in 2001, Victoria in 2002 and South Australia in 2006, the major party in government won in a landslide.
- **Winning majority is no guarantee of majority government:** Even if a power sharing parliament is not elected at the start of the term, there may be one midway through the term. Seven governments have lost their majority in the parliament during their terms since 2018, including at the federal level.

Introduction

Power sharing governments, including minority and coalition governments, are common in Australia, particularly at the state and territory level.¹

A federal election has returned a hung parliament (in which no party or coalition has a majority of seats) twice in the last 85 years: in 1940, where independents supported first the Menzies Government and then the Curtin Government, and in 2010, when Prime Minister Julia Gillard and Opposition Leader Tony Abbott worked to secure the support of enough crossbenchers to have a majority. Other power sharing governments have come about mid-term as a result of defections and resignations.

A possible outcome of the 2025 federal election is another parliament where no one party or coalition has majority. If that occurs, the incumbent Prime Minister Anthony Albanese will remain in office unless it becomes clear that he no longer enjoys the “confidence” of the House of Representatives – in other words, until a majority of MPs are not prepared to support him and his government. If he loses that confidence, Albanese will tender his resignation and Governor-General Sam Mostyn will call upon the person she thinks is best able to form stable government to become the next Prime Minister. Typically, this would be the Opposition Leader, Peter Dutton.

In the 2010 hung parliament, negotiations continued for over two weeks, suggesting that the crossbenchers considered their positions with care and the leaders of the two major parties remained viable options until the Greens and three of the four independents signed formal agreements with Gillard.

Menzies and Curtin governed without formal agreements with crossbenchers. In the states and territories, agreements and accords are common, though not a prerequisite for government.²

Since 1989, there have been 25 elections across Australia in which no one party or existing coalition won a majority of the seats. These are shown in Table 1, below.

Parliaments where the Liberal–National Coalition has a majority are a form of power sharing parliament, and the Coalition Agreements struck between Liberal and National leaders a form of power sharing agreement. However, these are not public which makes it difficult to

¹ Browne and Denniss (2024) *Power sharing in Australian parliaments*,
<https://australiainstitute.org.au/report/power-sharing-in-australian-parliament/>

² Madden and Horne (2010) *Hung parliament*,
https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook43p/hungparliament

assess them. For that reason, the only Coalition governments included in this analysis are those that depended on crossbenchers (which includes the WA Nationals).

Table 1: Hung parliaments since 1989

Election	Government	Type	Negotiations	Govt duration	Re-elected?
Qld 1998	Labor minority	Formal C&S	c. 10 days	2 yrs 8 months	Yes
Qld 2015	Labor minority	Formal C&S	5 days	2 years 10 months	Yes
NSW 1991	Liberal–National Coalition minority	Charter	18 days	Full term	No
NSW 2023	Labor minority	Informal C&S	2 days	Ongoing	N/A
SA 1989	Labor minority	Formal C&S	c. 11 days	Full term	No
SA 1997	Liberal minority	Formal C&S	Unknown	Full term	No
SA 2002	Labor minority	Charter	24 days to confirm	Full term	Yes
SA 2014	Labor minority	Formal C&S	8 days	Full term	No
WA 2008	Liberal–National coalition in minority	Loose coalition	8 days	Full term	Yes
ACT 1989	Labor minority initially	Vote-by-vote	c. 2 months (unsuccessful)	7 months	N/A
ACT 1992	Labor minority	Informal C&S	0 days (positions known)	Full term	No
ACT 1995	Liberal minority	Informal C&S	20 days	Full term	Yes
ACT 1998	Liberal coalition in minority	Loose coalition; informal C&S	26 days to confirm	Full term	No
ACT 2001	Labor minority	Informal C&S	0 days (positions known)	Full term	Yes
ACT 2008	Labor minority	Formal C&S	13 days	Full term	Yes
ACT 2012	Labor–Green coalition	Coalition	13 days	Full term	Yes
ACT 2016	Labor–Green coalition	Coalition	15 days	Full term	Yes
ACT 2020	Labor–Green coalition	Coalition	16 days	Full term	Yes
ACT 2024	Labor minority	Formal C&S (two agreements)	Up to 18 days	Ongoing	Yes
Vic 1999	Labor minority	Charter	28 days	Full term	Yes
Tas 1989	Labor minority	Formal C&S	16 days	c. 2 years 9 months	No
Tas 1996	Liberal minority	No formal agreement	N/A	c. 2 years	No
Tas 2010	Labor–Green coalition	Loose coalition	30 days	Full term	No
Tas 2024	Liberal minority	Formal C&S; informal C&S	Up to 32 days	Ongoing	N/A
Federal 2010	Labor minority	Formal C&S (three agreements)	17 days	Full term	No

Note: C&S stands for “confidence and supply”, in other words that the government continues and is funded. “Coalition in minority” means some crossbenchers were in the ministry and others sat on the crossbench. “Up to” X days of negotiations means some crossbenchers reached agreements earlier.

Outcomes of the 2025 election

If the Labor Party wins a majority of the seats in the House of Representatives, it will continue to govern Australia with Anthony Albanese as Prime Minister.

If it becomes clear that Albanese would not have the confidence of a majority of the House of Representatives, Albanese will resign and the Governor-General will commission whomever she thinks has the best chance of having the confidence of the House (presumably, Opposition Leader Peter Dutton).³

If it is unclear whether or not Albanese has the confidence of a majority (for example, there is a hung parliament where no one party or existing coalition has a majority), he may keep the commission in a caretaker role until the House sits and resolves the question, or may tender his resignation beforehand. The ordinary business of government would continue, with Albanese remaining Prime Minister until his replacement is sworn in.⁴

Negotiations

Only a couple of existing crossbenchers – Dai Le and Ian Goodenough – have “indicated they would be open to striking formal governing agreements”. The Greens are “open-minded about any arrangement”. Some other crossbenchers have said they would guarantee confidence and supply, although Andrew Wilkie would not.⁵

It is the Governor-General’s responsibility to give the commission (prime ministership) to the person who can form stable government. While written agreements may help the Governor-General to decide who this is, they are not required.

If the Governor-General cannot be sure that any person can form stable government, the convention has been for the current holder of the commission (the incumbent Prime Minister) to keep the commission until the House can sit and the strength of the incumbent government can be tested.⁶ Under the Constitution, the latest the Parliament can sit is 30

³ Twomey (2025) *What happens if there’s a hung Parliament?*

<https://www.youtube.com/watch?v=UofNtFFLLAE>

⁴ Twomey (2025) *What happens if there’s a hung Parliament?*

⁵ Evans (2025) *Crossbenchers say hung parliament would have to negotiate bill by bill,*

<https://www.abc.net.au/news/2025-02-28/crossbench-independents-minority-government-bill-negotiate/104952366>

⁶ See for example Tasmania in 2010: Underwood (2010) *The reasons of the Governor of Tasmania for the commissioning of the Honourable David Bartlett to form a government following the 2010 House of Assembly Election (archived),*

<https://web.archive.org/web/20110327014738/http://www.govhouse.tas.gov.au/sites/default/files/speeche>

days after the day appointed for the return of the writs, or in practice about two months after the election.⁷

If the government loses a vote of no confidence

A government that had the confidence of the House of Representatives may lose it at any time – either because their performance causes them to lose the confidence of MPs or because new MPs are elected (for example, in a by-election). The House can indicate a loss of confidence by passing a motion of no confidence; alternatively, a vote on another issue may be interpreted as a loss of confidence.

Upon losing the confidence of the House, the Prime Minister may:

- Give no advice to the Governor-General,
- Advise the Governor-General to hold a new election or
- Advise the Governor-General to send for another parliamentarian (typically, the Opposition Leader) to commission them as Prime Minister.

If advised by the Prime Minister to hold a new election, the Governor-General *can* but is *not required* to do so.⁸ The Governor-General is less likely to agree if there has recently been an election.⁹

If the Governor-General was not advised to hold a new election by the Prime Minister, the Governor-General will commission as Prime Minister whomever she has ascertained can provide stable government, perhaps after conducting interviews to ascertain the situation in the House of Representatives.¹⁰

House of Representatives Practice outlines under what circumstances the Governor-General has dissolved parliament versus commissioning an alternative government.¹¹

s/Reasons_for_commissioning_Mr_Bartlett_to_form_a_government.pdf; though note a constitutional law expert has questioned this approach: ABC News (2010) *Law expert questions Governor's decision to reappoint Labor*, <https://www.abc.net.au/news/2010-04-10/law-expert-questions-governors-decision-to/2578016>

⁷ AEC (2019) *Federal election timetable*,

https://www.aec.gov.au/Elections/federal_elections/Federal_Election_Timetable.htm

⁸ Elder and Fowler (2018) *House of Representatives Practice, Seventh Edition*, pp. 4–12,

https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/Practice7

⁹ Horne (2010) *Hung parliaments and minority governments*

¹⁰ Even the Prime Minister who just lost the vote of no confidence can be re-commissioned, as in the case of Prime Minister Hughes in 1918: Elder and Fowler (2018) *House of Representatives Practice, Seventh Edition*, pp. 4–12

¹¹ Elder and Fowler (2018) *House of Representatives Practice, Seventh Edition*, pp. 4–12

How might negotiations play out?

The Australia Institute has looked at the negotiations and outcomes from 25 power-sharing parliaments at the federal, state and territory levels elected since 1989.

There is no set time limit on negotiations

Negotiations have sometimes been resolved in days but can take weeks or months.

In 2010, independent MPs took 17 days to negotiate with both Julia Gillard of the Labor Party and Tony Abbott of the Liberal–National Coalition before deciding on Gillard.¹² This is slightly longer than the average of about 15 or 16 days.

