

**Government Response to the
Committee System Review Committee**

Review of the Queensland Parliamentary Committee System

The Queensland Parliament, like most other Westminster parliaments, has maintained a system of committees of parliamentarians to monitor and inquire into aspects of Government administration and to provide governance over the functions of the parliament itself. The system of committees has changed and expanded substantially over time and has provided the parliament with more scrutiny over government departments and ministers.

In August 2009, the Queensland Government released the discussion paper, *Integrity and Accountability in Queensland*. The discussion paper consultation highlighted the importance of the Parliament having a high standard of scrutiny over the executive government. In response to this feedback, the Government committed to creating a bipartisan committee to review the role of parliamentary committees in Queensland.

On 25 February 2010, the Committee System Review Committee (the Review Committee) was appointed by the Parliament to conduct this inquiry. The Review Committee considered parliamentary committee systems in other Australian and international jurisdictions, and timely and cost effective ways in which Queensland parliamentary committees could more effectively evaluate and examine legislative proposals. The Review Committee received 33 submissions to its inquiry and held a public hearing at Parliament House in Brisbane on 20 August 2010.

On 15 December 2010, the Review Committee tabled its report (the Report) titled *Review of the Queensland Parliamentary Committee System*. In accordance with the *Parliament of Queensland Act 2001*, the Government is required to table a response, or interim response, to the Report on or before 15 March 2011.

The report makes 55 recommendations. The Government supports the majority of the recommendations which will fundamentally reform the parliamentary committee system and hence, the operation of the Queensland Parliament. However, in line with the spirit of the review, the Government will let the Parliament finalise how it chooses to implement the Report. Accordingly, how the Government response is implemented will be shaped and informed by debate on the report on Parliament and by the wishes of the proposed Committee of the Legislative Assembly.

Accordingly, the Government will form by resolution of the House, a Committee of the Legislative Assembly to consider issues surrounding the implementation of the Review's recommendation.

The Government responses to each of the recommendations provide an interim position and may be used by members and the Committee of the Legislative Assembly when they consider the report.

The proposed portfolio committees will scrutinise the executive. That is, they will examine expenditure, legislation, public works and other relevant matters that would not be better investigated by other bodies. Similarly, the Parliamentary Crime and Misconduct Committee will retain its role in reviewing and monitoring the Crime and Misconduct Commission.

It is proposed that the functions of the other existing specialist committee, the Public Accounts and Public Works Committee will be contained in portfolio committees.

The Committee of the Legislative Assembly will be used as a governance committee for the Parliament. It will broaden input to, and responsibility for, expenditure and maintenance decisions of the Parliament. It will also assume responsibility for matters concerned with the functioning of Parliament such as the Standing Rules and Orders.

The Committee's Recommendations

Recommendation 1

The Committee recommends that in place of the current committees there be the following committees:

- *nine statutory portfolio based committees to cover the array of government activities*
- *the Parliamentary Crime and Misconduct Committee*
- *a Committee of the Legislative Assembly.*

Response: The Government supports the Committee's recommendation to reform and modernise the Queensland parliamentary committee system through the introduction of portfolio committees.

The number and alignment of these committees will need to be given further consideration in line with budget considerations and further debate.

The Government also supports the retention of the Parliamentary Crime and Misconduct Committee and the establishment of a Committee of the Legislative Assembly.

Recommendation 2

The Committee recommends that nine statutory committees be established under the Parliament of Queensland Act 2001 to cover the array of government portfolio areas, including scrutiny of any statutory authorities and government owned corporations within those portfolios.

Response: The Government supports the Committee's recommendation for the establishment of statutory committees under the *Parliament of Queensland Act 2001* and will bring legislation before the House to provide for statutory portfolio committees.

The Bill will provide for the establishment of portfolio committees to cover government activities, statutory authorities and government owned corporations within their portfolios.

Recommendation 3

The Committee recommends that the titles of such committees and their portfolio responsibilities are to be specified in Standing Orders in order to provide greater flexibility as government portfolio areas change over time.

Response: The Government supports this recommendation.

