Introduction

The Pacific Parliamentary Leadership Dialogue (the Dialogue) was held in Canberra from Tuesday, 12 March to Friday, 15 March 2013.

The Dialogue was designed for a select group of influential and emerging parliamentarians from across the Pacific to reflect on what it means to be a parliamentarian today and to consider what they as individuals can do to re-vitalize the performance of their parliaments and for their respective parliaments to achieve their full potential.

The Dialogue comprised discussions and briefings designed to challenge participants to distinguish between their roles as politician and as parliamentarian; to reflect on the tensions that exist between being a community advocate, member of a governing party or an opposition party, policy maker, legislator and accountability agent; and to consider the critically important contribution that parliament can make to good governance.

During the Dialogue participants discussed:

- balancing relationships between the parliamentary, executive and judicial branches of government;
- exercising parliamentary power, especially law making, policy review and administrative accountability and financial scrutiny powers; and
- ethics and integrity in parliamentary leadership.

These discussions were informed by meetings with Australian parliamentarians and parliamentary officials and by observing proceedings of the Australian Parliament and its committees. The Dialogue included meetings with members and staff from the Legislative Assembly for the Australian Capital Territory Legislative Assembly.

The Dialogue provided an opportunity for parliamentarians from across the Pacific to consider what they can do to foster new ways of thinking about parliamentary leadership, so that Pacific parliaments can assume their place as effective institutions of government.

Facilitators

Dialogue sessions were led by two eminent parliamentarians:

- Professor the Hon Stephen Martin; and
- The Hon Dr Kay Patterson.
Dr Patterson is a former Australian Senator and Minister for Health and Professor Martin is a former Parliamentary Secretary for Foreign Affairs and Speaker of the House of Representatives. They worked in partnership with the Convenor of the Dialogue, Mr Trevor Rowe, a former parliamentary officer with specialist knowledge and experience in the operation of parliamentary committees.

**Participants**

Fourteen participants from four parliaments were selected for the Dialogue. As is so often the case, there were parliamentary commitments that prevented some parliamentarians from participating in the Dialogue. The parliaments represented were:

- Papua New Guinea (4)
- Bougainville (2)
- Solomon Islands (5)
- Vanuatu (3)

The participants included two vice-ministers, a provincial governor and a deputy speaker.

**Structure**

The Dialogue was held at three venues in Canberra:

- Parliament House (12, 13 and 15 March);
- The Centre for Democratic Institutions at the Australian National University (14 March); and
- The Legislative Assembly for the Australian Capital Territory (14 March).

**Session 1 – Pre-Dialogue Briefing**

Session 1 provided participants with overview of the Dialogue and addressed housekeeping matters. Grant Harrison, CDI’s Deputy Director, welcomed participants. He reminded participants that discussions would remain private, adhering to a version of the *Chatham House Rule* (that participants are free to use any information received, but that comments or opinions expressed by individual participants should not be revealed).

Trevor Rowe drew to the attention of participants that each set of session notes concluded with space to record up to three ideas for change. Participants were encouraged to thing about idea for change throughout the entirety of the Dialogue.

**Session 2 – Office Welcome**

The Dialogue commenced with an official welcome by CDI’s Director, Dr Stephen Sherlock who encouraged participants to think about what it means to be a parliamentarian today and what they
may do after the Dialogue to help their respective parliaments achieve their full potential as an effective institution of government. Dr Sherlock highlighted challenges involved in:

- achieving a constructive balance between the parliamentary executive and judicial arms of government;
- exercising parliamentary power, especially law-making, policy review and administrative accountability and financial scrutiny powers; and
- ethics and integrity in parliamentary leadership.

Session 3 – Aims of the Dialogue

CDI’s Deputy Director, Grant Harrison identified three aims:

- To reflect on the role of a Member of Parliament (MP). This involved coming to terms with the difference between being a politician and a parliamentarian;
- To foster new thinking about parliaments; and
- To consider what actions can be taken to help parliaments achieve their full potential.

Issues discussed included:

- The challenges of being a new member of parliament. Many citizens get elected to parliament and then face a big challenge coming to terms with how parliaments work and the work of committees;
- what can be achieved by parliamentary committees – the scrutiny of executive government by committees, the development of policy and the involvement of the general community in debates about issues of national interest;
- the role of political parties. Parliaments in nations with strong parties operate differently to those where there are many smaller parties.
- the key role of the media / press in ensuring accountability. Parliamentary committees can use the media to inform communities about their work.

Session 4 – Facilitator and participant introductions

Session 4 provided a foundation for the Dialogue. It was an opportunity for facilitators and participants to learn about each other, including their parliaments, electorates, length of time as MPs and their expectations of the Dialogue.