Following the 2024 Tasmanian state election, independents took 32 days to provide confidence and supply.¹³

In some cases, such as following the 2002 South Australian state election, negotiations are only formally concluded when Parliament sits.

There is no apparent connection between the length of negotiations and the success of the power sharing parliament. After the 1922 election, it took about 53 days for parties to strike an agreement – but the outcome was the first Coalition Agreement. The Liberal–National Coalition has since proven the most successful and enduring political alliance in Australian history.¹⁴

Negotiations draw on many years of experience

The crossbenchers negotiating with the government often match or exceed the accumulated years of parliamentary experience of the major party representatives they are negotiating with. Even if some crossbenchers are new to parliament, others may have many years or decades of experience.

¹² BBC News (2010) *Australia PM Julia Gillard to form minority government*, <https://www.bbc.com/news/world-asia-pacific-11209560>

¹³ Holmes (2024) *Premier Rockliff seals deals with key independents to prop up Tasmanian Liberal government*, <https://www.abc.net.au/news/2024-04-24/david-o-byrne-and-kristie-johntson-reach-deal-with-rockliff-gov/103762394>

¹⁴ Browne (2023) *One hundred years of the Coalition – will Nationals and Liberals be celebrating?* <https://australiainstitute.org.au/post/one-hundred-years-of-the-coalition-will-nationals-and-liberals-be-celebrating/>

In the negotiations following the 2010 election, independents Tony Windsor and Rob Oakeshott and Greens Bob Brown and Christine Milne had 71 years of parliamentary experience between them, while MPs Andrew Wilkie and Adam Bandt were newly elected.

During the negotiations that followed the 1991 NSW state election, independent MLAs John Hatton and Clover Moore had a combined parliamentary experience of almost 21 years, while independent MLA Peter Macdonald was newly elected.

Following the 2023 NSW state election, independent MLAs Alex Greenwich, Joe McGirr and Greg Piper had served a total of 31 years in NSW parliament between them.

Power sharing agreements take a variety of forms

Some power sharing parliaments have negotiated formal charters or agreements that cover policy reform, changes to parliamentary processes, positions for crossbenchers and other undertakings. Others have operated on formal agreements but limited them to confidence and supply (the question of who forms government and whether it remains funded). Some proceed without any formal agreement.

Agreements can include the unsuccessful major party

In some crossbench negotiations, crossbenchers reach agreement on parliamentary or democratic reform with *both* major parties as a pre-condition to negotiations on who will form government.

After the 2002 SA state election, independent Peter Lewis had agreement from both Labor and Liberal to sign his Compact for Good Government. Academics Clement Macintyre and John Williams have described this as a “shrewd move” from Lewis, as it minimised the capacity of the opposition to “attack the detail of the Compact”.¹⁵

The Agreement for a Better Parliament was agreed by Labor, Coalition parties and country independents after the 2010 federal election.¹⁶ That said, Labor argued that the Coalition “walked away from” the agreement within days of signing it.¹⁷ The agreement included commitments for an independent speaker, Question Time reforms, allowances for private

¹⁵ Macintyre and Williams (2005) ‘Lost opportunities and political barriers on the road to constitutional reform in South Australia’, *Australasian Parliamentary Review*, 20(1), p 104, <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=fb94c1a9e28a255f7ec8d6b1f99025b06210f04b>

¹⁶ Joint Select Committee on the Parliamentary Budget Office (2011) *Inquiry into the proposed Parliamentary Budget Office*, p. 3, https://www.aph.gov.au/parliamentary_Business/Committees/House_of_Representatives_Committees?url=jscpbo/report.htm

¹⁷ Albanese (2013) *Opposition’s “Parliamentary Reform” A Sick Joke*, <https://anthonyalbanese.com.au/oppositions-parliamentary-reform-a-sick-joke-2>

members' bills, committee system reform, the creation of the Parliamentary Budget Office, fairer pairing arrangements for crossbenchers, and so on.¹⁸

Opposition Leader Tony Abbott also agreed to give independent MPs access to Treasury costings of Liberal policies to aid negotiations.¹⁹

Crossbenchers can choose the party with fewer seats

A major party that holds more seats than its rival is in a better negotiating position because it needs to win over fewer crossbenchers to reach majority – but that is no guarantee of success.

In Tasmania in 1989, Labor had 13 seats to the Opposition's 17, but formed government with the support of all five Independent Greens. In Victoria in 1999, the Liberal–National Coalition had more seats, but Labor negotiated the confidence of all three crossbenchers. After the 2008 WA state election, the Liberal Party had 24 seats to Labor's 28, but the Liberals successfully negotiated the support of crossbenchers, including the WA Nationals.

In four other cases (SA 1989, ACT 2012, Tasmania 2010 and federal 2010), the two major parties/coalitions were tied on the seat count.

¹⁸ (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament

¹⁹ Goodsir (2010) *Briefings deal 'significant win': Abbott*, <https://www.smh.com.au/politics/federal/briefings-deal-significant-win-abbott-20100827-13v0s.html>

What do crossbenchers negotiate?

Across the power sharing parliaments, crossbenchers have negotiated for reforms to parliamentary process and procedure, policy reform, more staff and resources for crossbenchers and for crossbenchers to be appointed to the speakership or ministry.

Table 2 below shows what areas were definitely part of the negotiations in the power sharing parliaments under consideration.

Note that if an entry is blank, it may still have been part of negotiations. For example, not all staff negotiations appear in formal agreements. In other cases, the full details of the agreement are not known.

Table 2: Areas of negotiation

Election	Government	Parliamentary reform	Policy reform	Staff	Positions
Qld 1998	Labor minority	Yes	Yes	Yes	
Qld 2015	Labor minority	Yes	Yes	Yes	Speaker
NSW 1991	Liberal–National Coalition minority	Yes	Yes	Yes	
NSW 2023	Labor minority				Speaker
SA 1989	Labor minority				Speaker, Deputy Speaker
SA 1997	Liberal minority			Yes	
SA 2002	Labor minority	Yes	Yes		Speaker, ministries
SA 2014	Labor minority	Yes	Yes		Ministries
WA 2008	Liberal–National coalition in minority		Yes	Yes	Ministries
ACT 1989	Labor minority initially	No initial agreement			
ACT 1992	Labor minority	Unclear how extensive negotiations were			
ACT 1995	Liberal minority	Yes			Committee
ACT 1998	Liberal coalition in minority	Yes	Yes		Ministry
ACT 2001	Labor minority	Unclear how extensive negotiations were			
ACT 2008	Labor minority	Yes	Yes		Speaker
ACT 2012	Labor–Green coalition	Yes	Yes		Ministries
ACT 2016	Labor–Green coalition	Yes	Yes		Ministries
ACT 2020	Labor–Green coalition	Yes	Yes	Yes	Ministries
ACT 2024	Labor minority	Yes	Yes	Yes	Deputy Speaker
Vic 1999	Labor minority	Yes	Yes		
Tas 1989	Labor minority	Yes	Yes	Yes	
Tas 1996	Liberal minority	No initial agreement, but policy reform followed ²⁰			
Tas 2010	Labor–Green coalition				Ministries
Tas 2024	Liberal minority	Yes	Yes		
Fed 2010	Labor minority	Yes	Yes		Committee

²⁰ Stahel (2025) *Forced weddings and a funeral: Tasmanian lessons in minority government*
<https://www.thenewdaily.com.au/news/politics/australian-politics/2025/03/16/tasmania-minority-govt-lessons>

Reforms to parliamentary process and procedure

Crossbenchers often show a keen interest in reforms to parliamentary process and procedure, in part because these procedures often disadvantaged crossbenchers or were drafted without considering crossbenchers.

Greater scope for private member's bills, both from crossbenchers and backbenchers, has been a focus of many negotiations. This can include dedicated time set aside for these bills and changes to process so that they come on for debate and a vote where support can be tested.²¹

In the ACT, provisions for private members' bills are advanced enough that some agreements seek to protect existing provisions rather than expand them.²²

It is through the committee system that much parliamentary scrutiny – both of the government and more generally of society, law and the economy – takes place. **Reform to committee systems, positions for crossbenchers on committees and new committees** have all featured in negotiations.²³

Sometimes new committees represent new ways of forming policy and legislation, as with the Multi-Party Committee on Climate Change that emerged from the parliament elected at the 2010 federal election.²⁴ These innovations can help prevent deadlocks from the previous parliament lingering into the next.

Other times, these committees or other measures **strengthen parliamentary oversight over the budget process and government spending** – as with the negotiations after the 1991

²¹ For example, (NSW Liberal–Independents 1991) Memorandum of Understanding, s 2(iii), “Longer Term” (ii); (Labor–Wellington 1998) Letters of agreement, pp 1–2; (2010 Labor–Greens) Agreement, s 4.2(c, d, e); (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament, s 6

²² (ACT Labor–Greens 2008) Parliamentary Agreement for the 7th Legislative Assembly of the ACT: Agenda for Parliamentary Reform, ss 3.1, 3.16; (ACT Labor–Emerson 2024) Supply-and-Confidence Agreement for the 11th Legislative Assembly for the Australian Capital Territory, s 15

²³ For example, (Tas Labor–Greens 1989) Accord, s 2(d); (NSW Liberal–Independents 1991) Memorandum of Understanding, s 2(i, ii, v, x); (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament, s 10; (ACT Labor–Greens 2012) Parliamentary Agreement for the 8th Legislative Assembly for the Australian Capital Territory: Appendix 3, s 1; (ACT Labor–Greens 2016) Parliamentary Agreement for the 9th Legislative Assembly for the Australian Capital Territory: Commitments to Deliver Stable Government, s IX; (ACT Labor–Greens 2020) Parliamentary & Governing Agreement: 10th Legislative Assembly Australian Capital Territory, p 5

²⁴ SBS News (2010) *PM establishes climate change committee*, <https://www.sbs.com.au/news/article/pm-establishes-climate-change-committee/jysk9p4h8>

NSW state election, the 1998 Queensland state election, the 2002 SA state election and the 2024 Tasmanian state election.²⁵

Positions on the committees that determine the parliamentary agenda can ensure that key issues come on for discussion and debate even if the government of the day is not interested in exploring them.²⁶

Fixed terms of parliament have regularly been proposed, and sometimes secured, via crossbench negotiations. NSW and Queensland owe fixed four-year terms to power sharing parliaments.²⁷ The 1989 Labor–Greens Accord included a plan for fixed four-year terms that was not fulfilled.²⁸ The Gillard Labor Government committed to see out a full term during 2010 negotiations,²⁹ and did so.

