



centre for democratic institutions

## **2nd Annual CDI Effective Parliamentary Committee Inquiries Course**

*Monday 16<sup>th</sup> – Friday 20<sup>th</sup> February 2009 | Parliament House, Sydney*

The Centre for Democratic Institutions (CDI) conducted a training course for parliamentary staff at Parliament House in Sydney from 16<sup>th</sup> to 20<sup>th</sup> February 2009. This was the second in this series of residential training courses developed by CDI and aimed specifically at parliamentary committee staff, focusing on the practical aspects of parliamentary committee work. It was also the first time that CDI has conducted an entire training program in full partnership with an Australian Parliament utilizing the facilities and resources of that Parliament. This is part of CDI's efforts to engage Australian Federal, State and Territory parliaments in CDI's parliamentary strengthening work and build more sustainable and productive relationships between Australian parliaments and their counterparts in our region.

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.<sup>1</sup> 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 program of specialized training is the only one of its type being 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 fourth 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 2009. All committee staff attending the Summer School would be required to attend the CDI course as well.

---

<sup>1</sup> 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; National Parliament of Timor-Leste, Dili, 6-7 March 2008; and the National Parliament of Solomon Islands, 16-17 April 2008.

## **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.

Twenty parliamentary officers from CDI's target countries of Indonesia, Timor-Leste, Papua New Guinea, the Autonomous Region of Bougainville, Vanuatu, Fiji and Solomon Islands together with their counterparts from Laos, Vietnam, Thailand, Bangladesh, Tuvalu, Samoa and Tonga participated. Fourteen parliaments, including one sub-national legislature, from thirteen countries sent staff to the course. The Clerks of the Parliaments of Tonga, Tuvalu and Samoa were 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 participants were divided into four groups of five. They remained with these groups for the duration of the course and undertook the practical exercises in their respective groups.

The program was divided into five parts:

1. General introduction to committee work
2. Starting an inquiry;
3. Collecting written evidence;
4. Collecting oral evidence; and
5. 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. Two committee chairs addressed the group. Ms Robyn Parker MLC spoke on the value of parliamentary committees from a Member's perspective. The Hon. Grant McBride MP spoke of the expectations committee members have of the secretariat.

The day two sessions focused on starting an inquiry. Mr Reynolds introduced the theme 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 Rachel Callinan and Ms Rachel Simpson from the Legislative Council of the NSW Parliament then provided case studies using an inquiry into the Redfern Riots in Sydney in 2004 and other innovative methods of obtaining evidence. The afternoon sessions were devoted to advertising and budgeting for a committee inquiry led by Mr Simon Johnston from the Legislative Council, followed by Mr Derk Swieringa, an Australian Business Volunteer. Mr Johnston began by discussing different ways to advertise an inquiry and to use the media in publicising committee work. Mr Swieringa then took the group through a series of budgeting exercises.

The theme of Day Three was collecting written evidence. Mr Reynolds and Ms Beverly Duffy from the Legislative Council examined the treatment of written submissions to inquiries. The Deputy President and Chair of Committees of the Legislative Council of the NSW Parliament, Hon. Amanda Fazio MLC, then addressed the group on working with a Committee Chair. Mr Les Gonye from the Legislative Assembly followed with a presentation on the core principles of parliamentary work with an emphasis on the ethical values required by staff. The remaining sessions for Day Three involved an examination of minute taking led by Mr Gonye and the principles and pitfalls relating to Committee travel and site visits presented by Mr Reynolds.

The fourth 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. Mr Russell Keith from the Legislative Assembly spoke about the hearing processes for the NSW Public Accounts Committee. 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. Ms Merrin Thompson from the Legislative Council 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 a hypothetical inquiry by a select committee into the use of mobile phones in schools. 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.

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. This was followed by Ms Duffy who looked at the elements of plain language writing and then examined the tension inherent in the drafting process and the key issue of who decides what goes into a report. Mr Reynolds, Ms Duffy and Ms Helen Minnican from the Legislative Assembly then dealt with recommendations and the various stages of report consideration and tabling.

## **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. 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 continues to be 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. However there were some concerns expressed about the packed nature of the program and some areas being difficult to understand for those for whom English is not a first language. 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 more time be allowed for presentations and follow-up questions and discussion. This is a point that CDI was conscious of in designing this year's course so consideration will be given to this issue when planning the next course in 2010. Participants from Pacific Islands countries showed greater familiarity with committee work in a Westminster parliament which formed the basis of the course content compared to those from the non-Westminster parliaments such as Indonesia. This difference in familiarity and understanding also led to different expectations of the course. Some participants from non-Westminster parliaments did note that there was "too much reference to the NSW Parliament and that the course should be more generalised". However the course was deliberately designed so as to promote best practice from an Australian parliamentary perspective and was advertised accordingly. Nonetheless, in terms of the course outcomes and future initiatives, a majority of the participants rated the course as excellent and all would recommend attendance at future courses to their parliamentary colleagues.

### **Acknowledgements**

The second CDI Effective Committee Inquiries Course would not have been successful without the enthusiastic participation of the 20 parliamentary officers from different parts of the region.

CDI expresses its sincerest appreciation to the New South Wales Parliament, especially the Clerks of the respective Houses – Ms Lynn Lovelock of the Legislative Council and Mr Russell Grove of the Legislative Assembly, 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 several 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.