



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

**HOUSE OF  
REPRESENTATIVES**

STANDING COMMITTEE ON PROCEDURE

**Reference: Effectiveness of House committees**

THURSDAY, 22 OCTOBER 2009

CANBERRA

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**HOUSE OF REPRESENTATIVES**  
**STANDING COMMITTEE ON PROCEDURE**

**Thursday, 22 October 2009**

**Members:** Ms Owens (*Chair*), Mr Somlyay (*Deputy Chair*), Ms Bird, Ms George, Mr Hawker, Mr Price and Dr Washer

**Members in attendance:** Ms Bird, Ms George, Ms Owens, Mr Somlyay and Dr Washer

**Terms of reference for the inquiry:**

To inquire into and report on:

The effectiveness of House of Representatives domestic and general purpose standing committees including:

- the number, subject coverage, membership and means of appointment of committees;
- the type of work being undertaken by committees;
- the appropriateness of current Standing and Sessional Orders;
- the powers and operations of committees;
- factors influencing the effectiveness of House committees, including resources and structural issues.

**WITNESSES**

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**Committee met at 12.32 pm****LARKIN, Dr Phil, Lecturer, Public Policy, University of Canberra**

**CHAIR (Ms Owens)**—Although the committee does not require you to give evidence under oath, I should advise you that hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Are there any corrections or amendment you would like to make to your submission?

**Dr Larkin**—No. I do not think so.

**CHAIR**—Do you wish to make a statement in relation to the submission or would you care to make some introductory remarks?

**Dr Larkin**—I guess I could open by just explaining a tiny bit about my background. As I said, I am a lecturer in public policy at the University of Canberra. One of my ongoing areas of academic research is parliaments and, particularly, parliamentary committees. Prior to coming to Australia about four years ago, I spent four years in the committee office of the House of Commons in Westminster. I have also done a couple of shorter stints in the Senate committee office, so I have some practical experience as well as an academic interest.

**CHAIR**—Thank you. Just to get it out of the way, we have had quite a bit of discussion and suggestions from a number of people that we should reduce the number of our committees and reduce the core. In your submission, you refer to the benefits of having a large number of committees. What would be your view of reducing the numbers and the core?

**Dr Larkin**—The argument for having a lot is, I think, one that is derived more from formal political science theory than it is from practical experience. My impression is that it would be rather better to have a smaller number, with the committee being the member's primary concern, if you like, outside their constituency, many of their electorate matters and the like. I think you might end up with better attendance and more commitment on that basis rather than trying to spread members too thinly. I have seen in the UK members on maybe a select committee and maybe two public bill committees simultaneously. They are lost to the committee, effectively. I have even heard of members being put on two bill committees meeting simultaneously, which is clearly preposterous. They cannot be in two places at one, so they are members in name rather than in practice. Obviously, you would rather have members there in body and spirit, if you like, rather than nominally.

**CHAIR**—You also refer in your submission to the bills committees, which are ad hoc in the UK. How does that work? How are they selected? Would it work in other areas as well?

**Dr Larkin**—It could. I guess when you set up a select committee you would do something very similar. I have to be careful because in the UK the terminology is confused. The select committees are what you would know as standing committees. Up until recently, what you would refer to as select committees were called standing committees. They have mercifully been renamed public bill committees now, so you have half the confusion, at least, and brought us more into line with the rest of the Westminster world, I think. Public bill committees are ad hoc,

as you say. They are quite large, quite often. They have to the traditionally taken evidence. They focus far more on clause by clause debates around the amendments of the bill going through. They have been very much dominated both by set piece partisan adversarial debate, I guess, and are notable for the fact that virtually only government amendments get up. Not even government backbench amendments get up. So what you have is a lot of noise. Mostly, it is a case of government tidying up its own bills prior to the bigger debate in the main chamber. More recently, and since I have left, so I have not been able to see it first-hand, they have made some changes. The public bill committees can now take evidence, which they never used to do. The purpose is twofold. One is because it seemed like a good idea; committees should be able to take evidence, I think. The other is that it was supposed to modify the adversarial nature of the process. The idea is that if you focus more on submissions and have more of an evidence base to go on, you end up with less partisan, set piece debate, if you like.

**Mr SOMLYAY**—In the UK, is the public accounts committee the only committee that has an opposition member as chair?

**Dr Larkin**—No. Of the select committees, the chairs would normally be allocated roughly proportional to the numbers in the chamber. After the election, shortly before I left in 2005, the government's majority was reduced, so the number of committee chairs the government awarded to Labour was reduced as well as the number of members on the committees. So the opposition parties got more chairs and more members.

