



**36th CPA Small Branches Conference
2 to 3 November 2017**

Small Branches Session 2 - 3 November 2017

**PARLIAMENTARY INNOVATIONS IN
SMALL JURISDICTIONS IN THE FACE OF
FINANCIAL AND HUMAN RESOURCE
CHALLENGES**



Moderator:
Mr Chris Steel, MLA
(Australian Capital Territory)

- Discussion Leaders:**
- **Hon. Juan Watterson, SHK, Speaker of the House of Keys (Isle of Man)**
 - **Hon. Taka Hagai, MP (Cook Islands)**
 - **Hon. Maluelue Tafua, MP (Samoa)**
 - **Mr Dyfan Jones, (United Nations Development Programme Pacific Region)**

Rapporteur:
Mr Michael Tatham
(Northern Territory)

CPA Small Branches consistently face the challenge of financial and human resource limitations. The participants at this session benefitted from recent experiences in Small Branches which have focused on innovations and sharing and yielded significant results for those Branches.

The work of the UNDP in the Pacific Region was also a focus of the session as the UN works to assist in parliamentary capacity building and democratic fundamentals for small jurisdictions with very limited resources.

The discussion leaders covered aspects of their own Branch experiences and how these have evolved over time to include more collaboration and partnerships, some of which have moved outside of their regions.

Hon. Juan Watterson, SHK, Speaker of the House of Keys (Isle of Man) described the innovative engagement the Isle of Man has entered into with overseas jurisdictions to deliver shared services such as parliamentary recording and transcription services (Hansard) with other jurisdictions.

The opportunity exists to engage in enhanced cooperation through

the CPA Small Branches network which allows for meaningful exchange between geographically large jurisdictions like the Northern Territory and small island Branches like Jersey and Guernsey.

There is more scope for sharing between Branches outside of and not limited to those just in the same region. Small Branches should look to each other for help and advice.

Hon. Juan Watterson, SHK (Isle of Man) briefed delegates on the Clerk's engagement derived from a recent visit to Sierra Leone about how to provide Hansard editing expertise training and skills to assist Sierra Leone. While this is not a near neighbour, it is an example of looking beyond those closest and meeting the needs of other Parliaments other than your own through agencies and networks. As a consequence of these arrangements the Parliament of Sierra Leone has sent staff to the Tynwald (Isle of Man Parliament) and then in turn Sierra Leone's parliamentary staff were upskilled and could then provide assistance to another Parliament in The Gambia, and so a cycle continues where Parliaments benefit themselves and continue to assist each other.

The access that the Cook Islands has had to parliamentary strengthening programmes through assistance from the New Zealand Government and Parliament and from the UNDP Pacific Region has enabled capacity building and empowerment programmes for Cook Island Members. This has also been supported by the participation of former Members and Clerks

The Isle of Man also has a memorandum of understanding and joint programme with another CPA Branch, the Provincial Assembly of Khyber Pakhtunkhwa in northern Pakistan, which has 124 Members and all of them are visiting the Tynwald as part of the programme. This demonstrates that even numerically large jurisdictions can benefit and learn from the expertise of another jurisdiction which is smaller but has expertise and capacity in a specific area.

Hon. Taka Hagai, MP (Cook Islands) emphasised that the lack of resources and a small pool of human resources continues to be a challenge to smaller jurisdictions, however he believes that sharing will lead to assistance and enhance the high standards in line with the overall conference theme.

A helpful manual for new MPs has been published to assist understanding of the procedures and programmes available for Members. Some twenty-nine parliamentary staff in Samoa have graduated with a certificate in parliamentary law and seventeen Members will graduate with a certificate in law early next year.

from New Zealand and Australia through the Pacific Partnerships programme administered through Fiji to share their expertise.

The long-term twinning relationship between the Western Australia and Cook Islands Parliaments has greatly benefitted and assisted the Cook Islands Parliament through significant financial and technical assistance.

Women Parliamentarians in the Pacific Region have also benefitted from the Pacific Women's Project arranged through the CPA Headquarters and Pacific Regional Secretariats to provide a forum for all women MPs and speakers to interact and be empowered to improve their capability.

The subject of empowering and building capacity for women and more representation for women in Parliament in the Pacific Region was also presented by the next discussion leader.

