The Role of Parliamentary Committees: Workshop for Members of the National Parliament of Solomon Islands

Wednesday 16 – Thursday 17 April 2008
Parliament House, Honiara

As part of CDI’s program of in-country training courses for parliamentarians and parliamentary staff, and at the request of the Speaker of the National Parliament of Solomon Islands, Rt Hon. Sir Peter Kenilorea KBE, PC, CDI conducted a training workshop for Members of the National Parliament. The workshop was held at Parliament House in Honiara on 16-17 April 2008.

The workshop was organised in partnership with the Solomon Islands National Parliament Office and the UNDP Solomon Islands Parliamentary Support Project. The focus of the training was on the role of parliamentary committees with an emphasis on engaging the community through committee work.

This was the fourth workshop on the role of parliamentary committees that CDI has conducted.1 The aim of the workshop was to assist the National Parliament with ensuring that its parliamentary committees can perform their proper roles. Members gained a greater appreciation of the value of parliamentary committees:

- as a means of ‘taking Parliament to the people’, thus enabling them to be better informed about community views;
- of providing a bridge between their constituents’ concerns and the broader community interest;
- of promoting public debate; and
- of scrutinising the Executive and contributing towards better government through a more informed administration and policy making process.

There has been a long period of collaboration between CDI and the Solomon Islands Parliament. CDI has been fortunate in the previous committee workshops it has conducted to draw on the experience and support of the Solomon Islands National Parliament Office and the UNDP Solomon Islands Parliamentary Support Project. For example, the Clerk of Parliament, Mrs Taesi Sanga, and the UNDP Project Manager, Mr Warren Cahill, participated as presenters and facilitators in the Bougainville Workshop; the Auditor-General and Public Accounts Committee Secretary, Mr Floyd Augustine Fatai, and secretariat officer, Mr David Kusilifu, participated in the Papua New Guinea Workshop; and Mr Kusilifu also was part of the team for the Timor-Leste Workshop.

Workshop Participants
CDI Deputy Director, Quinton Clements, convened the workshop, together with:

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1 Previous workshops were 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.
Senator The Hon. Kay Patterson – Senator for Victoria, Parliament of Australia;
Hon. Moses Maladina – Member for Esa’ala Open and Chair, Parliamentary Select Committee on the Ombudsman Commission, National Parliament of Papua New Guinea; and
Mr Steven Reynolds - Clerk Assistant of Committees and the Usher of the Black Rod, Legislative Council, Parliament of New South Wales.

38 out of the current 49 sitting Members of Parliament participated in the two day workshop. The Prime Minister of Solomon Islands, Hon. Dr Derek Sikua MP, the Leader of the Opposition, Hon. Manasseh Sogavare MP, and several current Government Ministers were among the participating MPs. Key senior Solomon Islands public servants were also invited to participate as a way of enhancing their understanding of the parliamentary process. The media were invited to attend the first day.

Background
Unlike Papua New Guinea, there is no constitutional provision for parliamentary committees in Solomon Islands. The power of the House to appoint committees is not in doubt but the source of this power cannot be stated precisely. The legal authority for the House to set its own rules and procedures is Section 62 of the Constitution. The legal framework in which parliamentary committees, therefore, are established and operate is Part N of the Standing Orders of Parliament. Parliament has two types of committees, standing select and special select. The Speaker determines the number of members of every select committee and nominates the chairman and members of select committees. Members serving on committees receive additional allowances for attending committee meetings.

The Standing Orders provide for the establishment of special select committees as necessary. Parliament may, on the motion of a Member, appoint a special committee to ‘consider a matter of public importance upon which Parliament wishes the Government to initiate a Bill or take other legislative or administrative action’. There is currently one special select committee – the Special Select Committee on Immunities, Privileges and Powers of Parliament.

The Standing Orders also provide for the establishment of standing select committees. Each standing select committee exists for the life of the Parliament. There is a parliamentary convention that the membership of standing and select committees must include representation from each group of parliamentarians. The Leader of the Opposition is Chairman of the Public Accounts Committee, for example. There are no provisions for the co-option of members of the public onto standing committees.