After breaking into pairs for private discussion of 10-15 minutes, each participant then introduced the other to the other participants. Awareness of the diversity amongst participants provided a basis for more focussed discussion throughout the Dialogue.

Session 5 – Working lunch with the Parliamentary Secretary for Pacific Island Affairs
The Hon Richard Marles MP, Parliamentary Secretary for Pacific Island Affairs, spoke about Australia’s role in the Pacific and also reflected on the recent vote which had seen Australia become a member of the United Security Council. Mr Marles then outlined what he considered to be challenges in the region. They included progress with development and corruption. A very good discussion followed with participants very appreciative of Mr Marles’ frank and honest approach.

Session 6 – Official photograph

An official photograph was taken in the Mural Hall, Second Floor, Parliament House, Canberra.

Session 7 – Perceptions of Parliament

In Session 7 each parliament represented gave a 20 minute presentation to the Dialogue group on:

- constituent attitudes and expectations to Parliament;
- Executive attitudes (ministerial and departmental) to Parliament; and
- representation of the Parliament in the media (radio, newspapers and TV).

Session 8 – Systems of government in the Pacific

Session 8 was led by Dr Nicole Haley, Convenor, State, Society and Governance in Melanesia, School of International, Political and Strategic Studies, Australian National University. Session 8 addressed:

- the constitutional relationships between Executive, Parliament and Judiciary;
- the cultural dynamics in these relationships; and
- the current realities of the status of these relationships.

Dr Haley reflected on the recent experience of Papua New Guinea, the role of political parties, the role of woman in politics and the evidence that successful candidates were those with a good connection to the local community.

Session 9 – Welcome Reception

The CDI hosted a welcome reception in the Sir Frederick Holder Room, Member and Guests Dining Room, Parliament House, Canberra. The Reception provided an opportunity for Dialogue participants to meet with Members, Senators, senior parliamentary officers, diplomatic representatives, officers from the Department of Foreign Affairs and Trade and the AusAID. The Guest of Honour was the Minister for Foreign Affairs, Senator the Hon Bob Carr.

Session 10 – Role and responsibilities of the Speaker of the House

The Speaker of the House of Representatives, the Hon Anna Burke MP reflected on the challenges of being a Speaker at a time when there was a hung parliament. She explained the operation of the Federation Chamber (previously known as the Main Committee) as an alternative venue to the Chamber of the House for debate of a restricted range of business. She also explained how it
operates in parallel with the Chamber of the House to allow two streams of business to be debated concurrently. It has become increasingly important in managing the time allocated to House business, allowing more time for scrutinising government legislation and for private Members’ business and discussion of committee reports. Wide-ranging discussion included the operation of the Commonwealth Parliamentary Association.

Session 11 – Role and responsibilities of MPs – a backbencher’s perspective

Mr Harry Jenkins MP, Member for Scullin, and former Speaker of the House of Representatives, spoke to Dialogue participants about the challenges of being backbencher. He reviewed the role of a politician as a party member and as a local representative and the role of parliamentarian as a legislator, policy maker and accountability agent.

Session 12 – Observe parliamentary committee public hearing

In Sessions 12 Dialogue participants had the opportunity to observe a public hearing of the Joint Committee of Public Accounts and Audit. The hearing related to inquiries:

- Review of 2011-12 Major projects reports; and
- Review of Auditor-General’s Reports Nos. 2-10 (2012-13) and related reports.

The Chair of the Committee, Mr Robert Oakeshot MP, paused proceedings to formally welcome Dialogue participants.

Session 13 – Lunch meeting with members of the Australia – Pacific Parliamentary Group and the Australia – Papua New Guinea Parliamentary Group

Members of the Australia – Pacific Parliamentary Group and the Australia – Papua New Guinea Parliamentary Group met with Dialogue participants over a working lunch. Formal welcomes were made by Ms Amanda Rishworth MP, Chair, Australia- Pacific Parliamentary Group and Senator Anne McEwen, Chair, Australia – Papua New Guinea Parliamentary Group.

The meeting provided an opportunity to talk with Members and Senators who have a particular interest in the Pacific Region. The Chair of the Australia – Pacific Parliamentary Group welcomed participants to the Australian Parliament and offered her best wishes for successful discussions and learning.

