Effective Parliamentary Committee Inquiries Course

Tuesday 12th – Friday 15th February 2008
Canberra

The Centre for Democratic Institutions (CDI) conducted a training course for parliamentary staff at the Australian National University in Canberra from 12th and 15th February 2008. This was a new residential training course developed by CDI and aimed specifically at parliamentary committee staff, focusing on the practical aspects of parliamentary committee work.

The idea for the course originated from discussions CDI Deputy Director, Mr Quinton Clements, has held with Presiding Officers and senior staff in all of CDI’s target countries on ways CDI could further assist in developing the capacity of these parliaments. All agreed that one of the areas requiring greater strengthening is that of parliamentary committees. CDI was already engaged in working with parliamentarians who are involved in committee work through a series of in-country training workshops. However, very little work was being done in developing the capacity of secretariat staff in this highly specialised area. The reason both CDI and the parliaments it assists have chosen to focus on developing their committee systems is that like parliaments all over the world they have realised that a strong and effective committee system is one of the best means through which they can play meaningful roles in the governance of their countries. The aim of this course, therefore, was to help strengthen committee systems in CDI’s target parliaments by training secretariat staff in the process of conducting committee inquiries. This was first time this type of specialized training had been provided to parliamentary staff in this region.

Following discussions with the World Bank Institute and the Commonwealth Parliamentary Association, it was agreed that they would sponsor participation from their target parliaments. In order to save on costs, it was also decided that the course should be conducted as a parallel program to the third annual Summer School for Parliamentary Public Accounts Committees run by the Public Sector Governance and Accountability Research Centre at La Trobe University in Melbourne in February 2008. All committee staff attending the Summer School would be required to attend the CDI course as well.

Workshop Participants
The course was convened by CDI Deputy Director, Mr Quinton Clements, and Mr Steven Reynolds, the Clerk Assistant of Committees and the Usher of the Black Rod in the Legislative Council of the New South Wales Parliament.

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1 These include workshops on the role of parliamentary committees for the Autonomous Region of Bougainville House of Representatives, Buka, 28-29 June 2007; National Parliament of Papua New Guinea, Port Moresby, 9-10 November 2007; and National Parliament of Timor-Leste, Dili, 6-7 March 2008.
Several guest presenters addressed specific issues and case studies including Mr Andrew Dawson and Mr Russell Chafer from the Australian Parliament, and Mr Leslie Gonye, Ms Helen Minnican, Ms Beverly Duffy and Ms Julie Langsworth of the New South Wales Parliament.

18 parliamentary committee staff from CDI’s target countries of Indonesia, Timor-Leste, Papua New Guinea, the Autonomous Region of Bougainville, Fiji and Solomon Islands together with their counterparts from Ghana, Nigeria, Tanzania and Bangladesh participated. Ten parliaments, including one sub-national legislature, from nine countries sent staff to the course. The new Director of the Secretariat of the National Parliament of Timor-Leste, Mr Joao Rui Amaral, was among the participants.

The Course Program
The course program followed the process of conducting a committee inquiry from the beginning with the issuing of terms of reference for an inquiry through to the drafting of the final report and its tabling in Parliament. Topics covered included planning and budgeting for an inquiry, collecting evidence, processing written submissions, conducting public hearings and analysing the evidence received.

The program was designed to be very interactive and practically oriented. Participants not only learnt from the presenters but were encouraged to learn about committee work in each other’s respective parliaments. The group undertook a number of exercises, both in small groups and as individuals, including a mock public hearing in which each participant played a specific role.

The program was divided into four parts:
1. Starting an inquiry;
2. Collecting written evidence;
3. Collecting oral evidence; and
4. Drafting and tabling reports.

The course began with background to parliamentary committees and an overview of the process of conducting committee inquiries. The benefits of inquiries, such as involving the public/constituents in the work of Parliament, were highlighted. Each country delegation then provided a brief presentation on their respective parliaments and committee systems. Mr Reynolds followed with a session on terms of reference – how they are received and what makes for useful terms of reference. Mr Clements outlined the planning stage of an inquiry. Ms Julie Langsworth from the Legislative Council of the NSW Parliament then provided a case study using an inquiry into the Redfern Riots in Sydney in 2004.

The day two sessions were focused on collecting written evidence. Mr Dawson began by discussing different ways to advertise an inquiry and to use the media in publicising committee work. Mr Reynolds and Ms Duffy examined the treatment of written submissions to inquiries and other innovative methods of obtaining evidence. Mr Reynolds then spoke on some of the principles and pitfalls relating to Committee travel and site visits. This was followed by a presentation by Russell Chafer on budgeting for an inquiry. The small groups then completed an exercise preparing budgets for a fictional inquiry.

The third day was devoted to preparing for and conducting public hearings. Participants were introduced to good practice in holding public hearings by examining issues to do with effective committee membership, the role of the secretariat and
procedure. Ms Minnican spoke about the hearing processes for NSW parliamentary committees. There was considerable discussion on such procedural issues as using an oath or affirmation, protection of witnesses and contempt, the power of the Committee to compel a person/organisation to give evidence, and open hearings and in-camera sessions. The presenters noted the importance of bipartisanship and consensus in committee work, the role of the Committee Chair, holding manageable inquiries, using external assistance for inquiries, properly preparing for hearings, and producing evidence-based reports. Mr Reynolds also discussed the issue of witness protection, using the David Kelly Inquiry in the UK as a case study to illustrate how the way committees conduct hearings can potentially affect the lives of witnesses. Participants were also shown examples of good committee practice including television footage of public hearings as part of the Solomon Islands Public Accounts Committee’s inquiry into the 2007 budget appropriations.