There are five Standing Committees stipulated in the Standing Orders and others may be established as required. These are:

- Public Accounts Committee;
- Parliamentary House Committee;
- Bills and Legislation Committee;
- Constitution Review Committee; and
- Foreign Relations Committee.
The Public Accounts Committee is responsible for examining the public accounts and the national budget. The Parliamentary House Committee is responsible for reviewing the Members’ entitlements, overseeing the management and use of the facilities of Parliament, advising Parliament on parliamentary business for meetings and reviewing the Standing Orders and powers and privileges of Parliament and its Members.

The Bills and Legislation Committee is responsible for examining all draft legislation referred to it by the House, examining other matters referred to it by Parliament or the Government, examining all subsidiary legislation of an Act to ensure compliance, monitoring all motions adopted by Parliament requiring legislative action, and reviewing current or proposed legislative measures as it sees fit.

The role of the Constitution Review Committee is to review the Constitution regularly and advise the government on any changes as the Committee may deem necessary, appropriate and fitting; examine any proposed changes to the Constitution and request submissions of views thereon from individuals or groups; advise on any matters relating to the use, abuse or misuse of constitutional powers, rights and responsibilities; and report to Parliament in accordance with Standing Order 72 (11).

The role of the Foreign Relations Committee includes examining the establishment of new diplomatic relations or severing of existing ties, examining appointments of representatives abroad such as Ambassadors and High Commissioners, examining the ascension and ratification of international treaties, conventions and agreements, reviewing foreign aid to Solomon Islands, and reviewing the Government’s conduct of its foreign policy.

Prior to the redesign of the UNDP Solomon Islands Parliamentary Support Project and appointment of Mr Cahill as manager in 2005, the committee system had been inactive for many years. Most committee members had little or no understanding of the role of committees or the process for conducting an inquiry. Until the recruitment of graduate trainees under the UNDP Project in 2006, there was little by way of secretariat support for the committees.

The Workshop
The workshop program was based on sharing the experiences of other parliaments in the region, specifically those of Australia and Papua New Guinea, with Solomon Islands parliamentarians and staff. The Deputy Speaker, Hon. Clement Kengava, officially opened the workshop. He noted that the National Parliament needs to establish a stronger connection with the community as this is an avenue through which Members of Parliament can promote a greater understanding of Parliament’s roles and responsibilities. The Deputy Speaker said that engaging communities will enable Members to be better informed about community views, to establish a strong link between local communities and Parliament as this is vital to building trust between communities and Parliamentarians.

“Our National Parliament has a committee system that enables Members of Parliament to examine issues in more detail than is possible in the House. Committees are a way in which the Parliament can look into issues that Parliament would not have had time to look into during Parliament sittings, therefore they play an important part in making sure that Parliament works effectively.”

“The works of Committees provide an opportunity for individuals and groups to put their views directly to Parliamentarians, thereby strengthening the aim of ‘taking parliament to the people’. This can be done through making submissions, giving oral
evidence, attending public hearings and obtaining copies of report. However, this is an important role of committees that is yet to be fully appreciated here in our Parliament,” Hon. Clement Kengava said.

In his opening speech, the Prime Minister, Hon Dr Derek Sikua MP, expressed his hope that the workshop would “contribute to our good governance endeavors, ensuring there is transparency and accountability in our democratic processes and procedures”. The Leader of the Opposition, Hon. Manasseh Sogavare MP, spoke next. He outlined a range of areas in which parliamentary committees play a vital role including in the policy making process.

Mr Clements then outlined the context, purpose and structure of the workshop and introduced the members of the team. All of the Members present were then asked to introduce themselves.

The first day of the program was devoted to presentations on the Australian (both at the Federal and State levels) and Papua New Guinean experiences of working with parliamentary committees followed by question and answer sessions. Participants then broke into smaller groups to consider three themes – what makes effective committee membership, are the current operational processes for Solomon Islands parliamentary committees best serving the needs of those committees, and procedural issues such as the powers of committees and protecting witnesses.

Senator Paterson began the workshop proper by providing a presentation on the history and structure of the Westminster parliamentary model. She outlined the key principles underpinning the Westminster model – the separation of powers, ministerial responsibility, scrutiny of the executive and participatory democracy.

Hon. Moses Maladina outlined the importance of a good relationship between parliamentarians and their constituencies and how this can be enhanced through effective parliamentary committees. He described how this is starting to recognised and implemented in Papua New Guinea. Mr Reynolds gave a presentation on the powers and responsibilities of committees, using various procedural issues that have arisen with committees of the NSW Legislative Council by way of example.