Hon. Maluelue Tafua, MP (Samoa) defined innovation as a process which provides added value and a degree of freshness to develop new procedure solutions, products and services. Innovation must develop new ways to enhance the work of Parliament. Innovations in Samoa include the Samoa Parliamentary Support Programme delivered through UNDP Pacific with AusAID funding (Australian Government) to work with Members to strengthen capacity and to more effectively engage with development matters and the Millennium Development Goals.

A helpful manual for new MPs has been published to assist understanding of the procedures and programmes available for Members. Some twenty-nine parliamentary staff in Samoa have graduated with a certificate in parliamentary law and seventeen Members will graduate with a certificate in law early next year.

Twinning arrangements between the Parliaments of Samoa and Tasmania remain beneficial to deliver capacity building,



democratic strengthening, sharing and transferring skills and in the identification of best practices.

Many Pacific countries don't have many women in their Parliaments and Samoa has developed an innovative solution to ensure a minimum level of women Members. The introduction of legislation in 2013 resulted in a significant increase in the participation of women candidates at the 2016 election.

The Samoan Parliament has a minimum of forty-nine seats which can now expand up to fifty-four seats with five reserved for women if there are no other women Members and the first forty-nine seats are all occupied by male Members. As a consequence of this innovation, there were twenty-four women candidates compared to only seven at the previous election, and only one quota seat had to be activated, resulting in a Parliament with 50 seats.

Mr Dyfan Jones (UNDP Pacific) advised that the UNDP is trying to be more innovative to provide assistance with limited resources and build on experiences in the Pacific Region. The high cost of outreach with

remote islands and the number of parliamentary sitting days are significant challenges. Mr Jones expressed some concern that sharing knowledge does not happen enough and at consecutive conferences and meetings the discussion keeps returning to the need to share more.

However, the sharing of resources is more controversial, in some cases there is a situation where receiving is expected but it can be a challenge to encourage and facilitate sharing.

To overcome this, the UNDP is focusing on what they call 'South – South' collaborations so that the small island jurisdictions are sharing more and finding commonalities to learn more from each other.

Examples of this include the regional twinning programmes where the Clerks of Tonga and Fiji have come together to share to work between and across Parliaments. However the constant challenges include the cost of travel and lack of donors.

Mr Jones briefed the session on overcoming the need for small jurisdictions to have their own capacity to provide detailed and in depth budget analysis,

as is available in larger well-funded jurisdictions which have a Parliament Budget Office to provide analysis and assistance for Members and the public. Some timeframes for scrutiny are very tight with budgets not able to be looked at with expertise particularly where there is no budget office.

One project is trying out a 'Floating Budget Office' to provide services to Pacific Members as needed and move on to the next one. The Floating Budget Office has worked in assisting Fiji on nine sectoral issues and is planned to be available for the Solomon Islands in mid to late November 2017.

The challenges of this type of project include the logistics; the different times of the year for when Parliaments consider their Government's budgets; and language can be a barrier if the debate is not in English as the budget experts are English speakers.

The twinning arrangements can also yield significant results such as when the Parliament of Tonga was willing to send an officer to Fiji to assist once Fiji had agreed to send one back when they had their budget process taking place.



PARLIAMENTARY INNOVATIONS IN THE FACE OF CHALLENGES: CPA SMALL BRANCHES SESSION 2

The session was opened to questions from delegates. Hon. Kerry Finch, MLC (Tasmania) inquired about the logistics on the Isle of Man with regards to the Hansard services and how the Hansard services are shared with the other jurisdictions.

Mr Roger Phillips, Clerk (Isle of Man) advised that it was a fairly simple process using the internet. The data files are delivered and processed on the Isle of Man. A team in the Isle of Man is large enough to cope with various jurisdictions and there aren't any down times. The staff are engaged and have an accumulated expertise and can potentially share the output with anyone in the world who can send the material to be processed and returned.

Hon. Asterio Appi, MP (Nauru) questioned the UNDP Pacific about an App launched by the Fiji Government and how it works. Mr Jones advised an outreach strategy with young people using social media as a medium instead of traditional media such as radio and TV is being used there for further engagement.

