

Queensland Legislative Assembly
 Number: 572135.
 01 SEP 2021 Tabled
 By Leave
 MP: *N. Bello*
 Clerk's Signature: *[Signature]*

Tuesday, 5 May 2020

Research Findings

Table 1: Gaps, Opportunities and Recommendations

Gaps	Opportunities	Recommendations
Respect for committee legitimacy	<ol style="list-style-type: none"> 1. Dedicated and constant review cycles conducted in latter half of term to take effect from opening of next Parliament (NZ) 2. Power to amend legislation directly (NZ) 3. More committee resourcing 4. Constitutional entrenchment 	1-3
Time	<ol style="list-style-type: none"> 1. Review period increased from 6 weeks to 12 weeks 2. Allocated chamber time (Scotland) 3. Equal time for committee work as for plenary discussions (Scotland) 4. Limit ministerial statements to free up question time for committee business 5. Require Ministers to respond specifically to the question asked 	All
Bipartisanship - Committee of Public Administration works well due to lack of partisanship	<ol style="list-style-type: none"> 1. Urgent bills to have absolute majority rather than a simple majority 2. Minimum membership period of 2 years (Quebec, Canada) 3. CLA appoint chairs and other committee members appoint CLA members 4. Whole House Committees (Scotland) 	1-3
Independent Chairmanship	<ol style="list-style-type: none"> 1. Proportional chairmanship (NZ) 2. Introduction Vice Chair from different party to Chair (Quebec, Canada) 3. Secret ballot elections for chairs and members (Scotland) 4. Opportunity for non-parliamentary Chairs from external organisations 	1-3
MP commitment	<ol style="list-style-type: none"> 1. Considered a formal role of MPs (not included on official Fact Sheet) 2. Invest in training, educating and resourcing of committee members in portfolio areas 3. Dedicated time for committee work in Parliament 4. Simultaneous committee meetings 5. Emphasise that this enables senior MPs who may not serve as a minister to serve as an 'effective parliamentary person' instead 	1-3

Gaps	Opportunities	Recommendations
<p>Specific Committees to (respectively):</p> <ol style="list-style-type: none"> 1. Improve consistent attention to and evaluation of public works and accounts 2. Improve member specialisation and MP commitment 3. Provide power to deal with petitions 	<ol style="list-style-type: none"> 1. Greater use of joint, select, subcommittees and travelling committees (Scotland) 2. Petition specific committee (Scotland) 3. Minimum number of public accounts and works inquiries per term 4. Reintroduction of Public Accounts and Works Committee 	1-3
<p>Non-parliamentary presence</p>	<ol style="list-style-type: none"> 1. Introduction of non-parliamentary members 2. More informal processes to generate organic discussion and debate 	All

Table 2: Indicators of Effective Committees¹

Indicators of Effectiveness		QLD	NZ
Basic Design and Permanence	A medium-to-large number of committees Permanence	Yes	Yes
	Committees must not be large	Yes	Yes
	Committees shadow govt. agencies	Yes	Yes
	Business Committee control of parliamentary business	Yes, through CLA	Yes, but Executive influence
	Power to summon ministers, witnesses and documents	Yes	Yes, through Speaker
	Ability to question civil servants	Yes	Yes
	Committee stages an obligatory stage of legislation	Yes	Yes
	Principles of bills are not first determined by a plenary session	No	No

¹ Indicators and NZ column from Mcleay (2006). Therefore, NZ column has not been updated since then.

Indicators of Effectiveness		QLD	NZ
Powers and Resources	Capacity to initiate legislation	Somewhat	Perhaps
	Capacity to rewrite legislation	No	Yes
	Minority reports can be presented to Parliament	No, present statement of reservation instead	No, but minority views in reports
	Committees can initiate inquiries	Yes	Yes
	Government must respond to reports	Yes, but not thoroughly	Yes
	Committees are well-resourced	Moderately	Moderately
Membership and Attendance	Membership distributed according to party shares of parliamentary seats	Yes	Yes
	Parliament, not parties, determines membership	No	No
	Ministers excluded from committees	Yes	Mostly
	Parliament, not government, determines committee chairs	Overall allocation determined during govt formation	Overall allocation determined during govt formation
	Regular attendance of MPs	Yes	Yes
	Non-committee members absent	No	No
	Government advisers excluded from committees	Yes	Yes, during deliberation
Power Dynamics	Committees independent of views of parties	No	No