The day two sessions were focused on taking the participants through a typical inquiry process – examining different types of Terms of Reference and planning for an inquiry. The final sessions were devoted to preparing for a mock public hearing. This included presentations and discussions on witness protection and procedural matters such as unauthorised disclosure and adverse mention. The topic chosen for the mock public hearing was a hypothetical inquiry by a Parliamentary Committee into the effects on the community of illegal home-brewed alcohol popularly known as Kwaso. Participants were divided into two groups – Committee Members and witnesses. Both groups were given background information on Kwaso consumption and its effects. They then separately prepared for their parts in the role play exercise – the Committee Members prepared the questions they wished to ask of the witnesses and the Witness group prepared responses to possible questions. What followed was a highly entertaining and very successful role play in which a number of useful administrative and procedural issues arose to challenge the participants.

On the basis of the evaluation feedback from Members, the excellent attendance of Members and the level of their engagement in the program, the workshop was very successful. By including Mr Reynolds of the NSW Parliament in the team of facilitators/presenters, CDI was able to assist both parliaments with the twinning
arrangement between them established as part of a recent Commonwealth Parliamentary Association initiative. CDI has also been able to encourage and assist with further capacity building in the Papua New Guinean National Parliament by enabling one of its Members, Hon. Moses Maladina, to learn how the Solomon Islands Parliament has successfully undertaken its rebuilding process. Mr Maladina was particularly impressed by the Solomon Islands Parliament’s website and expressed his determination to see a similar type of website established for the PNG Parliament.

Conclusion
The administrative support provided by the Solomon Islands National Parliament Office and the UNDP Solomon Islands Parliamentary Support Project was excellent. The workshop program was extremely well received and very effective in delivering the right mix of presentation and participation. The program was designed to be interactive and needs-focused. Each of the presenters used an inclusive, friendly and sharing approach in getting their messages across and engaging with the audience. As a result, the sessions generated lively discussion and numerous questions and comments from participants. All participants exhibited a genuine desire to learn about committee practice and procedure and gain a better understanding of how to further improve the Solomon Islands parliamentary committee system.

The participants expressed great enthusiasm for the workshop and the approach taken. Feedback from the participants has been overwhelmingly positive. It was evident that the Members could see the benefits of committee work and would implement many of the lessons learnt in their own committees.

The Speaker, Rt Hon. Sir Peter Kenilorea, expressed his gratitude to CDI for organizing and conducting the Workshop. He noted the success of the Workshop and the close collaboration between CDI and his Parliament in putting together the Workshop. CDI has developed strong links with the National Parliament of Solomon Islands which will greatly assist in future CDI Solomon Islands focused activities. The inclusion of Mr Maladina proved to be invaluable. The participants were especially interested in the PNG experience with parliamentary committees and in the political reforms PNG has introduced in the past decade, notably the Organic Law on the Integrity of Political Parties and Candidates.

This was the fourth workshop of this type that CDI has organised. The formula involves:
- addressing a specific capacity building need – in this case, committee work;
- tailoring the program to specific local circumstances;
- using a combination of Australian and Pacific Islands parliamentarians/parliamentary officers as presenters; and
- developing a highly interactive program focused on practical outcomes.

Acknowledgements
The workshop would not have been successful without the active involvement and support of the Solomon Islands National Parliament Office and the UNDP Solomon Islands Parliamentary Support Project. CDI extends its deepest appreciation to the Speaker, Rt Hon. Sir Peter Kenilorea KBE, PC, the Acting Clerk of Parliament, Mrs Florence Naesol, and her staff, and Mr Warren Cahill for their generous assistance, advice and excellent groundwork.

CDI is especially grateful for the enthusiastic participation of the Members of Parliament. CDI also acknowledges the kind assistance and support of the
Parliaments of Papua New Guinea and New South Wales, especially Ms Lynn Lovelock, Clerk of the Legislative Council.

CDI greatly appreciates the involvement of the presenters – Senator Paterson, Mr Maladina and Mr Reynolds - in the workshop. Without their genuine interest, enthusiasm, patience, extraordinary skill as facilitators and presenters and deep knowledge of parliaments, the workshop would not have been the success it clearly was.