The portfolio committees, the titles and portfolio responsibilities of the committees will be established under the Standing Rules and Orders.

Recommendation 4

The Committee recommends that, under the current administrative arrangements, the following committees be specified in the Standing Orders:

Economics and Industry Committee

Portfolio area: Department of Employment, Economic Development and Innovation

Education Committee

Portfolio area: Department of Education and Training

Environment and Resource Management Committee

Portfolio area: Department of Environment and Resource Management

Finance and Administration Committee

Portfolio areas: Department of Premier and Cabinet, Queensland Treasury

Oversight responsibilities: Auditor-General, Integrity Commissioner

Health Committee

Portfolio area: Queensland Health

Oversight responsibilities: Health Quality and Complaints Commission

Legal Affairs Committee

Portfolio area: Department of Justice and Attorney-General

Oversight responsibilities: Electoral Commission, Information Commissioner, Ombudsman

Police and Public Safety Committee

Portfolio areas: Department of Community Safety, Queensland Police

Social Affairs Committee

Portfolio area: Department of Communities

Oversight responsibilities: Family Responsibilities Commission, Commission for Children and Young People and Child Guardian

Transport and Infrastructure Committee

Portfolio areas: Department of Transport and Main Roads, Department of Infrastructure and Planning, Department of Public Works

Response: The Government supports the Committee's recommendation that portfolio committees be aligned to policy areas.

The number and alignment of portfolio committees requires further consideration in line with budget considerations and further debate.

Recommendation 5

The Committee recommends that each of the nine portfolio committees have responsibility within their portfolio areas for any public accounts and public works formerly the responsibility of the Public Accounts and Public Works Committee.

Response: The Government supports this recommendation. Portfolio committees will be responsible for public accounts and public works matters within their portfolio.

Recommendation 6

The Committee recommends that in considering any bill referred to it, a portfolio committee shall consider the application of the fundamental legislative principles (as previously performed by the Scrutiny of Legislation Committee).

Response: The Government supports this recommendation.

The technical scrutiny of primary and delegated legislation has been undertaken in Queensland by the Scrutiny of Legislation Committee for more than a decade. The Government supports the Review's intent to have this responsibility accepted by a broader number of Members of Parliament and a broader number of committees. As portfolio committees will be required to examine the policy proposals in legislation, the Government supports the Review's belief that portfolio committees examine all legislation to ensure consistency with the *Legislative Standards Act 1992* including fundamental legislative principles (FLPs). The FLPs require legislation to have regard to the rights and liberties of individuals and to the institution of Parliament. Committees will be required to report on all FLP and potential FLP issues of all Bills considered by the Committee.

The Government supports the Parliament retaining a central administrative unit to support the scrutiny of legislation function. The Government supports the current support staff to the Scrutiny of Legislation Committee and the expert legal advisory panel to be retained to assist the portfolio committees in their new roles.

Recommendation 7

The Committee recommends that the portfolio committees shall also monitor and may report on any subordinate legislation within their portfolio responsibilities (formerly the responsibility of the Scrutiny of Legislation Committee).

Response: The Government supports this recommendation.

Portfolio Committees will be able to report on the conformity of subordinate legislation to the *Legislative Standards Act 1992* and the *Statutory Instruments Act 1992*, and will have the power to monitor and report on subordinate legislation within their portfolio responsibilities.

Recommendation 8

The Committee recommends that a Committee of the Legislative Assembly be established under the Parliament of Queensland Act 2001.

Response: The Government supports this recommendation.

The Government will seek to establish the CLA under the *Parliament of Queensland Act 2001* after Parliament has debated the Report and the Government response. In the interim, the Government will move to establish the CLA by resolution of the Parliament.

Recommendation 9

The Committee recommends that the Parliament of Queensland Act 2001 be amended to provide for the establishment of the Committee of the Legislative Assembly with the current functions of the Standing Orders Committee and the Integrity, Ethics and Parliamentary Privileges Committee, without the oversight function under the Integrity Act 2009 (which is to be carried out by the Finance and Administration Committee).

Response: The Government partially supports this recommendation.

