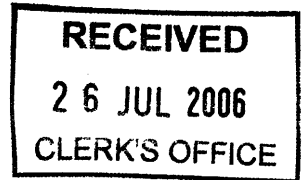




THE SENATE
CANBERRA ACT 2600



26 July 2006

Dr Rosemary Laing
Acting Clerk of the Senate

PROPOSAL TO ALTER SENATE COMMITTEE SYSTEM

I refer to your minute seeking an assessment by the department of its capacity to support five estimates committees meeting simultaneously. The assessment is enclosed. It also canvasses some related issues.

John Vander Wyk
Clerk Assistant (Committees)

Proposal to vary the Senate committee system

Introduction

In response to the Procedure Committee's request for an assessment of the Department of the Senate's capacity to support five estimates committees simultaneously the following factors have been considered:

- Availability of committee rooms for both hearings and as waiting rooms (including associated broadcasting issues)
- Ministerial and other senators' availability
- Staffing requirements.

Current arrangements

Under the current arrangements the eight legislation committees meet for three rounds of estimates in the yearly cycle:

- Budget estimates for a two week period in May/June
- Supplementary estimates for a one week period in October/November
- Additional estimates for a one week period in February.

The committees are divided into two groups of four committees. Each group meets for half the time allocated in each round, and usually there has been the option of a spillover day on the Friday of each week in the round.

Accommodation

In each round, each committee requires a hearing room and a waiting room (in reasonable proximity to the hearing room to facilitate such things as witness change over and the provision of information).

In the current arrangement there are ongoing problems with the availability of committee rooms, particularly those provided by the House of Representatives. Of the 19 committee rooms for both Houses, two of the larger committee rooms are not available as they are set up for the PEO education room (1S1) and the House of Representatives Main Committee (2R3). Another of the larger rooms (1R1) is not currently used because of its layout, and would need to be reconfigured for estimates use.

Currently, the committee rooms that are used for estimates hearings are the Main Committee Room, 2S1, 2S3 and 2R1. As the House generally gives priority to its own committees, there is no guaranteed access to 2R1, and sometimes the estimates committee using that room has to make way for a House committee and go to 1S4. This is a smaller room not well suited to the number of witnesses and potential witnesses required in the estimates process, and it does not have a television broadcast facility.

The rooms used as witness waiting rooms are 2S2, 2R2, and 2S3.

The smaller committee rooms (1S2, 1S3, 1S5 and 1S6 and the House of Representatives' equivalents) remain available during the estimates hearings period for other purposes.

The proceedings of the Main Committee Room, 2S1, 2S3, and 2R1 can be televised. Although proceedings cannot be televised from other committee rooms, audio is available

from all (except 1S1) via the House Monitoring Service, that is, within Parliament House only (DPS is currently working on extending the audio service so that it can be provided via the Internet to outside agencies).

Ministerial and participant availability

Currently there are eight Senate ministers and two parliamentary secretaries. Each minister appears before a committee to represent their own department. All ministers and parliamentary secretaries are also rostered by the office of the Manager of Government Business to represent other departments. Generally, each minister is required for ministerial duty for much of the estimates period.

Senators who are participating in the hearings of one committee but also wish to ask questions in another often have difficulty in attending the other committee at the time the program they have questions for is under consideration, as they may be questioning witnesses in their own committee. These timing conflicts, apart from resulting in dissatisfaction, also cause more questions to be placed on notice or not being asked than would otherwise be the case.

Staffing

Each committee has a dedicated staff provided from the relevant secretariat.

Five committees meeting simultaneously

Were five committees to meet simultaneously, the problem of senators participating in one committee but wishing to ask questions in another is likely to be exacerbated. There are sufficient Senate ministers and parliamentary secretaries to represent departments before five committees meeting at once, but there would need to be a greater readiness on their part to dedicate the time required to estimates hearings (the non-availability of ministers and parliamentary secretaries at particular times during estimates hearings appears to be becoming an increasing difficulty). There would be sufficient staff to support five committees, but the most senior staff person might not always be a committee secretary (particularly so if one secretariat is supporting two committees).

The main difficulty is that of physically accommodating five committees.

Accommodation

The options to accommodate a fifth committee meeting during the estimates process include the following.

Option 1: Utilise a medium sized committee room for the additional hearing (1S3, as 1S4 is kept in reserve in case 2R1 is unavailable) and use a smaller room (1S2) as the waiting room (this may have to be shared with witnesses for the hearing in 1S4 if in use). Audio only will be available on the House Monitoring Service.

Option 2: Secure an agreement with the House of Representatives for the use of two additional House committee rooms. The size required for estimates hearings would dictate that 1R1 be used for the hearing together with an adjacent room (1R2) as the witness waiting room. This would require 1R1 to be reconfigured during the estimates hearings (three times per year). Audio only facilities are available. The current difficulty of not having guaranteed access to House of Representatives committee rooms 2R1 and 2R2 would also apply to these rooms. This option is only practicable if an agreement on priority of access for Senate committees conducting estimates hearings is reached

between the presiding officers. Attempts to secure guaranteed access at officer level have not been successful. As part of an agreement, the Senate could offer the House the use of its smaller committee rooms, but these might not be attractive if a House committee also wished to conduct a public hearing. This option would require additional work in reconfiguring committee rooms.

The strength of option one is that it is not dependent on any greater co-operation from the House of Representatives than is currently the case. However, it would result in at least one, and possibly two, committees meeting in smaller rooms with inadequate space for witnesses and with audio-only facilities.

Option 3: Secure an agreement from the House to use Committee Room 2R3, used by the House's main committee. It is unlikely that the House would agree to the use of the room for estimates purposes. In any case, the House and its main committee, more often than not, usually meet while estimates proceedings are in progress.

Option 4: Deny the PEO access to Committee Room 1S1 during estimates proceedings, and reconfigure and use that room. This would be disruptive to scheduled PEO activities and would require an alternative venue to be found for the PEO on each occasion. This room has no broadcasting facilities at all (not even audio).

Two committees each dividing their time

An alternative to five committees meeting at the same time would be for the two committees which each are to be split to divide their time for each block of estimates hearings. As the combined workload of each committee before it is split will not change, the split could be made by halving the time available to each or on the basis of average time spent on each of the two portfolios in the past. For example, if the Employment, Workplace Relations and Education committee splits to form two committees then the time allocated to each of the new committees would be half of that currently allocated, with each committee examining one portfolio.

This option would not require significant change to current practices and logistics.