**CHAIR**—How does that affect the adversarial or non-adversarial approach of the committees?

**Dr Larkin**—We are talking about the select committees now. One of the reasons they have proven popular is that they do largely escape from the set piece government-opposition debates. Bear in mind you have a rather large back bench—an opposition back bench as well as a government back bench—so it is rather harder for rigid party discipline to be maintained, I think. Certainly the committees are unwhipped. Even with a government chair, a government dominated committee regularly makes quite aggressively critical reports critical of government. For the most part, committees try and agree to the report unanimously. Certainly that does constrain what they might recommend. For instance, the particular committee I worked on was so fundamentally divided over, for instance, the matter of Britain joining the European Union that we just had to work around that. I remember a report where the automotive industry was very in favour of Britain signing up. We just had to note that the automotive industry was in favour of joining the European Union. But there were other issues that needed to be brought to bear on that. So there is a certain degree of trimming and compromising, I guess. But for the most part, as I say, they are unwhipped. That does mean that the parties are able to be critical, or opposition members can sign up to something being moderately supportive of government, by the same token.

**CHAIR**—Did I also see in your submission that those committees are not appointed by the whips?

**Dr Larkin**—No. They are. In practice, they are, yes.

**CHAIR**—I was wondering how it was done.



**Dr Larkin**—Well, it has been subject to quite serious debate in recent years. There was quite a lot of fuss—it is in my submission—about the chair of the transport committee, Gwyneth Dunwoody, who was famously critical of government in all the reports that her committee submitted. She was quite seriously so, in spite of being a Labour member. She was not reappointed after the election. The government said it was because she had served a couple of terms and it was somebody else's term. Others felt that it was because she had been so critical in the past that they wanted to get an awkward customer out of a position of prominence. That did lead to a debate about reducing the power of the whips and giving the back bench much more control over its own appointments. The chairman of the ways and means would head a small selection panel, effectively. It was actually rejected. However, this is something that is currently under review because, partly in the wake of the expenses scandal, a committee has been set up to look at reform of the parliament. One thing that it is looking at is the appointments process—how members get allocated to committees. That has not reported. That is due to report next month. Unfortunately, it is not taking any evidence or certainly not having any hearings, so I was not able to report back. But it is due to report early to mid November.

**Mr SOMLYAY**—I want to raise an issue. In the UK, the chief whip is a member of cabinet. So if the appointments are made by whips, they are effectively being made by the executive. The backbench committees are being filled by the chief whip, who is a member of cabinet. I am chief whip of the opposition. I am on the back bench. My duty is to the back bench rather than the front bench. That would have a different bearing on who you appoint to these committees.

**Dr Larkin**—Certainly. Even if one acknowledges that the chief whip is a member of cabinet and the opposition whip is a member of the opposition front bench, that would effectively give the frontbench party leaders control over the appointments. In practice, it certainly has not stopped committees being quite critical of governments, of the parties the people have appointed.

**Mr SOMLYAY**—It would not be a career enhancing move, though, would it?

**Dr Larkin**—It may not. Again, you are dealing with a very large parliament, so the number of frontbench posts available to act as a sort of carrot to keep people in line is that much reduced. The fact is that certainly Labour's majority after 1997 was huge. There is simply no way a lot of those people were ever going to get to the front bench. So, without that, there is not that issue anyway. There were changes made to try to encourage people to view committees as an alternative to pursuing a frontbench career, again to try to enhance their distance, from you like, from the independents.

**Mr SOMLYAY**—Is there a career path in committees in the House of Commons?

**Dr Larkin**—There has not been. They are trying to make one. It has not been regarded as one. Chairs, for instance, have not always, but usually, been former frontbenchers and former ministers who are very senior and no longer on the front bench. They are not winding down—that would be harsh—but they certainly are senior established members. They introduced pay to try to encourage people to view committees as an alternative. There is pay for chairmen, not committee members. There are certainly some members who regard committees as a career path and who see themselves as backbenchers. A couple of quite prominent backbench critics of government have found themselves in frontbench positions and have chosen voluntarily to take

themselves back to the back benches. They feel more at home, freer to speak their mind or whatever. In that respect, committees do provide an interesting area where they can get involved in policy work. It does provide a break from electorate work, if you like. It is one where you can also have a degree of independence from your party as well.

**Dr WASHER**—Dr Larkin, in your concluding comments—this is a sentiment, I think, shared by all of us here—you say that the House standing committees have relatively weak formal powers. You put some suggestions, including a committee bill, in here to address that issue. That is a major issue for us. Could you give us some more detailed ideas on how we would improve the powers of the committee system?

**Dr Larkin**—I have outlined some of the ways in the submission that the House committees have relatively weak formal powers. I would add that formal powers do not make a lot of difference if they are not utilised. I gave the example contrasting the USA with Japan, where the formal powers are not radically different yet the US has a massively more influential, powerful committee system than not just Japan but pretty much anywhere else. But Japan's is also relatively weak, I think. So, in that sense, it is not just changing the formal powers. It is as much encouraging members to use the powers that they have already to a rather greater degree. I was doing some work on the public accounts committee a while back. I notice that it looks like a lot of committees, not just in the Commonwealth but around Australia, in terms of the various acts. They have a reasonable capacity to influence the appointment of the Auditor-General, yet that is really very rarely exercised by most of them, I think. That is an example of formal powers that are not necessarily utilised.