More and better resources for parliamentarians commonly appear in negotiations.

Perhaps the most substantial is the **Parliamentary Budget Office (PBO)**, a product of the Greens agreement with Prime Minister Julia Gillard and the independents' agreement with Gillard and Opposition Leader Tony Abbott. The PBO produces independent costings and economic analysis. As Ben Oquist wrote after the PBO had been operating for a decade:

The PBO gives a respected and independent alternative vision to that provided by Treasury which, rightly or wrongly, is perceived as being unduly influenced by the Government.³⁰

Other parliamentary resources include the creation of a Parliamentary Library research service negotiated by Independent Greens elected in Tasmania in 1989 and the counsel services for all MPs negotiated by independents elected in NSW in 1991.³¹

²⁵ (NSW Liberal–Independents 1991) Memorandum of Understanding, ss 1(vi), 2(i); (Qld Labor–Wellington 1998) Letters of agreement, pp 3–4; (SA Labor–Lewis) Compact for Good Government, s 1.3; (Tas Liberal–JLN) Confidence and Stability Agreement, s 5

²⁶ For example, (Qld Labor–Wellington 2015) Letters of agreement, p 3; (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament, s 1

²⁷ Green (2008) *NSW Fixed Term Parliaments*, <https://www.abc.net.au/news/2008-12-08/nsw-fixed-term-parliaments/9389110>; Howells (2015) *Fixed parliamentary terms pushed by Queensland Speaker Peter Wellington*, <https://www.abc.net.au/news/2015-07-10/speaker-peter-wellington-pushes-four-year-fixed-term-elections/6611736>

²⁸ (Tas Labor–Greens 1989) Accord, Appendix 1(a)

²⁹ (2010 Labor–Greens) Agreement, s 3(g)

³⁰ Oquist (2021) *What happens when independents hold the balance of power?*

<https://australiainstitute.org.au/post/what-happens-when-independents-hold-the-balance-of-power/>

³¹ (Tas Labor–Greens 1989) Accord, s 4; (NSW Liberal–Independents 1991) Memorandum of Understanding, s 1(iii); (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament, s 2

Crossbenchers have often attempted to **reimagine the role of presiding officers** (like the Speaker of the House of Representatives or the President of the Senate),³² although whether these roles are formally independent of government has tended to depend on the person in the position.

Question Time is a frequent topic of reform. Supplementary questions, limits on ‘Dorothy Dixers’, a requirement for the minister to actually answer the questions and who is allocated questions (and when during the time period they are allocated them) have all been frequently negotiated – including in NSW in 1991, Queensland in 1998, SA in 2002 and federally in 2010.³³

Policy reforms

Crossbenchers often negotiate policy reforms. This can be a commitment from the government to implement such a policy or the government agreeing to permit a vote on a private member’s bills that would institute those reforms.

Electoral reform is common, with the 1989 Tasmanian agreement, 1991 NSW agreement, 1999 Victorian agreement, 2002 SA agreement, 2010 federal agreements and 2015 Queensland agreement all pursuing changes like greater donation transparency, upper house reform, constitutional changes, truth in political advertising or changes to political donation regulations.³⁴

Several agreements have countenanced more direct democracy, be it citizen-initiated referenda or “mini-publics” like citizens’ juries.³⁵

Reform to **the integrity arm of government** also features heavily in power sharing agreements. The Charter of Reform following the 1991 NSW election included full independence for the NSW Ombudsman and Auditor-General, freedom of information reform and protections for whistleblowers.³⁶ Expansive freedom of information legislation

³² See for example (NSW Liberal–Independents 1991) Memorandum of Understanding, s 1(iv, v); (SA Labor–Lewis) Compact for Good Government, s 2.2

³³ (NSW Liberal–Independents 1991) Memorandum of Understanding, s 2(iv); (Qld Labor–Wellington 1998) Letters of agreement, p 2; (SA Labor–Lewis) Compact for Good Government, s 2.5; (2010 Labor–Greens) Agreement, s 4.2(a, b); (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament, s 4

³⁴ (Tas Labor–Greens 1989) Accord, s 2(f); (NSW Liberal–Independents 1991) Memorandum of Understanding, s 4; (Vic Labor–Independents 1999) Independents’ Charter, s 2; (SA Labor–Lewis) Compact for Good Government, s 2, Annexure to Compact; (2010 Labor–Greens) Agreement, s 3; (Labor–Windsor–Oakeshott 2010) Agreement, s 3(b, c); (Labor–Coalition–Windsor–Oakeshott 2010) Agreement for a Better Parliament, s 22; (Qld Labor–Wellington 2015) Letters of agreement, pp 2–3

³⁵ (Qld Labor–Wellington 1998) Letters of agreement, pp 2–3

³⁶ (NSW Liberal–Independents 1991) Memorandum of Understanding, ss 5(A, B), 6(A, D)

was passed under the 1989 Accord between Tasmanian Labor and the Greens.³⁷ ACT Labor–Greens agreements recognise the integrity arm as a distinct branch of government.³⁸

Civil rights reforms are also possible. The 1991 NSW negotiations included defamation law reform and scrutiny of the legal profession.³⁹ Peter Wellington’s insistence on exploring a state Bill of Rights in the 2015 agreement⁴⁰ was followed by a Human Rights Act for the state, albeit after that term of parliament had ended. The Labor–Greens agreements in the ACT raised the age of criminal responsibility.⁴¹

Support for regional areas is often negotiated, particularly by independents and minor parties hailing from regional and rural Australia. Probably the most substantial is the “Royalties for Regions” reinvestment of mining and petroleum resources negotiated by the WA Nationals (who are not in permanent coalition with the Liberals).⁴² The Charter of Good Governance in Victoria in 1999 and some of the 2010 federal agreements also addressed regional investment.⁴³

Many agreements included **environmental and climate policy**. Negotiations between the Greens and Labor in the ACT included a light rail network for Canberra, 100% renewable energy by 2020, the establishment of a single conservation agency and banning new gas connections.⁴⁴ The 1989 Independent Greens in Tasmania negotiated environmental policies in the Accord, including World Heritage listing for several areas and improvements in coastal management and marine parks.⁴⁵ The 1991 NSW independents negotiated standing for third parties in environmental cases.⁴⁶

³⁷ Manning (2019) *Inside the Greens: The origins and future of the party, the people and the politics*, Black Inc, p 61

³⁸ (ACT Labor–Greens 2008) Parliamentary Agreement for the 7th Legislative Assembly of the ACT: Agenda for Parliamentary Reform: Appendix 1, s 1(d)

³⁹ (NSW Liberal–Independents 1991) Memorandum of Understanding, s 6(B, C)

⁴⁰ (Qld Labor–Wellington 2015) Letters of agreement, p 3

⁴¹ ACT Government (2023) *ACT raises the minimum age of criminal responsibility*

https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/davidson/2023/act-raises-the-minimum-age-of-criminal-responsibility

⁴² Phillips (2009) The 2008 Western Australian State Election: The snap poll blunder, *Australasian Parliamentary Review*, 24(1), p 235, <https://www.aspg.org.au/wp-content/uploads/2017/09/18-Phillips-WA-Election.pdf>

⁴³ (Vic Labor–Independents 1999) Independents’ Charter, s 3; (Labor–Windsor–Oakeshott 2010) Commitment to Regional Australia

⁴⁴ CityNews (2016) *Greens and Labor declare success* <https://citynews.com.au/2016/greens-labor-declare-success/>; ACT Government (2023) *Regulation to prevent new gas connections starts in December*

https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/rattenbury/2023/regulation-to-prevent-new-gas-connections-starts-in-december

⁴⁵ (Tas Labor–Greens 1989) Accord, ss 6–17

⁴⁶ (NSW Liberal–Independents 1991) Memorandum of Understanding, s 6(E)

The 2010 federal power sharing agreements included climate change policy, biofuel policy and water infrastructure commitments.

Many other policies have also been countenanced. The 2010 federal negotiations included poker machine limits, dental care and a debate on the War in Afghanistan. ACT Labor–Greens agreements cover housing policy, including increasing the number of affordable rental properties, among many other topics.

Staff and resources

In a power sharing parliament, crossbenchers are a potential deciding vote on every motion and every piece of legislation. For that reason, they often negotiate more staff as a condition for their support.

Crossbenchers negotiated more staff following the 1989 Tasmanian state election, 1997 SA state election, 1999 Victorian state election, 1998 and 2015 Queensland state elections, 2010 federal election,⁴⁷ 2020 and 2024 ACT state elections and 1991 NSW state election.

Sometimes, crossbenchers negotiate additional staff for themselves on an ad hoc basis. Since staffing arrangements are typically discretionary and not always public, it is possible that crossbenchers in other power sharing parliaments also negotiated more staff.

Other times, crossbenchers negotiate new rules that are intended to be applied more generally.