Session 14 – Observation of Question Time in the Senate
Session 15 – Observation of Question Time in the House of Representatives

At 2:00 pm on Wednesday, 13 March Dialogue participants proceeded to the Presidents’ Gallery in the Senate to observe Question Time in the Senate. The President, Senator the Hon John Hogg, drew the attention of the Senate the presence of the Dialogue participants in the President’s Gallery and formally welcomed them.
At 2:30 pm the Dialogue participants proceeded to the Speaker’s Gallery in the House of Representatives to observe Question Time in the House of Representatives. The Speaker, the Hon Anna Burke MP, spoke from the Chair to welcome the Dialogue participants.

**Session 16 – Role and responsibilities of the President of the Senate**

The President of the Senate, Senator the Hon John Hogg, spoke to Dialogue participants about challenges in being both a Senator, representing the interests of a State or Territory, and the Presiding Officer. He also made observations about the relationship between the Executive Government and the Parliament and in particular, the Senate. The President talked to Dialogue participants about the operation of the Commonwealth Parliamentary Association. This was of particular interest to Dialogue participants.

**Session 17 and Session 19 – Role and responsibilities of MPs – Clerk’s perspective**

The Clerk of the House of Representatives, Mr Bernard Wright, explained the role of the Clerk. He said the House is not a place or institution but people. He noted that MPs have changed. MPs were younger and there is more diversity. He explained how that at the start of a new Parliament there is a need to educate new MPs. Many new MPs have no experience of a parliament and need assistance to fully understand the Parliament and how it works. There was agreed during the Session that if a Parliament is to reach its full potential, it must have a very good Clerk.

**Session 18 – Roles and responsibilities of scrutiny committees – Joint Committee of Public Accounts and Audit**

In Session 18 two members of the Joint Committee of Public Accounts and Audit explained the operation of the Committee and its power in ensuring accountability of the Executive to the Parliament. The two Committee members were:

- Senator Louise Pratt, Australian Labor Party Senator for Western Australia; and
- Senator Dean Smith, Liberal Party Senator for Western Australia.

Issues discussed included the relationship between the Parliament and the Auditor-General and the roles played by committees in the Australia Parliament in scrutinising the Executive and holding it to account. This included discussion about the role and operation of Senate Estimates Committees.

**Session 20 – Reality check: Integrity and corruption risks in politics**

In Session 20 the Dialogue Convenor, Trevor Rowe, facilitated a panel discussion with the Hon Dr Kay Paterson and Professor the Hone Stephen Martin. Discussion focussed on the following issues:

- community and party expectations of parliaments
- campaign donors and distribution of electorate funds
- the personal behaviour of MPs
Participants talked about their respective cultural settings and the expectations of gifts and money as part of the normal way of life. There was agreement that change had to take account of cultural sensitivities.

Session 21 – Leadership codes of conduct

Mr Howard Whitton, a specialist in public sector ethics, led discussion on:
- principles of good political leadership;
- designing codes of conduct; and
- Administering and enforcing codes of conduct.

A key aspect of discussion was about how to Identify and address conflicts of interest. Being able to manage conflict of interest was an effective means of minimising corruption. In general, there is a need to engender trust rather than focus on stamping out corruption.

Session 22 – Enhancing ethics and integrity in Parliament

Mr Howard Whitton led discussion in how to enhance ethics and integrity in Parliament, asking ‘What are some possible strategies?’ Issues discussed included:
- external watchdogs, official and civil society;
- codes of conduct;
- parliamentary culture & networks; and
- Registers of Members’ interests.

Session 23 – working lunch hosted by the Deputy Speaker of the Legislative Assembly for the Australian Capital Territory.

Lunch at the Legislative Assembly for the Australian Capital Territory was hosted by Deputy Speaker of the Assembly, Ms Mary Porter AM MLA.

The Deputy Speaker explained that the Legislative Assembly is the newest and smallest legislature in Australia, having been created in 1989. It has 17 members elected from three electorates (Brindabella, Ginninderra and Molonglo) and is responsible for both State and Local functions across the Australian Capital Territory (the ACT).

Session 24 – Role and responsibilities of MLAs – Backbenchers’ perspectives

In Session 24 two Assembly committee chairs, Mr Mick Gentleman MLA (Chair, Standing Committee on Planning, Environment and Territory and Municipal Services) and Mr Brendan Smyth MLA talked to Dialogue participants about the role of a politician as a party member and as a local representative and the role of parliamentarian as a legislator, policy maker and accountability agent. In contrast to committee in the House of Representatives and the Senate, committees in the
Legislative Assembly are small, each comprising three members. Most Assembly committees are chaired by MLAs from non-government parties.

**Session 25 – Role and responsibilities of the Speaker of the Legislative Assembly for the Australian Capital Territory**

Session 25 was led by Mr Shane Rattenbury MLA, a former Speaker of the Legislative Assembly and who in the current Assembly is a minister. He talked about his dual role as an MLA and as the Presiding Officer. He also made observations about the relationship between the Executive (Government) and the Assembly in what is a very small legislature.

