The Study Tour for Members and Officials from the Vietnamese Office of the National Assembly (ONA) was organised by the Centre for Democratic Institutions (CDI) on behalf of the Hawthorn Consulting Group as one component of co-operation between the ONA and AusAID through the Vietnam–Australia Training Project (VAT). CDI was requested to organise and host a Study Tour which included visits to the Federal Parliament and the High Court of Australia, as well as visits to a State Parliament, the Supreme Court in one State, and a City Council.

The Study Tour took place from 3–14 April 2000 and aimed to provide participants with an understanding of the Australian political system and of parliamentary processes at State and Federal levels. Participants also visited the High Court of Australia and the Supreme Court of South Australia in order to gain an insight into judicial processes in Australia and a greater understanding of the principle of the separation of powers as it operates in Australia. The objective of the Study Tour was to contribute to understanding and discussion of the role and nature of democratic principles and institutions, not only as they operate in Australia, but generally.

The delegation comprised six members: three Members of the Vietnamese National Assembly and three senior officials.

- Dr Tran Ngoc Duong, MP Vice-Chairman of Office of the National Assembly;
- Mrs Dang Thi Thanh Huong, MP Vice-Chairwoman, Committee of Culture Education, Youth and Children;
- Mr Tang Van Luy MP, Committee of National Defence and Security;
- Mr Tran Ba Loc, Director, Department of Administration and Accounts;
- Mr Bui Dinh Hao, Vice-Director Department of Southern Affairs; and
- Dr Ngo Duc Manh, Deputy General Director, Centre for Information, Library and Research Services

It was necessary for Dr Tran Ngoc Duong, the leader of the delegation, to return to Hanoi at the conclusion of the first week. Mrs Dang Thi Thang Huong led the delegation for the second week of the programme.

The first week of the Study Tour took place in Canberra and focussed on institutions and processes at the Federal level. At the beginning of the second week of the Study Tour, participants travelled to Adelaide, accompanied by Dr Sharon Bessell of the Centre for Democratic Institutions. The Adelaide component of the Study Tour
focussed on political structures and legislative processes at State level. On the final
day of the programme, the delegation travelled to Sydney to meet with representatives
from the Human Rights and Equal Opportunity Commission.

The Study Tour programme is provided in Attachment Two. Below is a summary of
activities.

**Week One: Canberra Component**
The week spent in Canberra comprised a combination of academic style workshops at
the Australian National University, with observation, visits to relevant institutions,
and meetings with counterparts. The workshops dealt with the principles upon which
the Australian system of government is based and explained processes and
institutional design. This provided a useful context for the more practical aspects of
the study tour.

On the first day of the Study Tour, the delegation met with representatives from the
Department of Foreign Affairs and Trade, AusAID, and the Office for National
Assessments. This roundtable discussion allowed for a wide-ranging exchange about
the bilateral relationship between Australia and Vietnam and areas of current and
future co-operation.

The delegation noted that the My Thuan Bridge, built with Australian support, will be
opened in May 2000 by the Minister for Foreign Affairs Alexander Downer. The
delegation emphasised the benefits that the bridge will bring, in particular it is
expected to dramatically improve the lives of Vietnamese living in the area by
providing access to markets, friends and family across the river.

**Introduction to Australian Political Systems**
The morning session on Tuesday 4 April was presented by Dr John Uhr from the
Australian National University, and provided an overview of the Australian Political
System. Dr Uhr is an internationally recognised expert on the Australian political
system, and the delegation benefited considerably from his depth of knowledge and
insight. Dr Uhr provided an overview of three aspects of the Australian Political
Process, which was followed by discussion of these issues:

i. Constitutional Forms with a particular focus on the federal division of powers
and the separation of powers between the three branches of the Australian
national government (the Parliament, the Executive, and the Judiciary).

ii. Legislative Powers, as identified in the Australian Constitution, focusing on
the role of the Senate and House of Representatives and the means of bringing
about Constitutional change.

iii. National Governance, focusing on issues of government income, revenue
sharing and the role of the Australian Public Service.