The Government will establish the CLA. The CLA will have three major functions. Firstly, it will arrange the business of the Parliament, that is agree the timetable for the consideration of House business and make determinations in relation to the referral of Bills to portfolio committees. Secondly, it will consider changes to the Standing Orders, the rules of the House,

and propose changes to the operation of the Parliament. Thirdly, it will act as a committee to manage and ensure the implementation of the recommendations of the Review. That is, the CLA is to oversee the parliament's budget, facilities management for parliamentary committees, maintenance for the parliamentary buildings and policies for the management of the Parliament.

With respect to Standing Orders matters, the Speaker will be invited to attend CLA meetings in an ex-officio capacity when these matters are being considered.

The CLA will first be established by resolution of the House prior to legislative amendments.

The Government considers it more appropriate for a separate ethics and privileges committee to consider complaints of breaches of privilege. Accordingly, the Government will refer to the CLA consideration of the most appropriate way to establish a committee to consider these matters.

Recommendation 10

The Committee recommends that the Parliamentary Service Act 1988 be reviewed. The Committee of the Legislative Committee should determine the budget and resources of committees and make submissions to government to ensure the committees of the Parliament are sufficiently resourced.

Response: The Government supports this recommendation.

The CLA's responsibilities will include the determination of budgets and resources for committees and making submissions to the Government regarding these matters. The Government will seek minor amendments to the *Parliamentary Service Act 1988* to assist in implementing the changes. Additionally, the Government will refer the task of reviewing the *Parliamentary Service Act 1988* to the newly established CLA.

Recommendation 11

The Committee recommends that this committee should oversee the establishment of the committee facilities (recommended by this Committee) in the parliamentary precinct.

Response: The Government supports this recommendation.

The Government considers that the CLA should oversee the establishment of new committee facilities.

Recommendation 12

The Committee recommends that the responsibility for the management of construction and maintenance of the Parliamentary buildings and electorate offices (along with the relevant budget) be transferred to the Department of Public Works.

Response: The Government supports the ability of the Parliament to decide which organisations are best placed to deliver maintenance services to the Parliament. Accordingly, the Government will move to empower the CLA to oversee the management of construction and maintenance of the parliamentary buildings and electorate offices.

The Government acknowledges that for more than 125 years, until the late 1980s, a committee of Members of Parliament have been responsible for overseeing the management of

parliamentary buildings. That is, there was a parliamentary buildings committee from the first parliament in 1860. For a large part of that time, the Department of Public Works undertook the work in the Parliamentary precinct. The former Parliamentary Building Committee and the Department of Public Works worked together on buildings and maintenance in the Parliament. There is no reason why this practice could not return, should it be agreed by the CLA.

Recommendation 13

The Committee recommends that the membership of the Committee of the Legislative Assembly be:

- *Leader of the House (chair)*
- *Premier (or nominee)*
- *Deputy Premier (or nominee)*
- *Leader of Opposition Business*
- *Leader of the Opposition (or nominee)*
- *Deputy Leader of the Opposition (or nominee)*

Response: The Government supports this recommendation.

The Government endorses the recommendations of the review. It accepts that the leaders of both parties and their deputies may delegate their involvement to other members of Parliament as alternates.

Recommendation 14

The Committee recommends that all portfolio committees have the ability to report on all aspects of government activities, including investigating and reporting on events, incidents and operational matters.

Response: The Government supports this recommendation in principle.

The Government considers that the primary functions of these portfolio committees should involve scrutiny of legislation, budget estimates and public accounts and public works functions.

In addition to this, the Government accepts that, as a next stage, a possible role for these portfolio committees could involve reporting on other events, incidents and operational matters within the relevant portfolio. The Government refers to the CLA for consideration this broader role having regard to issues such as prevention of forum shopping, protection of individual rights and reputations and the avoidance of duplication on matters currently under investigation by statutory officers and bodies.

Recommendation 15

The Committee recommends that all committees consist of six members with three members nominated by the Leader of the House and three members nominated by the Leader of the Opposition to reflect the composition of the non-government membership in the House.

Response: The Government supports this recommendation.

The Government will seek to establish portfolio committees consisting of three Members nominated by the Leader of the House and three Members nominated by the Leader of the Opposition.