Mr Rattenbury explained that the Speaker is elected by ballot by members on the first sitting after a new Assembly has been elected. As the Presiding Officer of the Assembly, the Speaker must act with both authority and impartiality. The Speaker’s role in the chamber is to run the proceedings. The Speaker maintains order through the interpretation and application of the standing orders. A Deputy Speaker is elected by members and performs the duties of the Speaker during the Speaker’s absence.

Unlike the Speaker in the House of Representatives, the Speaker may vacate the chair and participate in the chamber proceedings and Mr Rattenbury does this sometimes joining backbench committee members scrutinise Government departments.

**Session 26 – Role and responsibilities of MLAs – Clerk’s perspective**

In Session 26 was led by the Acting Clerk of the Legislative Assembly, Ms Janice Rafferty, and a former Clerk of the Assembly, Mr Mark McRae, who is recognised as having significant knowledge and expertise in parliamentary procedure and practice. They explained the challenges facing a clerk in a small legislature and the approach to training and development MPs, many of whom had limited knowledge and understanding of parliamentary procedure and practice when first elected.

**Session 27 – Pacific Parliamentary Partnership Program**

In Session 27 was led by Mr Andres Lomp, Director, International and Community Relations Office, Parliament of Australia. He explained the history of the twinning program and the goal of the Pacific Parliamentary Partnerships Program (PPPP) to be a supportive community of parliaments in the Pacific. Mr Lomp provided various examples of PPPP projects including the Pacific Women’s Parliamentary Network, which has recently received AusAID funding of $2.58m over 5 years.

Mr Lomp noted that the research support service, the Pacific Parliamentary Network, no longer was in operation and it was hoped that such support would now be achieved via the twinning program. The current twinning arrangements are:

- Australian Capital Territory with Kiribati
- New South Wales with Bougainville (Papua New Guinea) and Solomon Islands
- Northern Territory with Niue
Queensland with Papua New Guinea and Vanuatu
South Australia with Tonga
Victoria with Nauru and Tuvalu (and Fiji Islands whenever it comes out of abeyance)
Tasmania with Samoa
Western Australia with Cook Islands

Session 28 – Reviewing legislation, policy, public administration and financial performance through parliamentary committees

Session 28 was led by three staff from the House of Representatives Committee Office:
- Ms Claressa Surtees, Clerk Assistant (Committees)
- Mr Stephen Boyd, Committee Secretary
- Ms Julia Morris, Committee Secretary

These officers support House of Representatives committees and also ‘Joint Committees’, that is, committees that have members jointly from the House of Representatives and the Senate. The character and dynamics of Joint Committees can be quite different to House of Representatives (Standing or Select) committees.

The presenters explained that in the current House of Representatives, the Government has the smallest of majorities and this has meant changes in the way committees operate.

Session 29 – Opportunities for Parliamentarians to be legislators, accountability agents and policy makers – A Senator’s perspectives

In Session 29 Senator Claire Moore (ALP, Queensland), who has a wealth of experience as member of various Senate committees, shared her knowledge and experience with Dialogue participants. Senator Moore explained that 1970 saw the creation of what has come to be regarded as the modern Senate committee system, with the establishment of a series of standing (or permanent) Senate Committee that mirrored the portfolio activities of government. The 1970 reforms significantly enhanced the expertise and power of the Senate. The reforms were significant in that they gave to committees of the Senate the role of examining the budget (what is referred to as the estimates process or estimates hearings), which previously had been confined to the Senate as a committee of the whole.

The role of Senate committees was enhanced by three subsequent developments:
1. In 1982 the Scrutiny of Bills Committee was established, which, in examining all bills, played a role that complemented that of the examination of all delegated legislation by the Regulations and Ordinances committee.
2. In 1989 the Senate adopted procedures for the systematic referral of bills to committees, increasing the level of legislative scrutiny taking place within parliament.
3. In 1993, Senate committees adopted a more extensive procedure for consideration of the budget, creating a second opportunity each year for Senators to follow up issues identified during the initial budget estimates hearings. These second hearings are referred to as the Supplementary Budget Estimates. The Senate committee system was restructured in 1994, 2006 and again in 2009, however the range of functions has remained essentially the same.

Session 30 – The role and impact of the Parliamentary Library and research service

In Session 30 the Parliamentary Librarian, Dr Dianne Heriot, talked about the history and operation of the Parliamentary Library and services provided to Members and Senators. The Library employs 70 research staff in the following subjects:

- Economics
- Foreign Affairs, Defence and Security
- Law and Bills Digest
- Politics and Public Administration
- Science, Technology, Environment and Resources
- Social Policy
- Statistics and Mapping.