For example, after the 1989 Tasmanian state election negotiations were for parity in staffing between crossbench and Opposition members, and for both crossbench and Opposition members to receive secretarial services in regional areas.⁴⁸ The 1991 NSW agreement is for a more equitable distribution of resources among MPs, rather than more staff for crossbenchers specifically.⁴⁹ The 1998 Queensland agreement required consistency in how the two independents were treated, though the agreement was only with Peter Wellington.⁵⁰

The 2020 Labor–Greens agreement in the ACT was for existing staffing provisions for Government and Opposition to be extended to Greens crossbenchers, and the 2024 agreement is for earlier crossbench formulae to be restored since there were no longer

⁴⁷ Church (2024) *Parliamentarians' personal staff*,

https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/Research/Research_Papers/2023-24/Parliamentarians_Personal_Staff

⁴⁸ (Tas Labor–Greens 1989) Accord, s 5

⁴⁹ (NSW Liberal–Independents 1991) Memorandum of Understanding, s 2(x)

⁵⁰ (Qld Labor–Wellington 1998) Letters of agreement, p 1

Greens ministers.⁵¹ The 2024 agreement with independent Thomas Emerson is for a new staff salary cap that would apply to crossbenchers across the board, not just to Emerson's own allocation.⁵²

In addition to these agreements, crossbenchers who negotiated presiding officer or ministerial positions for themselves would also have gained more staff as a consequence of those positions.

Positions

One of the most common outcomes from power sharing negotiations is for presiding officer, ministerial or committee positions to be allocated to crossbenchers.

In the House of Representatives and other lower houses in Australia, the presiding officer is called the Speaker. A crossbencher took the position of Speaker following the 2015 Queensland state election, 2023 NSW state election, 2002 SA state election and 2008 ACT territory election. Following the 1989 SA state election, one crossbencher became Speaker and the other Deputy Speaker. Following the 2024 ACT territory election, one crossbencher became Deputy Speaker (an Opposition MP became Speaker).

Crossbenchers became ministers following the 2002 SA state election (and kept those positions after the Labor Government won a majority in its own right), 2014 SA state election, 2008 WA state election, 1998, 2012, 2016 and 2020 ACT territory elections and 2010 Tasmanian state election. A crossbencher also became a minister mid-way through the ACT parliament elected in 1989.

Where crossbenchers have become ministers, they have often negotiated limited exceptions to the doctrine of cabinet solidarity – which requires ministers to publicly support the decisions of the cabinet to which they belong.⁵³ Examples include the independent ministers in the Rann and Weatherill governments in South Australia, the Nationals in the Barnett WA Government and Greens ministers in ACT Labor governments.

After the 2010 federal election, the Multi-Party Committee on Climate Change allowed for crossbenchers to play a major role in policy formation and independent Andrew Wilkie was

⁵¹ (ACT Labor–Greens 2020) Parliamentary & Governing Agreement: 10th Legislative Assembly Australian Capital Territory, p 5; (ACT Labor–Greens 2024) Letters of agreement, p 2

⁵² (ACT Labor–Emerson 2024) Supply-and-Confidence Agreement for the 11th Legislative Assembly for the Australian Capital Territory, s 16

⁵³ Costar and Curtin (2004) *Rebels with a Cause: Independents in Australian politics*, UNSW Press, p 23

the first non-major party MP to be appointed to the Parliamentary Joint Committee on Intelligence and Security.⁵⁴

⁵⁴ Sakkal and Knott (2023) *Security stoush erupts as Andrew Wilkie in frame for secretive committee*, <https://www.smh.com.au/politics/federal/security-stoush-erupts-as-andrew-wilkie-in-frame-for-secretive-committee-20230512-p5d82s.html>

What might come of a power sharing parliament?

Most power sharing parliaments run for a full term

Most power-sharing parliaments see out the full term (three years at the federal level).

When the government does go to an early election, it is often for a perceived political advantage, not because the crossbench has become difficult to work with. For example, Labor Premier Peter Beattie went to an early election in 2001 presumably because he correctly anticipated that he could win a large majority, not because the parliament elected in 1998 had proven unworkable.

Other times, it has been the loss of major party MPs that has encouraged an early election, as in Queensland in 2017.

A deep crossbench has allowed governments to continue even when they lose major party MPs to expulsions, defections or retirements, or when other crossbenchers lose confidence.

Power sharing helps enforce ministerial responsibility

The Westminster tradition of ministerial responsibility has been enforced by crossbenchers, including in 1992 when independents required NSW Premier Nick Greiner to resign following an adverse corruption finding⁵⁵ and in 2000 when ACT Chief Minister Kate Carnell resigned over her handling of a Bruce Stadium upgrade.⁵⁶

Opportunities for crossbencher bills and amendments

Regardless of any agreement, crossbenchers can use the numbers in a power sharing parliament to pass legislation. Examples include ACT Greens MLA Caroline Le Couteur's truth in political advertising bill,⁵⁷ independent ACT MLA Michael Moore's bills to partially

⁵⁵ Coultan (2022) *From the Archives, 1992: Bitter Greiner forced to quit*, <https://www.smh.com.au/national/nsw/from-the-archives-1992-bitter-greiner-forced-to-quit-20220510-p5ak3g.html>

⁵⁶ Monnox (2013) *ACT Labor 1929–2009: A short history*, p 62, Ginninderra Press

⁵⁷ Knaus (2020) *ACT government backs push for truth in political advertising in lead-up to poll*, <https://www.theguardian.com/australia-news/2020/jun/30/act-government-backs-push-for-truth-in-political-advertising-in-lead-up-to-poll>

decriminalise sex work and cannabis use,⁵⁸ and independent MLA Alex Greenwich's bills to decriminalise abortion, legalise voluntary assisted dying and allow transgender people to change their birth certificates without surgery.⁵⁹

During the federal Morrison Government, the crossbench and Labor Opposition voted together to allow for the medical evacuation of sick refugees and asylum seekers.⁶⁰

Negotiations may continue through the Parliament

In response to changing circumstances, the government, opposition or crossbench may renegotiate or void agreements.

After the 1998 ACT election, independent Michael Moore supported the Liberals regardless of ministerial positions, but was subsequently appointed Health Minister.⁶¹

Andrew Wilkie withdrew confidence from the Gillard minority government after they reneged on promised gambling reforms⁶² and the Greens announced the end of their formal deal with Gillard the next year, but did not withdraw confidence.⁶³ Bob Katter gave confidence to Kevin Rudd when he replaced Gillard – whom he had not given confidence to.⁶⁴

⁵⁸ Gregoire (2021) *From Decriminalising to Legalising Cannabis: An Interview With Ex-ACT Health Minister Michael Moore* <https://www.sydneycriminallawyers.com.au/blog/from-decriminalising-to-legalising-cannabis-an-interview-with-ex-act-health-minister-michael-moore/>

⁵⁹ Australian Associated Press (2019) *Abortion decriminalised in NSW after marathon debate*, <https://www.theguardian.com/australia-news/2019/sep/25/abortion-decriminalisation-bill-passes-nsw-upper-house>; Dole (2024) *NSW parliament passes equality bill, allowing transgender people to change their birth certificates without surgery*, <https://www.abc.net.au/news/2024-10-18/nsw-parliament-equality-bill-passes-transgender-greenwich/104487170>; Nunn (2022) *Unite and conquer: how Alex Greenwich plans to make NSW more progressive*, <https://www.theguardian.com/australia-news/2022/oct/29/unite-and-conquer-how-alex-greenwich-plans-to-make-nsw-more-progressive>

⁶⁰ Murphy and Karp (2019) *Scott Morrison suffers historic defeat as Labor and crossbench pass medevac bill*, <https://www.theguardian.com/australia-news/2019/feb/12/scott-morrison-suffers-historic-defeat-as-labor-and-crossbench-pass-medevac-bill>

⁶¹ Hughes (1998) Australian Capital Territory, January to June 1998, *Australian Journal of Politics and History*, 44(4), p 626, <https://onlinelibrary-wiley-com.virtual.anu.edu.au/doi/epdf/10.1111/1467-8497.00045>

⁶² ABC (2012) *Wilkie withdraws support over broken pokies deal* <https://www.abc.net.au/news/2012-01-21/wilkie-withdraws-support-over-broken-pokies-deal/3786040>

⁶³ Ghazarian (2013) *Government didn't walk away from the Greens, but Milne needed to ditch Labor* <https://theconversation.com/government-didnt-walk-away-from-the-greens-but-milne-needed-to-ditch-labor-12308>

⁶⁴ Scarr & Maiden (2013) *Bob Katter says he will support Kevin Rudd as prime Minister* <https://www.abc.net.au/news/2012-01-21/wilkie-withdraws-support-over-broken-pokies-deal/3786040>

In 2024, after two Jacqui Lambie Network parliamentarians left the party, they renegotiated a “simplified” agreement with the Tasmanian Liberal Government.⁶⁵

Power sharing parliaments very rarely overturn the government – with the first ACT parliament (elected in 1989) a notable exception. The crossbench of eight outnumbered the five Labor and four Liberal MLAs.

Power sharing governments are competitive

In just over half of all cases, the major party in government was re-elected at the conclusion of a power sharing parliament. In some cases, like Queensland in 2001, Victoria in 2002 and South Australia in 2006, the major party in government won in a landslide.

Winning majority is no guarantee of majority government

Even if a power sharing parliament is not elected at the start of the term, there may be one midway through the term. Governments have lost their majority during their terms, including the Morrison Government in 2018 and debatably in 2021,⁶⁶ the NT Labor government in 2009, the NSW Liberal government in 2021, the South Australian Liberal government in 2021 and the Tasmanian Liberal government in 2021 and 2023.

In some states, minority governments have created majorities mid-term (through defections and recruitment of crossbenchers) only to lose those majorities again during the term, as with the Olsen Government in SA which secured a temporary majority when a crossbencher rejoined the Liberal Party, and then lost that majority following another MLA’s defection.