Indicators of Effectiveness		QLD	NZ
	Committees not dominated by members of governing parties	No	Yes
Citizen Involvement	Public participation in legislative and inquiry processes: interest group involvement (invited)	Yes	Yes
	Public participation in legislative and inquiry processes: interest group and citizen involvement (self-initiated)	Yes	Yes
	Committees travel beyond capital city		Yes
	Committees use video-conferencing	No	Yes
	Public meetings: oral submissions and questioning	Yes	Yes
Transparency of Processes	Public meetings: deliberative stage	No	No
	Submissions available online	Yes	Not yet
Access to Information (beyond written record)	Reports available online	Yes	Yes
	Public access to advice received by committees	Yes	Not yet
	Written transcripts of proceedings available	Yes	Seldom

Table 3: Other Jurisdictions

Jurisdiction	New Zealand	Scotland	Quebec (Canada)
General	<ul style="list-style-type: none"> - select committees appointed at start of each Parliament after general election - 6-12 members each - parties broadly represented in proportion to party membership in the House - 12 subject-specific committees reflect ministerial responsibility - 5 specialist committees - committee business = examining bills (proposed laws) and holding the Government accountable to the House - consider bills, inquiries, estimates, financial reviews, petitions and international treaties - committee meetings = public and live-streamed on Facebook 	<ul style="list-style-type: none"> - objectives: public involvement, gov't accountability + encourage power sharing - carry out inquiries and call on witnesses to give evidence - Petitions Committee = consider each petition + decide course of action - power to carry out inquiries and then make recommendations to Parliament - ensure that affected views are heard before changes are made - power to introduce new legislation - allocated time in the Chamber to debate issues and introduce bills - balance of the political parties in Parliament is retained - convenor - informal (first names used) - non-committee MPs can still attend and participate, but not vote - 2 clerks advise on procedures - Official Reporters prepare a report of the meetings which is published within a few days of each meeting 	<ul style="list-style-type: none"> - sectoral + thematic - chair + vice chair - structure cease to mirror Ministries - ministers no longer members unless ordered by Assembly or falls under their own bill - powers = oversight of government regulations & independent agencies, own initiative, organise public hearings and choose witnesses - functions = legislation, consultation, oversight, parliamentary initiative - objectives = better balance between executive and legislative, modernisation, monitoring executive and civil service & monitoring financing and public expenditure - 11 standing committees now - clerk = administrator - 9 sectoral committees - 6 chaired by gov't and 3 chaired by opposition - 10 MNAs for each committee = 6 gov't and 4 non - 2 year terms - appointment recommended by party whips

Jurisdiction	New Zealand	Scotland	Quebec (Canada)
<p>Pros</p>	<ul style="list-style-type: none"> - senior politicians unlikely to become ministers aim to be effective parliamentary men and women - most bills referred now with power to amend legislation directly - allocation of chairs to non-government members (9 out of 13) - redresses usual imbalances to favour opposition → makes committees more effective - consistent, incremental reforms - Select committees have power to enquire + hold hearings before presenting to Standing committee - no casting vote for chair keeps them objective - celebrates dialogue with external sources - better legislation - extremely robust - small committees strengthen MP commitment - ministerial absence = useful training for chairman + removes power from Executive - caucus effective forum for change because of commitment to bipartisan fact-finding and consensus - full pressure and interest group consultation - representation and right to be heard is central and much more important than power to reject - live-streaming on Facebook increases access - cycle of regular review well embedded - conducted in latter half of parliament term, taking effect from opening of next Parliament - timing helps moderate the process 	<ul style="list-style-type: none"> - as much time allocated from committee action as for plenary sessions of parliament - very powerful - only 4 have government chair - development of strong committees result of reforms - active and time rich - smaller + more efficient - designed with committee system in mind - important legislative role - combine legislative work with inquiries - enhancing the role of civil society in the legislative process - participative Parliament - designed to be engine room of a new politics - conducts parliament's business - power to initiate legislation + scrutinise executive - new consensual style of politics - 7 standing and 7 select 	<ul style="list-style-type: none"> - use of vice-chair to balance out party dynamics - 6 chaired by gov't and 3 chaired by opposition - 2 year terms - 10 MNAs for each committee = 6 gov't and 4 non - more action on own initiative - more monitoring - using powers to make recommendation more convincing - making better use of library's research service - improved quantitatively - online consultations - online comments now accepted on any bill or order