Recommendation 16

The Committee recommends that Standing Orders provide for the use of participating and substitute members by leave of the committee.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide for the use of participating and substitute members by leave of the committee.

It is considered that the implementation of this recommendation will provide Members with greater opportunities to be involved in, and contribute to, committee considerations on matters of interest to them.

Recommendation 17

The Committee recommends that Standing Orders be amended to provide that participating members may participate in deliberative meetings, but have no voting rights.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that participating members may participate in deliberative meetings without voting rights, by leave of the committee

As per the response to **Recommendation 16**, the Government considers that the implementation of this Recommendation will provide Members with greater opportunities to be involved in, and contribute to, committee considerations on matters of interest to them.

Recommendation 18

The Committee recommends that the Crime and Misconduct Act 2001 be amended to provide that the chair of the Parliamentary Crime and Misconduct Committee be a Member nominated by the Leader of the Opposition.

Response: The Government supports the proposal for a role for non-government members to chair an appropriate committee, but will seek further views of the Crime and Misconduct Commission in relation to this proposal.

Recommendation 19

The Committee recommends that Standing Orders continue to provide for chairs to have a deliberative and casting vote.

Response: The Government supports this recommendation.

The Government notes that, as the Committee has indicated, the Standing Rules and Orders currently provide for the Chairperson of a committee, or the Deputy Chairperson when acting as Chairperson, to have a deliberative and casting vote.

Recommendation 20

The Committee recommends that the status of chairs of parliamentary committees and the Leader of Opposition Business reflect the increased responsibilities of their position.

Response: The Government supports this recommendation.

The Government notes the views of the Clerk of the Parliament as reflected in the Review that suggests committee chairs should have a status comparable with parliamentary secretaries and that under the proposed changes committee chairs will have a much greater role in the legislative processes of the House with significantly increased responsibilities, accountabilities and workloads. Further consideration will be given to this recommendation in line with budget consideration.

Recommendation 21

The Committee recommends that all bills, with the exception of those deemed 'urgent', be referred to portfolio committees for inquiry and report, using a model that achieves the following:

- *there shall be a presumption that the Legislature will refer legislation to a committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature*
- *committees shall scrutinise legislation referred to them and have the power to recommend amendments*
- *opportunities shall be given for public input into the legislative process.*

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that:

- a Bill will be referred to a portfolio committee for consideration following its first reading unless the Assembly accords it urgent status;
- the sponsoring Minister or Private Member is to nominate the portfolio committee to consider a Bill during their first reading speech;
- in reporting on Bills, portfolio committees may recommend amendments the committee considers appropriate to the Bill.

Recommendation 22

The Committee recommends that a committee be able to recommend amendments to a bill, but the power of amendment is to remain with the House as a whole.

Response: The Government supports this recommendation.

The proposed amendments to the Standing Rules and Orders regarding portfolio committees' ability to recommend amendments to Bills will not restrict the Legislative Assembly's ability to determine which, if any, amendments are to be adopted.

Recommendation 23

The Committee recommends that Standing Orders be amended as necessary to provide that the introducing Member after moving 'That the bill be now read a first time' shall proceed with an explanation of the bill.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that an explanation of a Bill follows its first reading motion. That is, the Bill will be referred to the relevant portfolio committee for consideration.

Recommendation 24

The Committee recommends that Sessional Orders be amended to provide that the current time limits for the mover of a bill be identified under a new 'First reading debate' heading.

Response: The Government supports this recommendation.

The Government will seek to amend the Sessional Orders to provide for the identification of time limits for the mover of a Bill under a 'First reading debate' heading. The Government supports the view of the Review that the new system will result in Bills having greater scrutiny and debate in committees prior to them being debated in the Parliament. As a result, time limits for second reading speeches will reflect greater opportunities for members of a committee to discuss their deliberations in the House. Nevertheless, all Members will continue to have the opportunity to make a contribution in the parliament to the debate on Bills.

Recommendation 25

The Committee recommends that the introducing Member nominate the portfolio committee that the bill be referred to.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that a Member is to identify the relevant portfolio committee during the first reading explanation.