⁶⁵ Pulse Tasmania (2024) *‘Behind our backs’: Sacked Jacqui Lambie Network MPs break silence* <https://pulsetasmania.com.au/news/behind-our-backs-sacked-jacqui-lambie-network-mps-break-silence/>

⁶⁶ A defection reduced the Government to a “technical” minority or a majority “with a caveat”, because they were tied 75–75 albeit with the Liberal Speaker having a casting vote: Doran (2021) *Politics is a numbers game, and Craig Kelly just put serious pressure on the Coalition’s sums*, <https://www.abc.net.au/news/2021-02-23/craig-kelly-departure-what-it-means-for-coalition-numbers/13183526>; The Echo (2021) *Craig Kelly quits Liberal Party*, <https://www.echo.net.au/2021/02/craig-kelly-quits-liberal-party/>

Conclusion

The decision by minor party and independent crossbenchers to support one side or the other in the event of a hung parliament is complex. No crossbencher has taken such decisions lightly, but nor is there a single prescribed way for these decisions to take place. Australia's Westminster system of government places this decision in the hands of members of Parliament, and it is for MPs to negotiate confidence and supply as they see fit.

This analysis of 25 power sharing parliaments elected in Australia shows that the Government, the Opposition and the crossbench have a great deal of flexibility in the kinds of agreements they negotiate. Power sharing parliaments have thrived with formal and informal agreements, with detailed agreements and with simple ones, and with ambitious agreements and modest ones.

Four areas stand out as topics for negotiation: parliamentary reform, policy reform, more staff and resources for crossbenchers and positions for crossbenchers – like ministries or the speakership. Not every clause in every agreement is upheld, but most agreements result in significant reform.

Appendix 1: Full text of agreements

Listed below are agreements, where the full text could be found. As noted above, Liberal–National Coalition agreements are not public.

Election	Agreement
Qld 1998	https://web.archive.org/awa/20120228235756mp_/http://pandora.nla.gov.au/pan/131859/20120229-1053/www.peterwellingtonmp.com/Govt%20agreement%20letters.pdf
Qld 2015	https://webarchive.nla.gov.au/awa/20160126131903/http://pandora.nla.gov.au/pan/131859/20160127-0008/www.peterwellingtonmp.com/index.html
NSW 1991	https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/3%20NSW%201991.pdf
NSW 2023	https://www.facebook.com/photo.php?fbid=761072645380266&id=100044326126155&set=a.333914201429448
SA 2002	Peter Lewis: https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/9%20SA%202002.pdf Ministerial agreements: https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/10%20SA%202002.pdf ; https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/11%20SA%202004.pdf
SA 2014	https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/18%20SA%202014.pdf
WA 2008	https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/12%20WA%202008.pdf
ACT 1998	https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/6%20ACT%201998.pdf
ACT 2008	https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/14%20ACT%202008.pdf
ACT 2012	https://greens.org.au/sites/default/files/2020-08/Greens-ALP-Parliamentary-Agreement-for-the-8th-Legislative-Assembly-ACT.pdf
ACT 2016	https://nla.gov.au/nla.obj-2842780112/view
ACT 2020	https://www.act.gov.au/__data/assets/pdf_file/0004/2775280/Parliamentary-and-Governing-Agreement-for-the-10th-Legislative-Assembly.PDF
ACT 2024	Greens: https://greens.org.au/sites/default/files/2024-11/Supply%20and%20Confidence%20Agreement_0.pdf ; Emerson: https://assets.nationbuilder.com/independentsforcanberra/mailings/2520/attachments/original/241106_EMERSON-BARR_Supply_and_Confidence_Agreement.pdf?1730843192
Vic 1999	https://australianpolitics.com/1999/09/28/independents-charter-victoria.html/
Tas 1989	https://nla.gov.au/nla.obj-1382125756/view
Tas 2010	https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/16%20Tas%202010.pdf
Tas 2024	JLN: https://live-production.wcms.abc-cdn.net.au/a20e981b42df845d3357aa22507c7847 ; Independents: https://www.premier.tas.gov.au/latest-news/2024/april/statement-from-the-premier7
Fed 2010	Greens: https://web.archive.org/web/20110919214603/http://greens.org.au/sites/greens.org.au/files/Final%20Agreement%20_ALP_GRNS.pdf ; Windsor and Oakeshott: https://web.archive.org/web/20201213122910/https://australianpolitics.com/downloads/alp/2010/10-09-07_agreement-to-form-government.pdf ; Wilkie: https://parlinfo.aph.gov.au/parlInfo/download/media/pressrel/176826/upload_binary/176826.pdf;fileType=application%2Fpdf#search=%22media/pressrel/176826%22

Appendix 2: Summary of agreements

Below are written agreements of any kind, where the authors could find a copy of the agreement.

Queensland 1998: Letters of agreement

Labor formed a minority government, with newly-elected independent MLA Peter Wellington providing the necessary support for confidence and supply.

Minority government was based on a letter of agreement on confidence and supply.

The letters of agreement made reference to a wide range of policy proposals and parliamentary reforms including:

- Improvements to parliamentary procedure and standing orders:
 - Question Time
 - Questions with and without notice
 - private members bills
 - roles for independent MPs in budget processes via Estimates committees
- An agreement to run for the full parliamentary term
- Better community consultation
- Improved public finance and budget standards
- Ministerial financial responsibility and a committee to review parliamentary entitlements
- Fair provision of staff and resources for independent MLAs.

The agreement is also notable for acknowledging policy differences, with Premier Peter Beattie rebutting Wellington's arguments for citizen-initiated referenda while acknowledging the broader case for consultation.

Outcomes

There were significant improvements to public administration and parliamentary process in Queensland, including greater scope for private members' bills and more meaningful roles for independent MLAs in state budget processes.

Community Cabinet was one key innovation pioneered by the Beattie Government in response to its agreement with Wellington.

The parliament did not run full term as promised.

Queensland 2015: Letters of agreement

Labor, one seat short of a majority, formed minority government with the support of independent MLA Peter Wellington, who by this time had 17 years of parliamentary experience behind him.

As was the case in 1998, the formation of minority government was predicated on letters of agreement between Wellington and the Labor leader, Anastacia Palaszczuk.

The letters of agreement referred to a range of policy-specific initiatives that Labor committed to pursue in partnership with Wellington, such as:

- A lower disclosure threshold for political donations (\$1,000)
- A commitment to improving the parliamentary committee system, including a position for Wellington on the Committee of the Legislative Assembly
- A Commission of Inquiry into Organised Crime
- Commitment to the Fitzgerald Principles of integrity
- Public discussion on a state Bill of Rights.

Wellington also negotiated more staff for himself, and a review of travel allowances for MPs representing large electorates.

Wellington was supported by Labor to assume the role of Speaker of the Queensland Legislative Assembly. This marginally improved the government's working majority.

Outcomes

The parliament delivered some of the priorities that Wellington discussed with the Labor Party, including real-time political donations disclosures above \$1,000 and a successful referendum for fixed four-year parliaments.

Queensland legislated a Human Rights Act (similar to a Bill of Rights) in the subsequent term.

NSW 1991: Charter of Reform

The Coalition formed minority government on the basis with guarantees of support for confidence and supply from three of the four independent MPs.

Their support for the Coalition was contingent on two things. First, the independents refused to oppose a no confidence motion in the event of "corruption or gross maladministration" on the part of the premier or his government.

Second, the independents' support was conditional on a Memorandum of Understanding with the government for a Charter of Reform.

That Charter called for a sweeping set of parliamentary reforms, including:

- Fixed four-year terms
- Provision of counsel services to MPs
- Constitutional recognition of the independence for presiding officers, and secret elections for the Speaker of the Legislative Assembly
- Improved estimates committees
- Greater participation for private members, including fewer gags, fairer speaking times and supplementary questions
- Fairer rules for Question Time and parliamentary debates
- Fairer provision of parliamentary resources and staff.

And for policy reforms, including:

- Multi-party committee approval for nominations to the NSW Ombudsman, Auditor-General, ICAC Commissioner and Director of Public Prosecutions
- Protections for whistleblowers
- Reforms to defamation law
- Electoral reforms
- Freedom of information reform
- Strengthening the powers of the NSW Ombudsman and Auditor-General
- Standing for third parties in environmental cases
- Better scrutiny of statutory authorities
- A Law Reform Commission.

Outcomes

Some of the substantive reforms proposed in the Charter were unrealised, but parliamentary processes were significantly improved by the agreement.

David Clune argues that the Charter “ensured stability and enabled the unaligned independents to advance a carefully thought-out agenda”.⁶⁷

Some long-term reforms such as independence for the Auditor-General and Ombudsman were achieved, whistleblower protections were introduced and a Legal Services Commission created.

In 1992 Greiner was required to resign as premier in the face of pressure from the independents following adverse findings against him by the head of ICAC.⁶⁸ The Liberal Party selected a new premier and the independents promptly assured him of their support on confidence and supply

⁶⁷ Clune (2019) *Close enough could be good enough*, <https://insidestory.org.au/close-enough-could-be-good-enough/>

⁶⁸ Coultan (2022) *From the Archives, 1992: Bitter Greiner forced to quit*

Thanks to the introduction of four-year fixed terms provided for in the Charter, the parliament ran full term. The Liberal Government lost to Labor under Bob Carr.

NSW 2023: Joint statement

Labor was sworn in two days after the election, with public assurances from three of the independent members of the Legislative Assembly that it would guarantee confidence and supply. The three independents made a joint statement on confidence and supply, and chose not to pursue any wider pact or agreement at the beginning of the parliamentary term.

One of the independents, Greg Piper, agreed to serve as Speaker of the Legislative Assembly. This reduced Labor's vulnerability in the lower house by one vote.