Dr Uhr then presented a case study which examined the recent debate over Mandatory
Sentencing. This case study not only provided the delegation with the opportunity to
consider a particularly topical issue but also allowed the theoretical issues discussed
earlier to be placed into a practical context.
Visit to the Australian Electoral Commission
On the afternoon of Tuesday 4 April, the delegation visited the Education Centre of the Australian Electoral Commission. The Centre is designed to educate children of primary school age about the history, principles and processes of the Australian Electoral System. The delegation observed as a group of school children watched a multi-media presentation about the Australian Electoral System and participated in a mock election.

The delegation was impressed with the Centre, noting the importance of teaching children about political processes. One member of the delegation expressed some surprise that the children were so young, but seemed to have a reasonably good grasp of the issues.

The delegation then had a discussion with Mr Alistair Legge of the Australian Electoral Commission about the role and structure of the Commission. The delegation was interested to learn about the international work undertaken by the AEC. The fact that the AEC is funded through Parliament but remains independent from Government was also an issue of some interest and discussion.

Role of Political Parties in Australia
One of the most striking differences between the Vietnamese and Australian political systems is the role and nature of political parties.

Professor John Warhurst, a leading expert on political parties, provided an overview on the history and role of political parties in the Australian context. Professor Warhurst discussed the nature of party membership in Australia, which the delegation was interested to hear is relatively small; the role of women within parties; the importance of elections and the processes of pre-selection, campaigning and the role of the media; party activity within Parliament and the notion of party discipline; and the role of the Senate.

This session prompted lively discussion about the pros and cons of a multi-party system, and the delegation asked about the bipartisan nature of Australian politics, with the domination of the two major parties, as well as the role of minor parties.

Following the presentation by Professor Warhurst, the delegation met with Ms Rowena Cowan of the Liberal Party of Australia and Mr Michael Kerrisk of the Australian Labor Party. This meeting allowed the delegation to discuss the role of parties in Australia with ‘insiders’ from the two major parties.

Visit to Parliament House
The delegation spent the afternoon of Wednesday 5 April and all day on Thursday 6 April at Parliament House, where the focus of the study tour moved from the more theoretical discussion of the past three days to the practical politics that take place within Parliament.

The delegation observed Question Time in both the Senate and the House of Representatives, and were intrigued by the theatre taking place in the Chamber. Following Question Time there was an opportunity for an informal discussion of the
meaning of question time and the accountability issues associated with the concept of questions without notice.

The delegation then toured Parliament House before attending a reception in their honour, hosted by the Hon Neil Andrew MP, Speaker of the House of Representatives, and Senator the Hon Margaret Reid, President of the Senate.

The following day, the delegation met with Ms Margaret Swieringa to discuss the role of the Parliamentary Committee System. Ms Swieringa emphasised that there are a large number of Committees within Federal Parliament, all of which have representation from all political parties. Ms Swieringa also explained the different nature of the various Committees, ranging from those that are established to examine one particular issue to those that are in existence for the life of the Parliament to the permanent Committees.

It was noted that Parliamentary Committees play a very different role in the Australian context from that in Vietnam. A particular point of interest was the role of public input into Committee processes. Ms Swieringa noted that many Committee inquiries call for public submissions and hear evidence from the public. In recent years Committees have travelled around the country in an effort to engage with the public.

The delegation was interested to see that there is a degree of inter-party co-operation within the Committees, a very different situation from the Party rivalry they had witnessed the previous day during Question Time.

The delegation then toured the broadcasting and reporting facilities at Parliament House, which are state of the art but quite costly.