Recommendation 26

The Committee recommends that Standing Orders be amended to provide that, following the first reading stage the introducing Member shall move that the bill be referred to a particular portfolio committee.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that introducing Members are to move that a Bill be referred to relevant portfolio committee following their first reading speech.

Recommendation 27

The Committee recommends that Standing Orders be amended to provide that a portfolio committee considering a bill may ask any other committee for its opinion on the whole or any portion of the bill.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders, to provide that a portfolio committee may seek advice or opinions from other portfolio committees during the consideration of Bills referred to the committee.

Recommendation 28

The Committee recommends that committees have access to the appropriate expertise and assistance required for the conduct of their inquiries.

Response: The Government supports this recommendation.

The Government considers that the effective operation of committees will be supported by access to appropriate expertise and assistance for the conduct of their inquiries. The rationale for public servants appearing before or assisting committees is derived from the Westminster convention that Ministers are accountable to Parliament and parliamentary committees. Public servants do not appear before parliamentary committees in their own right, they do so as a representative of the Minister. Accordingly, public servants can assist committees as they have a more detailed understanding of the processes, operations and operating environment of their departments. Parliament's interest is served by having an informed public servant provide details and explanations that the committee requires. However, the Government understands the practical difficulties that this can create for committee members and public servants.

Therefore, the Government will develop a Code of Practice for public servants assisting the committees. Additionally, Standing Orders will need to be amended to provide safeguards in certain instances, as public servants are not appearing or assisting in anything other than a professional capacity to assist the Minister's accountability to Parliament.

The Government also acknowledges that committees will require advice and assistance for Private Members Bills. Accordingly, the Committees may require assistance from public servants for these Bills as well.

Recommendation 29

The Committee recommends that there be a Code of Practice outlining the nature and extent of assistance to be provided by relevant offices.

Response: The Government supports this recommendation.

The Government considers that a clear Code of Practice will ensure that committee members and statutory officeholders are aware of and understand the assistance to be provided to committees.

The Government will develop a Code of Practice for the Assembly's consideration, outlining the extent and nature of assistance to be provided to portfolio committees by statutory officeholders.

The Government notes that Standing Rules and Orders already include *Instructions to Committees regarding witnesses*. The Government anticipates that a Code of Practice would add to this. It would also be cognisant of the New Zealand State Services Commission's *Officials and Select Committees – Guidelines*. The Code will clearly outline the means of assistance that public servants can provide and limits to their assistance.

Recommendation 30

The Committee recommends that there be guidelines concerning the attendance and conduct of officials before committees.

Response: The Government supports this recommendation.

The Government will develop guidelines for public servants concerning their attendance and conduct before committees. As with the proposed Code of Practice for statutory officeholders, it is considered that these guidelines could take a similar form to the Standing Rules and Orders' *Instructions to Committees regarding witnesses*.

Recommendation 31

The Committee recommends that the maximum timeframe for committees to inquire and report on bills be six months.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that the maximum period for portfolio committees to inquire and report on Bills is six months unless otherwise directed by the Legislative Assembly.

Recommendation 32

The Committee recommends that Standing Orders be amended to provide that committees must report on a bill within six months of the bill being referred to it or by such other time as fixed by the Committee of the Legislative Assembly.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that, when moving a motion to refer a Bill to a portfolio committee, an introducing Member is to include a timeframe for the committee to report in their motion, such timeframe being no longer than six months.

Recommendation 33

The Committee recommends that bills be set down for the second reading a minimum of three sitting days after a committee reports.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that a Bill may not be set down for second reading debate within three sitting days of the tabling of the portfolio committee's report.

The Government considers that this requirement will provide Members with an appropriate opportunity to review portfolio committees' reports and recommendations.

Recommendation 34

The Committee recommends that Standing Order be amended to provide that following the presentation of a committee report on a bill, the bill is set down for second reading on the third sitting day following.

Response: The Government supports this recommendation and will seek to amend the Standing Rules and Orders as per the response to Recommendation 33.