Hon. Edmund Hickson, MP (Barbados) advised that no Caribbean countries have a quota system for women MPs like Samoa and was curious if there was any impact on outcomes if there are multiple parties contesting a seat. The session was advised that the women with the most votes will be elected as the second representative for that division if a man has won the most votes. The best placed runner up is added, not replacing the winner. In Samoa in 2016, this resulted in just one additional seat being added to the minimum of 49 taking the total number to 50. Mr Dyfan Jones (UNDP) advised that the Samoan model is being looked at by a number of countries. It is not seen as a threat to male Members.

The fiftieth Parliamentarian through this system, Hon. Fa'aulusau Rosa Duffy-Stowers,

MP (Samoa) advised the session that she considered herself a fortunate pioneer as the first Member to take such a seat in the quota. With two Members serving the same constituency she advised that it was just like being another MP like her constituency colleague and did not feel that she was discriminated against because of how she was elected.

Hon. Michael Carrington, MP, Speaker of Parliament (Barbados) raised the matter of regularity of parliamentary meetings and the tension between a Parliament and the Government's agenda. There can be difficulties if a legislature doesn't meet regularly.

Mr Dyfan Jones (UNDP) agreed that in many smaller jurisdictions they cannot afford to meet due to financial reasons so the government's legislative agenda prevails over everything else. There was discussion as to whether there was scope for more innovation for Committees to take up the slack for legislative scrutiny and oversight.

Hon. Michael Carrington, MP (Barbados) asked the session to consider whether private sector sponsorship was worth the risk of compromise.

Mr Dyfan Jones advised that this is a potential difficulty in some Parliaments which have cross party groups financed by lobby groups and the private sector. The UNDP is a source of financial support for parliamentary activities. For example, a consultation on a Crimes Bill in the Cook Islands is being funded by the UNDP.

Hon. Chris Steel, MLA (Australian Capital Territory) indicated that increasing capacity with more Members can also create financial challenges, citing the increase of the Australian Capital Territory Assembly from 17 to 25 seats in recent years resulting in more costs, particularly for Committee work.

Hon. Michael Carrington, MP (Barbados) proposed that limits to the size of the Cabinet

is beneficial so there are enough Backbench Members for Committee work.

Hon. Chris Steel, MLA (Australian Capital Territory) advised that adapted Benchmarks for the Pacific Region have recommended no more than one third of the Parliament should make up the Executive as there is a need for Backbenchers to hold the Executive accountable. If all the Government Members are Ministers, it limits the work of the Parliament. He also sought further information from UNDP about the 'floating' budget office used in Fiji and proposed for the Solomon Islands and the challenge of tracking of the budget in expenditure areas over a couple of years.

Mr Dyfan Jones (UNDP) advised that the role of the budget office is to explain the technical aspects about budget policy and expenditure but not to comment or critique it – that is for the people who receive the information. However it will make Members better informed in budget debates. Examples of the tasks of the budget office were an attempted gender analysis which took place in a one day session and a session for civil society organisations so people can understand their budget.

Hon. Juan Watterson, SHK (Isle of Man) advised that in his jurisdiction there has been the ability of Members to scrutinise content for two weeks but for the public to only have one day before it is debated.

Hon. Robyn Lambley, MLA (Northern Territory) indicated that in her jurisdiction the Committee system is ineffective and not suitable for a unicameral parliament and described a study visit by the Committees to look at another Australian unicameral jurisdiction and questioned the process of routinely looking at familiar and similar jurisdictions rather than being more innovative and looking beyond familiar experiences.

Hon. Juan Watterson, SHK (Isle of Man) advised that this

is the practice most Branches follow to look firstly within their Region and for the Isle of Man, they routinely look to Jersey and Guernsey as similar jurisdictions but he acknowledged that the CPA Small Branches network is the place where more exchange and sharing across the CPA Regions can occur.

Deputy Emilie Yerby (Guernsey) suggested that archaic practices can prevail in many jurisdictions and the advantage of looking further afield is to let in more light on processes and procedure.

The Small Branches delegates *endorsed* the following recommendations:

- CPA should encourage greater cooperation between Small Branches within and outside their Regions by way of internships and exchanges of technical assistance.
- To overcome capacity and resource challenges, Commonwealth Parliaments in small jurisdictions should, wherever practicable, share knowledge and resources in order to function more effectively.
- Continued support of the CPA to all Small Branches and larger jurisdictions to collaborate with aid agencies and foreign affairs ministries in assisting small jurisdictions.
- Strongly encourage other small parliaments to follow Samoa's example of considering twinning arrangements as an initiative to create benefits for both.