The delegation then attended a working lunch with members of the Australia–Vietnam Parliamentary Group, chaired by the Hon Mal Bough MP. The members of the Australia/Vietnam Parliamentary Group have a strong interest in Vietnam and a number had visited the country on several occasions. The discussion was relaxed and wide-ranging, covering several of areas of mutual interest. A particular point of interest, discussed at length, was the potential for foreign investment in Vietnam. One of the members of the Australia–Vietnam Parliamentary Group expressed the concern that Australian businesses seeking to operate in Vietnam had sometimes encountered unfavourable conditions and regulations. The delegation members noted that obstacles to foreign investment in Vietnam are being looked at.

The programme at Parliament House concluded with a briefing from Dr Frank Frost on the role of the Parliamentary Library and Research Service (PLRS). The delegation was interested to hear that the PLRS provided impartial information to all Members and Senators, regardless of party affiliation. The delegation asked whether this caused a conflict of interest, particularly if two members from different parties sought the same information on one issue. This led to a detailed and enlightening discussion about independence and impartiality.
The Australian Judicial System

On Friday 7 April, the focus of discussion turned to the judicial system. Ms Pauline Ridge from the Faculty of Law, ANU provided an overview of the judicial system in Australia, explaining the hierarchy of courts and their relationship to one another. This was followed by a discussion of judicial accountability, the separation of powers, and the relationship between the judiciary and government, facilitated by CDI Director Roland Rich.

Following lunch, the delegation visited the High Court of Australia where they observed a case in progress, toured the Court, and discussed the role of the Court with Court officials.

Week Two: Adelaide Component

On Monday 10 April, the delegation travelled to Adelaide, accompanied by Dr Sharon Bessell from the Centre for Democratic Institutions, for four days focussing on political processes and institutions at State level.

The Adelaide component of the study tour began with a visit to the Hawke Centre, University of South Australia where the delegation was greeted by Ms Elizabeth Ho, Director of the Centre and Professor Alison Mackinnon, Director of the Hawke Institute. The delegation was formally welcomed to the Centre by the Hon Robert Lawson MP, a member of the South Australian Parliament and Minister for Disability Services, Minister for the Ageing, Minister for Administrative and Information Services and Minister for Workplace Relations.

The Hon John Bannon, former Premier of South Australia and scholar of Australian federation, then provided a presentation on state–federal relations and the division of power and responsibility between the two levels of government. Mr Bannon’s presentation and the discussion that followed provided useful background for the following four days.

On the afternoon of Monday 10 April, the delegation visited the electorate office of the Rt Hon Alexander Downer, Minister for Foreign Affairs and Federal Member for Mayo. Mr Downer’s electorate takes in both some suburbs of Adelaide and the semi-rural areas of the Adelaide Hills. The delegation met with two members from Mr Downer’s electorate staff, who were extremely generous with their time. The discussion was informal and wide-ranging, although the delegation was particularly interested in the ways in which Members of Parliament and their electorate offices deal with grievances from their constituents. Mr Downer’s staff explained that while there are a several avenues through which a member of the public can seek to redress a grievance (including through the appropriate ombudsman’s office, the legal system, the Human Rights and Equal Opportunity Commission, and so on) the office of their local Member of Parliament is often the first port of call.

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On the morning of Wednesday 12 April delegation met with the Hon Rob Kerin MP, Deputy Premier of South Australia, Minister for Primary Industries and Resources, and Minister for Regional Development. The discussion focused on the problem of managing natural resources and, in particular, water resources. Mr Kerin explained that high levels of salinity and inappropriate use of the Murray River is a major issue within South Australia. The delegation noted that Vietnam is also faced with difficult issues in relation to the management of water and other natural resources. Indeed, the delegation explained that Vietnam’s water law aims to deal with the problem of water shortages in dry areas of the country.

The delegation than went to the South Australian Parliament where they met with members and officials of the Parliamentary Committees. The delegation was interested to hear that there is a high level of bipartisanship within the Committees of the South Australian Parliament, particularly those focusing on social and environmental issues.