Recommendation 35

The Committee recommends that, for bills that have been reported upon by a committee, the time limits for the second reading debate be reduced.

Response: The Government supports this recommendation.

The Government will seek to amend the Sessional Orders to provide reduced time limits for the second reading debate for Bills which have been reported on by a portfolio committee.

Recommendation 36

The Committee recommends that the Sessional Orders be amended to provide the following time limits for the second reading debate on such bills:

Bills (Government)

Leader of the Opposition (or nominee) – 1 hour

Members of the relevant portfolio committee – 20 minutes

All other Members – 10 minutes

Mover in reply – 30 minutes

Bills (Private Members)

All Members – 10 minutes

Mover in reply – 30 minutes

Response: The Government supports the rationale for reduced times for second reading debates, and will seek to amend the Standing Orders accordingly.

Recommendation 37

The Committee recommends that the time limits for consideration in detail, for bills that have been reported upon by a committee, be reduced.

Response: The Government supports this recommendation.

The Government will seek to amend the Sessional Orders to provide reduced time limits for consideration in detail for Bills which have been reported on by a portfolio committee.

Recommendation 38

The Committee recommends that the Sessional Orders be amended to provide the following time limits for consideration in detail of such bills:

Mover – no limit

Other Members (on each question) – 3 minutes

Response: The Government supports this recommendation.

The Government will seek to amend the Sessional Orders to provide the time limits recommended by the Committee for consideration in detail for Bills which have been reported on by a portfolio committee.

Recommendation 39

The Committee recommends that the budget estimates be considered by portfolio committees.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that annual Appropriation Bills are to be considered by, and estimates hearings conducted by, the portfolio committees for their areas of responsibility.

Recommendation 40

The Committee recommends that portfolio committees examine the estimates without restrictive structured timeframes for questions and answers.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to allow portfolio committees to examine the estimates without restrictive timeframes for questions and answers, while requiring Chairs to ensure an appropriate balance between government and non-government questions and answer periods.

Recommendation 41

The Committee recommends that Chapter 28 of the Standing Orders be amended as necessary accordingly.

Response: The Government supports this recommendation.

Recommendation 42

The Committee recommends that the estimates hearings continue to be held over a two week period, with the Committee of the Legislative Assembly to determine the hearing dates.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that the CLA is to determine the hearing dates for estimates over a two week period.

Recommendation 43

The Committee recommends that senior public servants (senior executive level), chief executive officers and statutory office holders be able to be directly questioned at estimates hearings.

Response: The Government supports this recommendation.

The Government recognises that this recommendation represents a significant change for the public service. The Government supports the recommendation but considers that such questioning be restricted to Chief Executive Officers and statutory officers in the first instance.

In line with general practice in the Senate, the minister is to determine which witnesses attend. In line with other jurisdictions, public servants will not be able to be asked about the merits of policy decisions or actions of matters outside of their area of responsibility. Accordingly, public servants will have the ability to decline to answer questions where they transgress on such matters and these can be answered by the Minister.

Recommendation 44

The Committee recommends that portfolio committees have access to the expertise and assistance of the Auditor-General to provide financial briefings or advice in relation to estimates and other financial reviews.

The Committee recommends that a code of practice outlining the nature and extent of assistance to be provided by the Office of the Auditor-General be developed in consultation with the Auditor-General.

Response: The Government supports this recommendation.

The Government will develop a *Code of Practice* regarding the nature and extent of assistance to be provided in consultation with the Auditor-General. However, the Government expects that the committees will be sufficiently resourced for the committee secretariats to be the main source of assistance to the committees. The Auditor-General will be able to provide assistance in accord with the Auditor-General's mandate, by providing advice on Audit reports and findings.

Recommendation 45

The Committee recommends that the bipartisan support of a parliamentary committee be statutorily required for any appointment (including reappointment) to any of the following positions:

- Auditor-General
- Crime and Misconduct Commission – chairperson and other commissioners
- Criminal Organisation Public Interest Monitor
- Electoral Commission
- Information Commissioner, Right to information Commissioner and Privacy Commissioner
- Integrity Commissioner
- Ombudsman.

