

The Secretary
Select Committee On Opening Parliament to the People
GPO Box 3721
DARWIN NT 0801

28 November 2016

Submission – Green Paper on
Parliamentary Reform, October 2016

The attached submission is made in response to the invitation by the Committee for feedback on the proposals contained in the Committee's Green Paper on Parliamentary Reform.

The initial comments and suggestions directly relate to, but are not limited to the proposals contained in the Paper.

Where relevant, comments are also made on proposals contained in the Discussion Paper on Assembly Committee Reform, dated February 2015 and the Labor Party Discussion Papers on Parliamentary Reform and Restoring Integrity to Government.

In conclusion, I have raised some related issues in regard to the provision of adequate financial and human resources for the Committees together with other possible related parliamentary reforms.

I would be pleased to expand on or further explain the matters raised in the submission with Members of the Committee.

Ian McNeill

INTRODUCTION

This submission is made in support of the reforms proposed in the Committee's Green Paper and the objective of making the Legislative Assembly more accessible to members of the Northern Territory community and to be an open, accountable and more transparent institution.

The experience in many Westminster-style Parliaments is that the enhanced role of Committees has benefitted Members in having an increased knowledge of complex and technical issues, giving access to expert academic and professional views together with providing a vehicle for conversation with interested members of the community.

From time to time the Legislative of Assembly has been well served by Committees inquiring and reporting on complex issues such as the proposed Rights of the Terminally Ill legislation, Substance Abuse and Statehood.

Members benefit from a better understanding of issues and the community has a vehicle to express opinions and present evidence in submissions and at public hearings.

While the discussion of some Bills may occasionally lead to an adversarial approach, the experience in other Parliaments and in previous Assembly Committees has been that there is a general guiding principle of cooperation.

The Committee Reform proposal should serve to reduce the increased adversarial nature of debate and open the legislative process to increased community participation.

Comments and suggestions are ordered in the format of the Green Paper and are concluded with further suggestions aimed at improving public access to the Assembly and its Members and the increased capacity and independence of the Parliament.

NEW SCRUTINY COMMITTEES

Both the Green Paper and the 2015 Discussion Paper propose two 'Super' or Scrutiny Committees with similar terms of reference to the Queensland Portfolio Committee arrangements.

As Administrative Arrangements change from time to time it may be appropriate for similar provisions to those contained in the Queensland Act at s.88 allocating portfolio areas be adopted on a trial basis. Some regular monitoring of the 'balance' of workload between the two Committees could be considered. It is noted that the power to appoint sub-committees at S. O. 159 should be applied from the commencement of the proposed new system.

- One concern which may need to be considered is the appropriate Committee arrangements for a reference of a complex issue such as Statehood.
- It is also noted that there is no current proposal to change the operation of existing Assembly Domestic Committees.
- It is understood the Legislative Principles set out in s.4 of Queensland Legislative Standards Act has been a satisfactory template for the 'rights and liberties' scrutiny functions of those Portfolio Committees. Supplemented by formal legal advice, where required, this could be a worthwhile model for the proposed new system.

CONSULTING THE COMMUNITY ON BILLS

The benefits of making the Community input an integral part of the legislative process and making Committee hearings a scheduled part of the Sitting week programme are well presented in Chapter 3.

PASSAGE OF BILLS AND COMMITTEE TIME ALLOCATION AND MEMBERSHIP

There may be some requirement to consider the possible impact of proposed new Sessional Order 144A which relates, in part, to the procedural treatment of urgent Bills.

The regular scheduling of Committees is well reasoned. However, it is submitted that the capacity to appoint sub-committees and for Members other than Members of the Committee to attend and participate in meetings, but not vote, should be maintained.

SUPER SCRUTINY WEDNESDAYS

The re-programming of Wednesday sitting days in the proposed new order of business model should be introduced on a trial basis and reviewed after six – twelve months.

It is noted that the Assembly may still rearrange matters to deal with urgent and / or unforeseen business.

CONSIDERATION OF ESTIMATES AND ANNUAL REPORTS

It is agreed that the proposed timetable for Estimates and Annual Report scrutiny by the new Committees should be adopted on a trial basis.

Some consideration could be given to a new requirement for Agencies to present an interim Annual Report within say four to six weeks of the end of the financial year to facilitate a more timely and considered examination of those reports.

DEBATING PETITIONS

The conclusion reached in the Green Paper is well reasoned and could be implemented on a trial basis. It is submitted that, as with MPI's , the procedure might be more suitably titled Discussion of Petitions rather than Debating Petitions.

REFORMING QUESTION TIME

The reforms proposed and implemented appear to have operated satisfactorily in the short period to date. The new procedures together with the proposed 30 second question time limit could be reviewed after six – twelve months of operation.

ACKNOWLEDGEMENT OF COUNTRY AND PRAYERS

My personal preference would be to maintain the existing traditional prayers and that consideration could be given to a 'generic' acknowledgment of traditional custodians and elders of the Territory's and Australia's Indigenous peoples.

CONCLUDING REMARKS

As well as the preceding comments relating to the Committee's Green Paper there are some related issues relating to the reform of Parliament and suggestions for Opening Parliament to the People upon which I would be pleased to make a more detailed submission or to discuss with the Committee.

OPENING PARLIAMENT

- Conduct of regular regional sittings and Committee meetings - taking the Assembly and its Committees to the people.
- Revision of Sitting patterns and Programmes including Budget/Estimates/Annual Reports Scrutiny.
- Upgrade of the Legislative Assembly website, including best use of available modern technology-Broadcast/Podcast/Televising of Proceedings/Live Minutes.
- Committee Agendas, Programmes and Lists of Witnesses to be incorporated as a formal part of the Notice Paper.
- Consideration of alternative layouts/floorplans for Committee meetings/hearings.

POSSIBLE PARLIAMENTARY REFORMS

- Formal establishment of an independent Parliamentary Service.
- Establishment and financial support of an independent Parliamentary Budget Office
- Establishment (reinstatement) of a Parliamentary Library Service and expanded research capacity to service the proposed new Committee System.
The successful operation of the proposed new system will largely depend on adequate financial and research staff capacity which has not been previously been available to the Assembly.

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