SA 2002: Compact for Good Government

Labor leader Mike Rann's primary negotiations were with former Liberal Peter Lewis. Four days of "high drama" preceded their eventual agreement, though the minority government was not confirmed until parliament met on 5 March.⁶⁹

Both sides had agreed to sign a Compact for Good Government with Lewis, who prioritised "open and accountable government", discussions of constitutional reform and improvements to parliamentary processes, and a suite of policies designed to benefit rural South Australia. Political scientist Clement Macintyre and legal scholar John Williams describe this as a "shrewd move" from Lewis, as it minimised the capacity of the opposition to "attack the detail of the Compact".⁷⁰

Labor signed the compact, while Lewis agreed to take up the position of Speaker, thereby improving Labor's position on the floor of the house. Lewis resigned the speakership in 2005.

The Compact proposed parliamentary reforms and commitments, including:

- If the government should lose confidence, to try for an alternative government instead of going to an election
- Future appointments to Auditor-General to be ratified by a parliamentary committee
- A minimum number of sitting days

⁶⁹ Manning (n.d.) *Overview of key political and policy themes: South Australia, January to December 2002*, <https://www.dpc.sa.gov.au/documents/rendition/B18825>

⁷⁰ Macintyre and Williams (2005) 'Lost opportunities and political barriers on the road to constitutional reform in South Australia', p 104

- Revisions to standing orders to allow more questions for non-government members and a requirement that ministers actually answer questions during Question Time.

And policy reforms, including:

- Reform freedom of information law
- Improve budget reporting
- Allow own-motion inquiries by the Auditor-General, the Ombudsman and the Employee Ombudsman
- A Constitutional Convention to consider questions like citizen-initiated referenda, reducing the number of parliamentarians, sweeping changes to the Legislative Council intended to focus it as a house of review and ensuring the independence of public officers.
- Commitments to improve rural and regional employment opportunities, infrastructure and services.

Outcomes

The Compact between Labor and Lewis did not last, and ultimately Labor was able to avoid some of the scrutiny and accountability measures that Lewis had promoted.⁷¹

During that parliament, Rann was able to bring two crossbenchers into his Cabinet. Independent MP Rory McEwen was made minister for trade in December 2002, and in 2004 National Party MP Karlene Maywald became minister for the river Murray. Both retained their independence as MPs and were subject to cabinet solidarity only on matters that pertained to their portfolios and other crucial matters.

The agreements with McEwen and Maywald led to a new spirit of power sharing in South Australia. Both were re-elected in 2006 and despite Labor's majority, both crossbenchers were re-appointed to Rann's ministry.⁷² Commentators suggested that Rann's government enjoyed a "broader community base than it would otherwise have had" thanks to these ministerial appointments.⁷³

⁷¹ Dean (2018) 'Parliament in the periphery: Sixteen years of Labor Government in South Australia, 2002–2018', *Australasian Parliamentary Review*, 33(2), p 14, https://www.aspg.org.au/wp-content/uploads/2019/02/33_2-Mark-Dean.pdf

⁷² Griffith (2010) *Minority governments in Australia 1989–2009: Accords, Charters and Agreements*, <https://www.parliament.nsw.gov.au/researchpapers/Documents/minority-governments-in-australia-1989-2009-acco/Minority%20Governments%20Background%20Paper.pdf>

⁷³ Abjorensen (2010) *South Australia's cabinet experiment*, <https://insidestory.org.au/south-australias-cabinet-experiment/>

SA 2014: Formal agreement

Premier Jay Weatherill and independent MP Geoff Brock personally negotiated an agreement to guarantee confidence and supply. Following the precedent set by McEwen and others, Brock joined Weatherill's cabinet as minister for regional development and local government.

The agreement included commitments from the Labor Government to:

- Review compensation for Country Fire Service volunteers
- Not introduce rate capping for local government
- Support nine projects in the electorate of Frome and consider a further 10 projects
- More consultation of regional communities
- Separate budget reporting of funding provided to regional communities
- A Charter for Small Business

It also included parliamentary reforms, including:

- Establishing a process for independent costings of party policies
- A code of conduct for parliamentarians.

Outcomes

The agreement between Labor and Brock ensured that Country Fire Service volunteers would be compensated by the state if they were diagnosed with forms of cancer likely to have been developed through their service.⁷⁴

A few months after the election former Liberal leader Martin Hamilton-Smith joined Weatherill's cabinet as minister for investment and trade, defence industries and veterans' affairs. Hamilton-Smith appears not to have brought a specific set of policy preferences to the table as Brock did. His agreement is more straightforward in nature and concerns a ministerial position. However, he said in a speech at the SA Press Club that he had committed to support Brock's existing "regional agenda".⁷⁵

WA 2008: Loose coalition

After days of negotiation, the National Party agreed to a loose partnership with the Liberal Party. The agreement provided for confidence and supply for the Liberal minority

⁷⁴ ABC (2014) *SA Government to compensate CFS volunteers diagnosed with cancer*, <https://www.abc.net.au/news/2014-10-20/government-to-compensate-cfs-volunteers-diagnosed-with-cancer/5827276>

⁷⁵ Hamilton-Smith (2014) *SA Press Club speech*, <https://www.martinhamilton-smith.com.au/speeches/sa-press-club-speech/>

government, and for Nationals leader Brenton Grylls to become minister for regional development.

The “loose partnership” nature of the agreement allowed Grylls to exercise the same independence on policies outside of his portfolio area as independent MPs enjoyed in South Australian minority governments.⁷⁶ It was explicitly not a “coalition” according to the agreement. The agreement guaranteed the implementation of the National Party’s Royalties for Regions policy. It also provided Nationals MPs with more staff by dint of their position as ministers.

Labor’s proposed agreement with Grylls is also public.⁷⁷

The government’s numbers on the floor of the house were aided by the appointment of independent (formerly Liberal) Elizabeth Constable as minister for education.

Outcomes

By far the most substantial outcome of the hung parliament was the Royalties for Regions policy. The policy involved redirecting 25% of mining and petroleum royalties for spending in regional WA in the form of public projects.⁷⁸

Colin Barnett, who initially opposed the policy but was forced to implement it as premier, later concluded that it became an “overly indulgent” scheme.⁷⁹

The “informal coalition” between the Liberal and National parties in WA endured for the whole parliament, which ran full term. The Liberals won a majority outright in the 2013 election, although continued to govern with the Nationals.

ACT 1998: Reform Charter

The 1998 election saw the Liberals retain government, with both major parties’ seat totals remaining static (though the Liberals and Labor suffered 2.7% and 4.0% swings respectively). The crossbench, however, shifted to the right: the Greens lost a seat, independent Michael

⁷⁶ Griffith (2010) *Minority governments in Australia 1989-2009: Accords, Charters and Agreements*

⁷⁷ Carpenter (2008) *Labor’s proposal to form minority government in partnership with the Nationals*, <https://www.parliament.nsw.gov.au/researchpapers/documents/minority-governments-in-australia-texts-of-accor/13%20WA%202008.pdf>

⁷⁸ Phillips (2009) ‘The 2008 Western Australian State Election: The snap poll blunder’, *Australasian Parliamentary Review*, 24(1), p 235, <https://www.aspg.org.au/wp-content/uploads/2017/09/18-Phillips-WA-Election.pdf>

⁷⁹ Harvey (2017) ‘Colin Barnett uncut: Success, defeat, regrets and his lasting legacy’, *The West Australian*, <https://thewest.com.au/business/leadership/colin-barnett-uncut-success-defeat-regrets-and-his-lasting-legacy-ng-b88652856z>

Moore retained his, while conservative independent Paul Osborne's team took two. The Carnell government's almost-certain re-election was clear within days of the election.⁸⁰

On 18 March, the day before the Legislative Assembly met, the crossbenchers presented the two major party leaders with a Reform Charter that provided for:

- better freedom of information laws
- better parliamentary scrutiny of the ACT budget process
- a new Assembly research office.⁸¹

Osborne backed Carnell as he had in the previous parliament, and while he personally voted for Carnell, he worked with his colleague to flex their independence. During the chief minister vote the Greens' Kerrie Tucker nominated herself for chief minister and received the vote of Dave Rugendyke from the Osborne independents, a move Osborne described as putting Carnell on notice.⁸²

Moore was appointed Health Minister just over two months post-election (27 April) though he had pledged support for Carnell not dependent on this agreement. Moore's appointment as a minister was supported by the *Review of the Governance of the Australian Capital Territory*, which recommended greater scope for loose coalitions, crossbench ministerial roles and new parliamentary committees.⁸³

Outcomes

Moore was appointed as Minister for Health and Community Care. Moore passed legislation for a supervised injecting room (though it was never put in place).⁸⁴

Paul Osborne "achieved" health regulation changes that restricted abortion rights.⁸⁵ These were repealed in the subsequent parliament.

⁸⁰ Martin (1998) *Liberals keep control of ACT* <https://www.afr.com/politics/liberals-keep-control-of-act-19980223-k7x65>

⁸¹ Nicholson (1998) 'Independents present "reform charter"', *Canberra Times*, https://infoweb-newsbank.com.au/apps/news/openurl?ctx_ver=z39.88-2004&rft_id=info%3Asid/infoweb.newsbank.com&svc_dat=AWGLNB&req_dat=3AB36969C29445C598BFB754B6281F39&rft_val_format=info%3Aofi/fmt%3Akev%3Amtx%3Actx&rft_dat=document_id%3Anews%252F148A8CDE6653AD10

⁸² Bull (1998) *Carnell re-elected chief minister* <https://www.greenleft.org.au/content/carnell-re-elected-chief-minister>

⁸³ Hughes (1998) 'Australian Capital Territory, January to June 1998', *Australian Journal of Politics and History*, 44(4), p 626, <https://onlinelibrary-wiley-com.virtual.anu.edu.au/doi/epdf/10.1111/1467-8497.00045>

⁸⁴ Jacques (2024) *Supervised injecting room law passed in 1999 could still be enacted, says ex-health minister*, <https://region.com.au/supervised-injecting-room-law-passed-in-1999-could-still-be-enacted-says-ex-health-minister/792585/>

⁸⁵ Keane (2024) *History shows Coalition could target abortion to ensure passage*, <https://www.crikey.com.au/2024/11/21/abortion-law-peter-dutton-coalition/>

In 2000 the Assembly passed laws to introduce electronic voting. This was a leading national experiment in electronic voting.⁸⁶

Also in 2000, the Assembly passed changes to ACT electoral laws. The bill raised the disclosure threshold for political donations to \$1,500 (it was previously \$560) and raised the minimum qualifying threshold for public funding up from 2% of the vote to 4% of the vote. The major parties, which negotiated these changes between themselves, argued that it made sense to bring ACT electoral laws into alignment with those of the Commonwealth. The minor parties opposed the changes, which they deemed targeted at them. The bill passed.⁸⁷

ACT 2008: Labor-Greens agreement

The 2004 ACT election produced the only majority government in Canberra's self-governing history, which was undone in the face of a surging Greens vote in 2008. Labor lost two seats, the Liberals one, and the Greens gained three.