Fifty staff in the Information Access Branch provide collection management, database services and a reference desk (central enquiry point).

Other services include:

- the Parliament Library online (part of the Parliament’s website)
- a blog called ‘Flagpost’
- news clips and electronic media monitoring
- e-books

Dr Heriot also talked about PacLII and AustLII. PacLII was known to a number of Dialogue participants.

Session 31 – Opportunities for Parliamentarians to be legislators, accountability agents and policy makers – perspective of the Clerk of the Senate

In Session 31 the Clerk of the Senate, Dr Rosemary Laing, talked about the role of the Clerk as the principal adviser to all Senators on matters relating to the business and procedures of the Senate and its committees. When the Senate meets, the Clerk is seated at the Table in the centre of the Senate, in front and to the right of the President of the Senate. While on duty in the Senate, the Clerk provides procedural advice primarily to the Senator in the chair. This is usually the President of the Senate or Deputy President or Chair of Committees or a Senator acting in those positions. The
Clerk also provides procedural advice to all Senators, including Government Ministers and Parliamentary Secretaries.

Session 32 – Informal lunch in the Parliament House Cafeteria and Tour of Parliament House

Lunch on Day 4 provided an opportunity for informal discussion and review issues raised during the Dialogue with the Dialogue Convenor, Mr Trevor Rowe, and Dialogue Facilitators, Professor the Hon Stephen Martin and the Hon Dr Kay Paterson. After lunch Professor Martin led participants on the tour of Parliament House.

Session 33 – Observe parliamentary committee hearing - Joint Committee on Foreign Affairs, Defence and Trade

Session 33 was an opportunity for the participants to observe a public hearing conducted by the Joint Committee on Foreign Affairs, Defence and Trade.

Session 34 – Reflections and comparisons

Session 34 provided an opportunity to reflect on the Dialogue. In two groups, participants considered three questions. The results are:

- **How do our parliaments compare?**
  - very different traditions
  - Pacific Island parliaments are all unicameral. The Australian Parliament is bicameral
  - Resources (human, infrastructure and equipment) are limited.
  - Support staff varies. In a number of cases it is limited
  - Pacific Island parliaments have poor library resources and access to information and research services (compared to the Australian Parliament)
  - Only some Pacific Island parliaments have sitting patterns
  - Few Pacific Island parliaments have advanced, functioning committee systems

- **What do we do well?**
  - While some parliaments do poorly, some parliaments were thought to do well in the following ways:
    - improvements in secretariats
    - improvements Information technology
    - improvements in media coverage (television)
    - improvements in Parliamentary procedures with help from the Australian twinned parliament

- **Do we have any new ideas to improve our parliaments? What are they?**
  - Press for a parliamentary calendar in advance and adherence to the calendar
o Make use of resources. Try to make IT work for library access. Contact twinned parliament to get information and research assistance.

o More training for secretariat staff

o Work to develop a properly functioning committee system with the initial goal of improving accountability.

o Legislative improvements:
  ▪ Ensure Clerk does not have more power than Speaker
  ▪ Establish a privileges committee
  ▪ Establish a general purpose standing committee the examines economic and financial issues such as banking, inflation, taxation

o Improve the standard of parliamentary staff. Ensure parliaments have staff with qualifications in law, human resource management, financial management (which may ensure basic things such as regular payments of MPs salaries)

o Give teeth to parliamentary committees – consider the legal framework. Committees to be representatives and have powers to summons public servants.

o Greater co-operation between Pacific Island parliaments to learn from each other. There are cultural differences but we can have communication using social media such Facebook and LinkedIn.

o Improved training of officials and MPs on rights and responsibilities. Extend this to local government authorities

o Committee reports – reform the committee inquiry and reporting process so that there is ability to have dissenting reports.

o Create a standing committee on ethics and integrity.

o Encourage the use of laptops (iPads) in the chamber of each parliament

o A legislative basis for determining corruption and dealing with it

o Development of resources so that each parliament has resources like House of Representatives Practice.

**Session 35 – Dialogue Dinner and Awarding of Certificates**

The Dialogue concluded with a dinner held at the Sage Restaurant in Canberra. At the conclusion of the dinner participants were awarded Certificates of completion. CDI’s Director, Dr Stephen Sherlock thanked everyone involved in the Dialogue for making it such a great success. He praised participants for their enthusiasm and their ideas for change in their respective parliaments and encouraged them to maintain contact with each other and the CDI.