Jurisdiction	New Zealand	Scotland	Quebec (Canada)
<p>Cons</p>	<ul style="list-style-type: none"> - legislative load too heavy - multi-functional system working well but crowds out capacity to fully scrutinise estimates and reports - lack of time = overwhelming problem - bills given urgency escape scrutiny - ministers isolated from evidence and witnesses - not much independent advice in NZ - may need to increase budget to account for unpaid academics - process is so effective that department appear to prepare bills less adequately - NZ too small to run such an elaborate structure 	<ul style="list-style-type: none"> - high turnover rate problematic - lots of shifting members - no specialisation o knowledge - no consistency - partisan politics make reaching consensus difficult - lack of autonomy - committees have not taken up the policy initiation function to any great extent 	<ul style="list-style-type: none"> - number of supervisory mandates not exercised (episodic/superficial if exercised) - ministers still an issue - committees do not control their own agenda - most speaking time hogged by minister + opposition critic - parliament = less and less the forum for great social debates - lack of information, preparation, follow-up from MPs weakens investigation efforts - not enough time for initiative and oversight - distribution of workload ineffective - committee works feels like a burden that does not pay off - poorly equipped to do committee work - lacks visibility + fair remuneration - very far from institutional independence and intensification of oversight - 2009 reforms = focused on rebalancing workload among committees and facilitating public participation rather than rectifying the lack of autonomy - appointment recommended by party whips

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Jurisdiction	New Zealand	Scotland	Quebec (Canada)
Similarities (to QLD)	<ul style="list-style-type: none"> - unicameral - size of lower house - issue of urgency - similar powers and objectives 	<ul style="list-style-type: none"> - unicameral - power to initiate bills - small committee sizes and number of committees - difficult to find bipartisan consensus 	<ul style="list-style-type: none"> - unicameral - still an evolving committee system - lack of incentive for MPs to take their role seriously - not enough parliamentary time for committee work - most sitting time hogged by ministers - resourcing
Differences (to QLD)	<ul style="list-style-type: none"> - transformative, bipartisan and efficient - MMP electoral system brings more ideas and agendas to the table - <u>proportional distribution of chairs</u> - <u>no casting vote for chair</u> - <u>consider petitions</u> - <u>regular review periods timed well to counter-balance party politics</u> - willingness to change the system as necessary - committees report to caucus instead of directly to parliament - live-streaming of hearings - 4 weeks review period only 	<ul style="list-style-type: none"> - powerful but unstable - devolved MMP Parliament that is quite young - <u>lots of non-governmental chairs</u> - <u>allocated Chamber time for committee work</u> - <u>equal time for committee work as plenary discussions</u> - parliamentary system designed with committees at the forefront - conducts parliamentary business - system designed to replace upper house 	<ul style="list-style-type: none"> - structure to be bipartisan but history is hard to overcome - significant racial history impeding bipartisan efforts - <u>use of vice-chairs</u> - <u>appointment recommended by party whips</u> - <u>2 year terms</u> - <u>online consultations</u> - <u>2 whole House committees</u> - less powers - agenda not controlled by committee - Parliament not seen as an effective forum for debate - online comments accepted
Recommendations	<ol style="list-style-type: none"> 1. proportional distribution of chairs 2. no casting vote for chair 3. consider petitions 4. regular review periods timed well to counter-balance party politics 	<ol style="list-style-type: none"> 1. allocation of non-governmental chairs 2. allocated Chamber time for committee work 3. equal time for committee work as plenary discussions 	<ol style="list-style-type: none"> 1. use of vice-chairs 2. appointment recommended by party whips 3. 2 year terms 4. online consultations 5. whole House committees