Following a tour of Parliament House, the delegation met with the Hon Mark Brindal MP, Minister for Water Resources, Minister for Employment and Training, and Minister for Youth. The discussion focussed on problems of youth unemployment and issues relating to the most effective and efficient forms of youth training. These issues were considered to be of pressing importance for both countries.

The day at State Parliament culminated with a dinner in the Parliamentary Dining Room, hosted by the Presiding Officers of the South Australian Parliament, the Hon J Oswald MP and the Hon J Irwin MLC.

On the morning of Thursday 13 April the delegation visited the electorate office of State Labor Member for the electorate of Norwood, the Hon Vini Ciccarello MP. The discussion with Ms Ciccarello focussed on a number of issues that are of concern for both Australia and Vietnam, and highlighted the similarities as well as the differences between the two countries. Two issues that received particular attention were tourism and aged care. Ms Ciccarello and the delegation were in agreement that while tourism was an important part of their respective economies, it is important that tourism be historically and culturally sensitive. There was also agreement that countries should not aim to become yet another resort within the global tourist market, but should promote that which is unique and culturally significant. Tourism, it was noted, should be a means of maintaining this uniqueness and should not undermine it. The other issue of common concern was that of aged care. The delegation noted that the issue of how to care for and support the older population is now beginning to emerge as significant and potentially problematic in Vietnam, and will become more pressing in the future.

The delegation then visited the Supreme Court of South Australia, where Ms Penny Cavenagh provided a guided tour and an explanation of the role and processes of the Court. The delegation also observed a case which was in progress.

Finally, the delegation visited the Adelaide City Council where they toured the Town Hall and met with the Lord Mayor, Dr Jane Lomax-Smith, who explained the role of local government generally and that of the Adelaide City Council in particular.
Sydney Component: Visit to the Human Rights and Equal Opportunity Commission

On the morning of Friday 14 April, the delegation flew to Sydney, where they visited the Human Rights and Equal Opportunity Commission (HREOC).

Ms Diana Temby, Executive Director of HREOC, welcomed the delegation. The welcome was followed by a multi-media presentation by Ms Jan Payne of the Public Affairs Unit, which explained the role of the Commission. Mr David Allen and Mr Bill Kennedy then gave a briefing on HREOC’s international work and on the role of the Asia Pacific Forum of National Human Rights Institutions. Mr Allen focused in particular on the Australia–China bilateral dialogue on human rights.

The presentations were followed by a round table discussion of the work of HREOC and of human rights issues generally. The delegation was particularly interested to hear about the situation of indigenous rights in Australia. The delegation also asked about the investigative powers of HREOC and about public grievance procedures.

The meeting with HREOC was essentially introductory and raised a number of issues that could well be taken up in future projects focusing specifically on the implementation of human rights and the role of national human rights institutions.

Issues Arising from the Study Tour

Discussion of Australian democratic processes and institutions revealed the considerable differences between political processes in Australia and Vietnam. Perhaps the most obvious difference related to single versus multi-party systems. The delegation noted that while Vietnam is a single party system, there is considerable diversity and debate within the Communist Party. In contrast, some Australian commentators put forward the view that democracy rests on the ability of the people to change their government, which requires more than one political party. There were lively and valuable debates on this issue. The opportunity for the delegation to consider the centrality of the multi-party system to Australian democracy, to explore the benefits and shortcomings of the system, and to discuss the issues with academic experts and representatives from Australia’s two major parties was valuable.

The principle of the separation of powers was the focus of several discussions, particularly during the first week of the Study Tour. The separation of the judiciary from the parliament in Australia was sparked some interest among the delegation members and was accorded considerable attention. It was noted that the principle of separation of powers operates differently between countries – for example there are marked differences between the Australian and United States systems. It was emphasised, however, that the separation of powers is central to accountable, transparent and just government.