The day concluded with the holding of a mock public hearing. The topic chosen for the role play was from an inquiry by a select committee of the NSW Parliament into the use of the cross-city tunnel in Sydney. A script had been prepared based on an actual public hearing of this inquiry. Participants were divided into three groups—Committee Members, witnesses, and Secretariat. Each group then prepared for its part in the role play exercise. What followed was a very successful role play in which a number of useful administrative and procedural issues arose to challenge the participants. They were then given an assignment on report writing to complete overnight.

As part of the third day the participants visited the Australian Parliament’s House of Representatives during the first sitting week of the 42nd Parliament and met with the new Speaker, the Hon. Harry Jenkins MP. The group then held roundtable discussions on the importance of committee work, firstly with the Clerk of the House of Representatives, Mr Ian Harris, then with two committee secretaries, Mr James Catchpole and Ms Anna Dacre.

The final day focused on the drafting and tabling of Committee inquiry reports. Mr Reynolds focused on the different aspects of good report writing including analysing the evidence, report structure and style and the benefits of using a report template. He began by looking at the elements of plain language writing and then examining the tension inherent in the drafting process and the key issue of who decides what goes into a report. Mr Reynolds then dealt with recommendations and the various stages of report consideration and tabling. The completed assignments were marked by Mr Clements and Mr Reynolds and then feedback was given to all participants.

Conclusion

Mr Clements and Mr Reynolds designed and developed the course program drawing on their experiences working with committees in the Australian and NSW Parliaments respectively. The Australian Parliament’s Department of the House of Representatives assisted by providing a range of training aids and materials, including video footage of Australian parliamentary committees at work. The NSW Parliament also provided an extensive range of training materials. Much of the course program was based on similar in-house training programs for staff in the NSW Parliament.

Overall, participants were involved in a very practically oriented and highly interactive program that challenged them and stimulated their interest in improving their professional skills. As a result, the sessions generated lively discussion and numerous questions from participants. All participants exhibited a genuine desire to
learn about committee practice and procedure and gain a better understanding of how to make their parliamentary committees function more effectively. Participants were clearly interested in sharing the experiences of their parliaments and countries and learning of developments in other countries. The level of engagement by all participants was impressive. They attended every session and all took the opportunity to speak, ask questions and share experiences and observations.

The evaluation feedback has been overwhelmingly positive and strongly suggests that this type of course that addresses specific skills development is greatly needed in CDI’s target parliaments. The majority of respondents were satisfied with the content and structure of the course and felt it was extremely relevant and useful to their work, whilst some suggested there could have been more sessions and others noted that the program was too full. Many participants noted that they found the opportunities to learn about the experiences and practices of colleagues from different parliaments to be among the most useful aspects of the course.

In making suggestions for improvement, participants recommended that the course be extended, allowing more time for presentations and follow-up questions and discussion. This is a point that CDI is also conscious of and future courses will be extended to five days. One suggestion was that it would have been beneficial to observe an actual public hearing in progress. Consideration will be given to incorporating this suggestion in the next course.

In terms of the course outcomes and future initiatives, all participants rated the course as excellent and all would recommend attendance at future courses to their parliamentary colleagues. When asked how their participation in the course will assist them in their work, participants provided a range of responses including:

- It will have an immense improvement on [how I do] my job;
- I will be able to improve the way my secretariat staff operate in assisting the work of the parliamentary committees;
- The information, experiences and discussion has in a way equipped me for the next inquiry which I will be involved in, so I am privileged to be part of this program;
- The course will help me focus on how to draft my ToRs for inquiries and also pay attention to minor things to be done before, during, and after an inquiry – things that I might otherwise take for granted;
- It assists me in organising of my inquiries and how to make successful hearings;
- There are so many processes in writing a report of a committee inquiry that are inefficient [in my country]. We usually make only administrative reports and short report during committee activity. I’ll try to give some presentation in my unit about the effective system for writing a report to make a change; and
- Since our parliament doesn’t have manuals this information could be used to create our own manuals and styles.

Acknowledgements

The first CDI Effective Committee Inquiries Course would not have been successful without the enthusiastic participation of the 18 parliamentary officers from different part of the world.

CDI expresses its sincerest appreciation to the New South Wales and the Australian Federal Parliaments for their generous support for this initiative. CDI also acknowledges the invaluable assistance and support of the World Bank Institute and
the Commonwealth Parliamentary Association. Participants from the African and Asian parliaments were sponsored by the World Bank Institute and the Commonwealth Parliamentary Association.

A special note of appreciation goes to Mr Reynolds. His genuine interest, enthusiasm, patience, extraordinary skill as a facilitator and presenter and deep knowledge of parliament helped ensure the workshop was a success.

CDI hopes that the course has better equipped participants and further encouraged them in the long process of building better and stronger systems of democratic government across the region.