The Greens negotiated with both Labor and the Liberals to form a government, with the Liberals reportedly offering ministerial portfolios, but backed Labor 13 days after the election.⁸⁸

The Labor-Greens agreement included:

- Party status for the Greens, including more staff
- Greens committee chairs
- An Agenda for Parliamentary Reform, including committee reform
- Continuing the dedicated time for private members
- Advance notice of and scrutiny of legislation
- Question Time reform
- Freedom of information reform
- Climate and energy policy, including a greenhouse gas emissions reduction target, a \$30 million renewable energy plant and a renewable energy target.
- Reforms identified in cycling, waste, water, housing, planning, health and several other policy areas.

⁸⁶ Singleton (2001) 'Australian Capital Territory, January to June 2001', *Australian Journal of Politics and History*, 47(4), p 591, <https://onlinelibrary-wiley-com.virtual.anu.edu.au/doi/epdf/10.1111/1467-8497.00244>

⁸⁷ Singleton (2001) 'Australian Capital Territory, January to June 2001'

⁸⁸ Abjorensen (2009) *The Green-Labor alliance: one year on* <https://insidestory.org.au/the-green-labor-alliance-one-year-on/>

Outcomes

This term saw the first Greens Speaker anywhere in the world, Shane Rattenbury.⁸⁹

The strong Greens presence in the parliament saw the minority government pushed to support the introduction of tougher fines on those who dumped shopping trolleys, as well as plastic bag bans.⁹⁰

It also saw the adoption of the Latimer House Principles on probity and accountability.

ACT 2012, 2016, 2020: Parliamentary and Governing Agreements

While 2012 saw the Greens retain the balance of power that they had secured in 2008, they went from four seats to just one. Greens leader Meredith Hunter was one of the MLAs that lost their seats, and Speaker Shane Rattenbury was the only Green remaining. Labor picked up one seat and the Liberals two, bringing them each to eight seats – one short of a majority.

Thirteen days after the election the Greens backed Labor to retain government, and the two parties signed a 100-item agreement on policy issues; sole Green MLA Shane Rattenbury joined the cabinet, marking the start of 12 years of Labor–Greens coalition government in the ACT.

New Parliamentary and Governing Agreements (PAGA) were agreed by the two parties after the 2016 and 2020 elections.

Outcomes

2012

- A light rail network for Canberra (stage one opened in 2020)
- 100% renewable energy by 2020
- Establishment of a single conservation agency.

2016

This term of the Assembly saw the creation of the ACT's Anti-Corruption and Integrity Commission, the completion of the first stage of the Canberra Light Rail, the introduction of a Wellbeing Index for the ACT budget, and the decriminalisation of cannabis in the ACT.

⁸⁹ Griffith (2010) *Minority Governments in Australia 1989-2009: Accords, Charters and Agreements*

⁹⁰ Brenton (2011) Australian Capital Territory, January to June 2010, *Australian Journal of Politics and History*, 57(2), p 334, <https://onlinelibrary-wiley-com.virtual.anu.edu.au/doi/epdf/10.1111/j.1467-8497.2011.01598.x>

The Barr Government undertook the first ACT Citizens' Jury in 2017, to deliberate on policy changes to compulsory third party vehicle insurance.⁹¹

2020

The final ACT government PAGA progress report in 2024 described the bulk of the PAGA's elements as "Delivered", and stated three main achievements:⁹²

- Expanding Canberra's light rail network (described as delivered)
- Future-proofing Canberra's energy supply (described as delivered)
- Increasing the number of affordable rentals (described as underway).

Other notable outcomes were:

- Raising the age of criminal responsibility to 14⁹³
- Banning all new gas connections⁹⁴
- A licensing scheme for property developers.⁹⁵

ACT 2024: Confidence and supply agreements

The 2024 ACT election saw Labor retain its ten seats and the Liberal party its nine, with the Greens losing two MLAs to independents (Thomas Emerson and Fiona Carrick).

Labor and the Greens held negotiations to form a fourth coalition government, but the Greens decided to sit on the crossbench instead, saying that Labor had not delivered enough of a commitment to address the "big issues" facing the ACT.⁹⁶ Instead the Greens

⁹¹ McAffrie (2017) 'Australian Capital Territory, January to June 2017', *Australian Journal of Politics and History*, 63(4), p 676, <https://onlinelibrary-wiley-com.virtual.anu.edu.au/doi/epdf/10.1111/ajph.12420>

⁹² ACT Government (2024) *Parliamentary and Governing Agreement 2024 Report Number Four*, https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/barr/2024/final-parliamentary-and-governing-agreement-update-highlights-achievements

⁹³ ACT Government (2023) *ACT raises the minimum age of criminal responsibility*, https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/davidson/2023/act-raises-the-minimum-age-of-criminal-responsibility

⁹⁴ ACT Government (2023) *Regulation to prevent new gas connections starts in December*, https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/rattenbury/2023/regulation-to-prevent-new-gas-connections-starts-in-december

⁹⁵ Bell (2024) *Developer licensing laws pass in ACT, but apartment owners warn there is more work to do*, <https://www.abc.net.au/news/2024-06-28/developer-licensing-laws-pass-act-legislative-assembly/104032316>

⁹⁶ Frost (2024) *ACT Greens say 'business as usual won't cut it' as the party confirms it won't form another coalition with Labor*, <https://www.abc.net.au/news/2024-11-06/act-greens-crossbench-legislative-assembly-no-labor-coalition/104557182>

pledged Labor support on confidence and supply, and requested resourcing increases and a collaborative approach in the Legislative Assembly.⁹⁷

Thomas Emerson, the only MLA elected under the “Independents for Canberra” grouping, signed his own agreement with Labor in return for policy commitments, including on social housing, urban planning, and small businesses, as well as parliamentary process measures.

Outcomes

At the time of writing (six months after the election) both agreements are ongoing, with no major interruptions or challenges to either.

Victoria 1999: Charter of Good Governance

In an upset Labor (led by Steve Bracks) gained 13 seats, and the Coalition (led by Jeff Kennett) lost a further two to rural independents, giving Victoria its first hung parliament in 50 years.

The three rural independents drafted a “Charter of Good Governance” and declared that they would support the party that promised to legislate its contents.⁹⁸ The five-page charter focused on government accountability, parliamentary reform and rural Victorian issues.⁹⁹

Kennett’s approach antagonized the independents, and he only promised caveated support for the Charter, whereas Bracks promised to legislate it “in full”.¹⁰⁰ The three independents backed Labor, and Bracks became the next premier of Victoria.

Outcomes

Labor, which had not expected to win government, had a “ready-made agenda” in the Charter of Good Governance, though it had issues with the lack of a majority in the upper house. It won two by-elections from the Coalition during the term, which it considered a vindication of its programme.

All but one element of the Charter of Good Governance was passed.¹⁰¹ The exception was reform of the upper house, which the Coalition used its numbers in the unreformed upper house to block. Reform was eventually passed in time for the 2006 election.

⁹⁷ Rattenbury (2024) *Supply and Confidence Agreement*, https://greens.org.au/sites/default/files/2024-11/Supply%20and%20Confidence%20Agreement_0.pdf

⁹⁸ Costar & Hayward (2010) *Victoria’s unexpected minority*, <https://insidestory.org.au/victorias-unexpected-minority/>

⁹⁹ Davies, Ingram & Savage (1999) *Charter of Good Governance*, <https://www.parliament.nsw.gov.au/researchpapers/Pages/minority-governments-in-australia-texts-of-accor.aspx>

¹⁰⁰ Costar & Hayward (2010) *Victoria’s unexpected minority*

¹⁰¹ Costar & Hayward (2010) *Victoria’s unexpected minority*

Tasmania 1989: Accord

The May 1989 Tasmanian election saw the governing Liberal party lose its majority, and Independent Greens take the balance of power with five seats. A two-week negotiation produced the Labor–Green Accord, a nine-page agreement that pledged the five Independent Greens to support Labor on confidence and supply in return for policy concessions.

The governor of Tasmania, Sir Phillip Bennett, refused to appoint Labor leader Michael Field as premier despite this, and swore in Liberal leader Robin Gray to continue his government in minority. It took the Legislative Assembly convening and the Liberals losing a vote for the speakership on 28 June for the governor to appoint Field as premier, over a month and a half after the election.

Outcomes

The Accord had its most significant impacts in parliamentary procedure and environmental policy.¹⁰²

- A research service was established in the Parliamentary library, which meant crossbench and backbench MPs had greater research capacity, and increased staff resources and policy debate input were given to the crossbench.
- Several areas referred to in the Accord were given world heritage listing, there were considerable improvements in coastal management and marine parks, as well as significant consultation and discussion (but little progress) on forestry.