Response: The Government supports the requirement for consistency in the appointment of officers of the Parliament, for example the Auditor-General. The Government notes that there

exist different provisions relating to consultation required on the appointment of certain officers of the Parliament. The Government will develop a consistent approach to consultation on such appointments.

Recommendation 46

The Committee recommends that the Crime and Misconduct Act 2001 be reviewed with a view to:

- *having lay members included on the Parliamentary Crime and Misconduct Committee and*
- *greater transparency of the operations of the Parliamentary Crime and Misconduct Committee.*

Response: The Government notes this recommendation and will refer these matters to a review of certain provisions of the *Crime and Misconduct Act 2001* to be undertaken by the Department of Justice and Attorney-General, and will report to the Assembly on its outcomes.

Recommendation 47

The Committee recommends that the Standing Orders be amended to provide that a committee can on its own initiative consider any petition received by the House, the subject-matter of which falls within the jurisdiction of the committee.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that portfolio committees may resolve to consider any petition received by the Assembly which falls within its portfolio responsibility. The Government will seek to apply safeguards similar to those determined by the CLA of the issues raised in response to Recommendation 14.

Recommendation 48

The Committee recommends that the Standing Orders be amended to provide that a minister (being the minister responsible for the administration of the matter which is the subject of the petition) can refer a petition to the relevant committee for consideration, but such referral shall not operate so as to require the committee to consider any petition.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that a Minister may refer a petition to a portfolio committee for consideration.

This amendment will not operate to require the committee to consider or report on any petition referred by a Minister.

Recommendation 49

The Committee recommends that there be a presumption that portfolio committee proceedings be open to the public unless the committee otherwise determines.

Response: The Government supports this recommendation.

The Government will seek to amend the Standing Rules and Orders to provide that portfolio committees are to conduct proceedings in a manner open to the public unless otherwise determined.

Recommendation 50

The Committee recommends that parliamentary committees continue to investigate and utilise new ways to better engage with the community.

Response: The Government supports the principle that parliamentary committees continue to investigate and implement opportunities to better engage with the community.

Recommendation 51

The Committee recommends that appropriate accommodation to support parliamentary committees be provided, to include a minimum of three dedicated committee rooms to be established in the parliamentary precinct, equipped for recording by the Parliamentary Reporting Service and media, together with internet connectivity and teleconferencing and videoconferencing capacity, with a view to establishing a dedicated room for each committee.

Response: The Government supports this recommendation in principle.

The Government will seek to refer the task of determining the resources and accommodation required by the new committee system to the CLA, for it to present a submission to the Government.

The Government will then give consideration to the allocation of funding through the budgetary process in light of other priorities.

Recommendation 52

The Committee recommends that:

- *parliamentary committees make greater use of videoconferencing in their operations.*
- *the Parliamentary Service establish its own videoconferencing facilities and be funded to do so.*
- *the Parliamentary Service continue to develop innovative consultation methods for use by committees.*

Response: The Government supports this recommendation in principle.

The Government will seek to refer the task of determining the resources and accommodation required by the new committee system to the CLA, for it to present a submission to the Government.

The Government will then give consideration to the allocation of funding through the budgetary process subject to priorities.

Recommendation 53

The Committee recommends that sitting times be altered to allow for committee time on Wednesday mornings from 9.30am to 1pm, with the Parliament to commence at 2.30pm Wednesdays.

Additionally Friday mornings are to be considered committee time.

Committees may also meet outside parliamentary sitting times.

Response: The Government supports the Committee's recommendation for dedicated committee time.

The Government notes that committees may currently meet outside parliamentary sitting times.

Recommendation 54

The Committee recommends that the Committee of the Legislative Assembly consider the allocation of more private members' time, and review the time allocated to ministerial statements.

Response: The Government supports this recommendation.

The Government will seek to refer the consideration of time allocated to private members and ministerial statements to the CLA.

Recommendation 55

The committee recommends that there be a dedicated time for debate of committee reports (other than reports on bills) of at least one hour each sitting week.

Response: The Government supports this recommendation.

The Government will seek to refer the consideration of time allocated to the debate of committee reports to the CLA.