

Positive Action Group (PAG)

Submission to the Select Committee Reviewing the Committee System

Introduction

1. Positive Action Group (PAG) believes, as stated in its Charter, in open accountable government and that there needs to be rigorous control of public finances. In Tynwald one essential component of achieving these aims is via the Committee system.

2. We have limited comments to the following:

A) Standing Committees

a) Policy Review:

i) Social Affairs - Departments of: Health and Social Care; Education and Children; Home Affairs.

ii) Environment & Infrastructure - Departments of: Environment, Food and Agriculture; Infrastructure;

iii) Economic - Departments of: Treasury, Economic Development and the Cabinet Office (including constitutional matters)

b) The Public Accounts Committee

B) Select Committees, with particular emphasis on the Petition for Redress procedure in enabling the establishment of a select committee

3. The perspective within the submission is that of a public group.

(We note that majority of the responses to the 2010 Select Committee of Tynwald on the Committee System Report 2010-2011 were predominately from existing and former members and officers of Tynwald)

Comments

1. On the Tynwald website the remit of the Policy Review Committees is too vague. Overall the purpose is 'to scrutinise the implemented policies, as deemed necessary by each Committee'.

Each Committee needs to expand on that by clearly stating what it is attempting to achieve. Is it just to review both successes and failures in

prior months? Is consideration given to future aspirations of the Departments? What is the context of the work of Departments within an overall government strategy?

The absence of a clearly defined remit was apparent in a recent Economic Policy Review Committee hearing (16.04.15), which we recommend the Committee reviewing the Committee system listens to. The answers to questions were not really challenged and probed e.g. 'putting up Income Tax will damage economic competitiveness' & 'means testing is not straightforward". At one point a discussion even took place about the Legislative Council !

2. The remit and purpose of the Public Accounts Committee (PAC) provides better direction:-

The Committee shall –

(a) (i) consider any papers on public expenditure and estimates presented to Tynwald as may seem fit to the Committee; (ii) examine the form of any papers on public expenditure and estimates presented to Tynwald as may seem fit to the Committee; (iii) consider any financial matter relating to a Government Department or statutory body as may seem fit to the Committee; (iv) consider such matters as the Committee may think fit in order to scrutinise the efficiency and effectiveness of the implementation of Government policy; and (v) lay an Annual Report before Tynwald at each December sitting and any other reports as the Committee may think fit.

Note the phrase 'scrutinise the efficiency and effectiveness of the implementation of Government policy'. This implies a more forensic approach in the work of the Committee. PAG encourages the Policy Review Committees to adopt a similar approach.

To support the important work of the PAC the already approved post of a Tynwald Auditor General needs implementing. Many proposals are seen as a cost to the administration, but the appointment of a TAG could be considered as an investment in good government. PAG strongly supports that view.

3. In order to ensure more incisive questioning, PAG suggests a short formal training programme for Members of Committees.

We understand that visits are arranged to other Legislatures for newly elected members to observe Committee proceedings. Valuable as this is, PAG believes that a short training course would be of great benefit. Such training should cover not only the inquisitorial aspect of Committee work but also that of chairing a Committee.

4. The Chair of any Committee is an extremely important role. PAG suggests that dedicated Chairpersons be assigned to each Committee. Such people could be drawn exclusively from the Legislative Council (LegCo)

The role of LegCo in scrutinising new legislation is a function of new laws being brought forward for consideration.

In the past 3 years formal sittings, considering legislation, of LegCo amounted in time to:

2012 - 21 hours in the whole year

2013 - 22 hours in the whole year

2014 - 21 hours in the whole year

From this it is clear the major proportion of the job of an MLC is fulfilling a Government role. The duties of being an MLC are far less onerous than those of an MHK who has constituency responsibilities.

PAG suggests a restructuring of the remuneration of MLCs to reflect the discrepancy in roles, and further suggests the compensatory funding of Chairs of Committees via monies so relinquished.

5. The Manx Government is committed to a policy of Digital Inclusion.

The IOM was the lead proponent in the British Irish Council meeting held here in November 2014. To quote from the subsequent Communique of the meeting; "Although this was the 23rd Summit of the Council, it was its first 'e-summit', with i-pads replacing paper on delegates' desks in the Villa Marina complex, Douglas."

It seems logical then that parliamentary process also be part of such progressive development. The current Redress petitioning process has served residents well over many, many years. PAG suggests that, because of its historical and ceremonial significance, that petition process is retained for those who wish to use it. PAG considers that this manual/physical process be supplemented with a method of e-petitioning by residents of the Island. Such a process exists in other nearby jurisdictions, but we are particularly impressed with the system adopted by the Welsh Assembly - simple, straightforward and inclusive.

6. The Legislature is to be complemented in broadcasting Committee public proceedings. This must continue and eventually be extended to webcasting proceedings. For those people who wish to attend a public hearing of any Committee better sound amplification needs to be provided.

Conclusion

1. The Committee system is an integral, valued part of the parliamentary process, but needs focussed improvement via :

a) the introduction of training in incisive/probing questioning techniques and also training in the skill of being an effective Committee chairperson.

b) implementation of the post of a Tynwald Auditor General to support especially the work of the Public Accounts Committee

c) consideration of appointing full-time Chairpersons drawn from the Legislative Council

d) adopting more comprehensive, targeted remits for the various Committees

e) the introduction of an e-petition process

f) the immediate introduction of better sound amplification at sittings of Committees

2. PAG is content that this submission be published.

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