In addition, Paddy Manning suggests that Tasmania passed one of the “most progressive” freedom of information acts in the country under the banner of the Labor-Greens Accord.¹⁰³

Clashes over education policy were the first cracks in the agreement, which became a complete breakdown over forestry management. It was finally dissolved in September 1991 when Labor increased export woodchip quotas “in specific violation of the Accord”.¹⁰⁴

In the ensuing 1992 election, Labor and the Independent Greens suffered 6% and 4% swings respectively, with the Liberals picking up two seats from Labor and regaining their majority in parliament.

¹⁰² Griffith (2010) *Minority Governments in Australia 1989-2009: Accords, Charters and Agreements*, p 12

¹⁰³ Manning (2019) *Inside the Greens: The origins and future of the party, the people and the politics*, Black Inc, p 61

¹⁰⁴ Griffith (2010) *Minority Governments in Australia 1989-2009: Accords, Charters and Agreements*, pp 11–13

Tasmania 2010: Loose coalition

The 2010 Tasmanian election produced a hung parliament with the Liberals and Labor tied on ten seats and the Greens on five.

Like in 1996, the leaders of both Labor and Liberal had promised not to make deals to form government during the campaign. In that spirit, Labor premier David Bartlett attempted to relinquish power, and advised the governor to have the Liberals form government. The governor instead decided to re-commission Bartlett, not believing that the Liberals could form a stable government. Bartlett then formed a coalition with the Greens, making Greens leader Nick McKim a minister in his cabinet, and appointing Cassy O'Connor cabinet secretary. Notably, this coalition was not on the basis of a formal agreement setting out policy goals and agreements. Formal negotiations were limited to the number and implications of Greens MHAs joining the cabinet.

Outcomes

- The first Greens cabinet ministers in Australia (McKim and O'Connor)¹⁰⁵
- A stable four years of coalition government¹⁰⁶
- Forest peace agreement: a deal to incorporate environmental concerns into the state's forestry police, temporarily operational but dismantled by the Liberals in 2014¹⁰⁷
- An apology to victims of forced adoption.¹⁰⁸

The Labor–Greens coalition managed relative harmony throughout the parliamentary term, and cabinet reshuffles saw O'Connor promoted from cabinet secretary to minister, as well as expanding McKim's portfolios.

The policies of the Labor-Greens government were controversial, especially a turn towards austerity in the aftermath of the Global Financial Crisis. The Greens oversaw some particularly controversial moves, with McKim making an aborted attempt to close schools as education minister, and clashing with unions in his corrections portfolio. Labor suffered in the polls immediately following the formation of the coalition, with the Greens following the same trajectory in 2011-12.¹⁰⁹

¹⁰⁵ Green (2014) *2014 Tasmanian Election Preview*, <https://www.abc.net.au/news/2014-01-17/tasmanian-election-preview/5187740>

¹⁰⁶ Green (2014) *2014 Tasmanian Election Preview*

¹⁰⁷ Fromberg (2014) *Tasmania's Labor-Green alliance under the microscope*, <https://www.abc.net.au/news/2014-01-16/tasmania27s-labor-green-alliance-under-the-microscope/5203722>

¹⁰⁸ Fromberg (2014) *Tasmania's Labor-Green alliance under the microscope*

¹⁰⁹ EMRS (2013) *EMRS State Voting Intentions Poll*, <https://web.archive.org/web/20130921053534/http://www.emrs.com.au/pdfs/State%20Voting%20Intentions%20September%202013.pdf>

Tasmania 2024: Formal and informal agreements

The 2024 election returned Tasmania's largest ever crossbench: five Greens, three Jacqui Lambie Network (JLN), and three independent MHAs. The Liberals were left with 14 seats, four short of a majority, and Labor ten, needing eight crossbenchers to form government.

While Labor's position may have appeared more difficult, they could have negotiated with the crossbench.¹¹⁰ Labor refused to attempt forming government and instead conceded defeat, leaving the Liberals in power.

The Liberals concluded a confidence and supply agreement with JLN on 10 April, and reached informal agreements with independent MHAs on 24 April, allowing them to continue in minority government.

Outcomes

- The JLN secured an independent inquiry into the controversial plan to construct a new stadium in Hobart, as well as transparency and accountability measures, and recognition of their party status (though their disintegration has put the status of these measures in doubt).
- The two independent MHAs who made agreements with the government secured additional resourcing, as well as parliamentary reforms such as limits on "Dorothy Dixers."

Two of the three JLN representatives were expelled from the party in August 2024 and renegotiated a "simplified" agreement for confidence and supply.¹¹¹ In November 2024, the Liberals narrowly survived a no confidence motion because of differences in gambling policy between the Greens and Labor, and lost the support of independent MHA Kristie Johnston in March 2025.¹¹² However, the Labor Opposition does not support a no confidence motion that would "blow up the government".¹¹³

Federal 2010: Formal agreements

After Labor PM Kevin Rudd was toppled in a leadership spill in 2010, Julia Gillard assumed the Prime Ministership and led Labor to an election. The result was Australia's first hung

¹¹⁰ Rundle (2024) *Labor blows progressive coalition hope*, <https://www.crikey.com.au/2024/03/25/tasmanian-election-results-liberals-win-labor-no-coalition/>

¹¹¹ Pulse Tasmania (2024) *'Behind our backs': Sacked Jacqui Lambie Network MPs break silence*, <https://pulsetasmania.com.au/news/behind-our-backs-sacked-jacqui-lambie-network-mps-break-silence/>

¹¹² Rojahn (2025) *Government to face crossbench discontent in parliament, as public sector 'hiring freeze', announced*, <https://pulsetasmania.com.au/news/behind-our-backs-sacked-jacqui-lambie-network-mps-break-silence/>

¹¹³ Rojahn (2025) *Independent MP says "no confidence" in Premier days before parliament resumes*, <https://www.abc.net.au/news/2025-03-02/kristie-johnston-no-confidence-and-public-sector-slashed/105000652>

parliament since WW2, with Labor and the Coalition taking 72 seats each and six crossbenchers in pole position to decide the government.

One of these crossbenchers, Tony Crook, was a Nationals MP, but from the Western Australian branch which had exited the Coalition decades earlier. Another was future Greens leader Adam Bandt, who won the party's first lower house seat at a general election in 2010. The other four were independents, one a former Greens member representing Hobart (Andrew Wilkie), and three former Nationals members representing rural electorates (Rob Oakeshott, Tony Windsor and Bob Katter).

The Greens and Labor came to an agreement on 1 September, with Wilkie doing the same the following day. On 7 September Tony Crook backed Abbott, and while the three rural independents at first negotiated as a block, Katter pledged support for Abbott the same afternoon, tying Labor and the Coalition at 74. Two days later, Oakeshott and Windsor signed an agreement to back Gillard, giving Labor the numbers to form government.

Outcomes

The 2010–13 Australian parliament passed the most bills ever for an Australian parliament, so was productive despite (or because of) its status as a power sharing parliament.¹¹⁴

Policy outcomes included:

- Passage of the Clean Energy Future Package, which included a price on carbon, the creation of the Clean Energy Finance Corporation, the Climate Change Authority and the Clean Energy Regulator. The carbon price was later repealed by the Coalition, but other parts of the package were saved by an unlikely intervention from the crossbench in the Senate.¹¹⁵
- The commencement of the National Broadband Network rollout.
- Medicare-funded dental care for children.
- The introduction of a needs-based funding model for Australian primary and secondary schools.
- The introduction of a National Disability Insurance Scheme.
- The first national Murray–Darling Basin Plan, though one on which Labor and the Greens did not agree.
- The plain packaging of cigarettes, a world-leading initiative.

Parliamentary reform outcomes included:

- The creation of a Parliamentary Budget Office to do budgetary research for MPs without access to ministerial resources.

¹¹⁴ Glenday (2013) *Has Australia's hung Parliament been unworkable*, <https://www.abc.net.au/news/2013-03-18/hung-parliament-australia/4574884>

¹¹⁵ Browne, Campbell, & Cass (2019) *Saved by the bench*, <https://australiainstitute.org.au/report/saved-by-the-bench/>

- Various parliamentary process reforms to improve access for crossbenchers, including fairer opportunities for questions in Question Time.
- The creation of a Multi-Party Committee on Climate Change to oversee the creation of a robust Clean Energy package that could pass parliament.

Wilkie withdrew confidence and supply in January 2012 after the Gillard government reneged on promised reforms to the gambling industry.¹¹⁶ The Greens announced the end of their deal with Gillard in February 2013, accusing Labor of walking away from its promises but pledging continued support for confidence and supply.¹¹⁷

Windsor and Oakeshott's agreement with Gillard survived the full term of parliament,¹¹⁸ and Bob Katter gave confidence and supply to Labor upon Rudd's return as Prime Minister in 2013.¹¹⁹

¹¹⁶ ABC (2012) *Wilkie withdraws support over broken pokies deal*, <https://www.abc.net.au/news/2012-01-21/wilkie-withdraws-support-over-broken-pokies-deal/3786040>

¹¹⁷ Ghazarian (2013) *Government didn't walk away from the Greens, but Milne needed to ditch Labor*, <https://theconversation.com/government-didnt-walk-away-from-the-greens-but-milne-needed-to-ditch-labor-12308>

¹¹⁸ Osborne & AAP (2013) *Windsor, Oakeshott at centre of power*, <https://www.news.com.au/national/breaking-news/windsor-oakeshott-at-centre-of-power/news-story/d9848490d6364ddd3cc13957291e66ec>

¹¹⁹ Scarr & Maiden (2013) *Bob Katter says he will support Kevin Rudd as Prime Minister*, <https://www.abc.net.au/news/2012-01-21/wilkie-withdraws-support-over-broken-pokies-deal/3786040>