The different roles and nature of Parliamentary Committees in Australia and Vietnam was noted. In Australia, Committees have a more restricted and specific role and considerably less power than in Vietnam. The important role of Committees in Australia in providing public input into the deliberations of Parliamentarians and in promoting the accountability of the Executive was noted. While debates within the Parliamentary Chamber, particularly during Question Time, suggest the deep party division within Australian politics, the Committees promote a greater degree of
bipartisanship. The delegation was interested to hear that in South Australia, particularly within the social development Committee, division along party lines is uncommon.

While the differences between the two systems were apparent, the delegation found a number of areas of similar interest and similar problems, including the importance of tourism to the economy and the issues associated with ensuring that tourism is environmentally and culturally friendly; the challenges of managing natural resources; and issues relating to youth training and unemployment.

Discussions with counterparts, particularly from within the South Australian Parliament, highlighted the challenges faced by both Vietnam and South Australia in managing resources, especially water. The challenges of achieving a balance between economic development and utilisation of natural resources on the one hand and environmental sustainability on the other were keenly felt. The challenges and opportunities presented by tourism were also the focus of discussion. One issue considered to be of particular importance by both the delegation members and their Australian counterparts is the importance of promoting tourism that values and preserves a nation’s unique history and its cultural integrity.

Several South Australian Parliamentarians noted that Australia faces the problem of an ageing population. While this problem is not pressing in Vietnam as yet, delegation members noted that Vietnamese policy makers are acutely aware that this issue will become increasingly important. In this context, the delegation and their Australian counterparts discussed the importance of the younger generation to each nation’s future. Ways of improving education and training opportunities and combating youth unemployment were discussed.

An area of particular interest for several members of the delegation was that of public grievance processes. This is an issue that has been the subject of debate in Vietnam recently, and individual Parliamentarians now have considerable responsibility for dealing with public grievances. Delegation members were particularly interested in hearing about the role of Parliamentarians electorate offices in this area. It was noted, however, that in Australia the Parliamentarian’s electorate office is only one avenue through which members of the public can raise grievances. This is an area where there may be scope of further training, co-operation and exchange.

**Participant Evaluation and Feed-Back**

Evaluation of the Study Tour was obtained in two ways. First, each member of the delegation was asked to complete a simple evaluation form. Delegates were invited to complete the form in Vietnamese if they preferred. All but one member of the delegation completed the form in Vietnamese. This part of the evaluation was anonymous. An academic at the Australian National University translated evaluation forms from Vietnamese into English.

The second part of the evaluation process involved an informal feedback session with Sharon Bessell of the Centre for Democratic Institutions, where each participant was given the opportunity to make comment on how the Study Tour could be improved and what had been most useful. Below is a summary of the feedback session.
Evaluation and participant feedback was very positive overall. One participant noted that the language barrier acted to limit interaction, but felt that he had still gained a good deal from the Study Tour.

Participants felt that the Study Tour was well organised and dealt with a range of important and relevant issues. It was noted that the combination of a Federal and State focus was useful, as it allowed the delegation to gain an holistic understanding of the Australian political system. The delegation members noted that they felt honoured to have met so many high profile people. The Australian Electoral Commission’s Education Centre was singled out for particular praise as an organisation that is serving an important role in fostering an understanding of democracy in the younger generation.

Two members of the delegation noted that while the Study Tour had provided an excellent macro perspective, they would have welcomed the opportunity to focus on social and economic infrastructure and policy at the micro level. It was noted, however, that this would have required more time. Similarly, it was felt that the range of issues examined over the course of the Study Tour was good, but members of the delegation would have liked more time for discussion of each issue. Again it was realised that this would require more time.

The delegation leader noted that the Study Tour had raised some important issues that Vietnam’s leaders and policy makers must think about seriously. The hope was expressed that there would be greater co-operation between the Parliaments of Australia and Vietnam in the future. Areas of Parliamentary research, legal research and research and legal services for Members of Parliament were identified as potential areas for future co-operation.