The committee bill was just an example I pulled out because it is really quite notable. Scotland has that power. Very few do. There are only a handful of parliaments that allow committees to draw up legislation. But I thought it was noteworthy putting it in. It would be certainly a really quite radical break. The areas have to be chosen carefully and there has to be a lot of cooperation beforehand to make it work. But I think the very minimum thing would be to allow all the committees to self-reference, if you like, to initiate their own inquiries. That is something that Australia, I think, is quite notable for not having. I know some of the committees can, but for committees to not self-reference is a notable weakness. The fact that legislation is not ordinarily referred to a committee is another one. I know Australia has a large number of very small bills. That is just the way it works. The UK has rather fewer bigger bills. So that does make life possibly a little complicated. It may be that a lot of legislation is not worthy of a full committee inquiry. However, perhaps it should be up to the committee to decide rather than for somebody to decide for them.

**Ms BIRD**—You make some points on the issue of the differences between the House and Senate committees. I would like to hear some more comment on those differences and where you see opportunities.

**Dr Larkin**—The committee system of the Senate is obviously much more prominent. I was speaking to some colleagues on the House committee staff. They get frustrated when their work has been attributed to the Senate.

**Ms BIRD**—Yes. They are not alone in that.

**Dr Larkin**—A House committee inquiry has been reported as a Senate inquiry. Indeed, some people have been interested to find out that the House has a committee system. There is clearly scope for addressing that. It may be that given the traditional, relatively rigid discipline of the parties within the House—I am not saying there is no dissent, but the dissent is kept behind the scenes rather than taking the form of significant regular rebellions, if you like—legislation is not the way to go. If a committee's inquiry into a bill were to merely replicate the set piece frontbench positions already established, there would not necessarily be a lot of mileage in it. The only advantage would be that you could have the affected stakeholders, for want of a better word—those affected by the legislation and those who have a strong interest in the prospective legislation—state their case as well in public. In a sense, the front bench and opposition and the minor party positions could be tested, if you like, that way and could be explained. So it would not be worthless by any stretch of the imagination. But, for my money, one of the things that might be interesting is to focus on some of the areas that the parties are yet to develop a position on. The more strategic areas and more future oriented areas might be something that they could usefully pursue. That probably would not be a legislative inquiry. Then again—

**Ms BIRD**—You made the comment that people would be surprised to know there is a House committee system. Clearly, I think, we encounter that with the media. When people say they think it was a Senate committee, it is the media commentary generally, which creates that frustration. I will put on the record here—I am sure our government is not the first to do this—that even ministerial staff at times are oblivious to the existence of the committee system, particularly if they have come into adviser positions not having worked within the parliamentary system. They can overlook the existence of the committee system. I am interested in your views on whether that is a cultural thing that will have to be engaged with from the back bench and the whips perhaps or whether it can be a structurally addressed issue through procedures or legislation.

**Dr Larkin**—I totally understand where you are coming from. Inevitably, a committee system is going to reflect the chamber of which it is a part. It would be very difficult to overhaul that fundamentally merely by changing standing orders or altering committee procedure in some way. The self-referencing would be useful, for instance. The ability to refer petitions to the relevant committee might be a useful one. Certainly it is one that has been adopted in comparable parliaments. Ultimately, it is going to require the backbenchers to take the committee process seriously and see it as a significant and important part of their work. I am not saying individual members do not do that already. But certainly collectively it is not clear that that is the case for all of the committee members necessarily. It would also require them to have a degree of latitude from their party leadership that would allow them to exert a certain degree of independence in terms of how they conduct the inquiry. The danger is that that would merely leave them conducting very safe inquiries where there was no danger of rocking the boat at all. That is a compromise. I do not know how you deal with that necessarily.

**CHAIR**—I want to stay on the difference between the Senate and the House. The Senate does a lot of inquiries that receive no attention at all.

**Dr Larkin**—Of course.

**CHAIR**—It does inquiries where there is an adversarial approach around a bill, which attracts a lot of attention, and at times because the nature of the evidence is sensational, even if the

parties are agreeing. In your experience of the committees where it is genuinely bipartisan and it is committees getting on and doing their work, how is the profile developed then? Are their privilege rules different to ours, where we do not speak about things?

**Dr Larkin**—No. It can be tricky to try to get attention for something that is not a major stoush, basically. I remember one time when we were conducting an inquiry into British Telecom and its plans for broadband rollout, British Telecom being the Telstra equivalent, the former state owned incumbent. There was something coming close to a stand-up row between the chairman and the chief executive of British Telecom. The next time British Telecom came in and the chief executive was there, the place was absolutely packed to the rafters with media. When they realised that the hearing was going to be conducted in a fairly polite and dignified manner, they were gone. They did not last. They were there to see a ruckus. The government taking a pasting is much more of a headline than the government being told that it is doing an okay job and should carry on along the same lines.

**Mr SOMLYAY**—Following the Chair's question, what obligation is there on government or ministers to reply to recommendations in committee reports in the UK?

**Dr Larkin**—That is one of the things I found interesting when I got here. They have the same obligation to respond within three months. They do not always respond within three months, but they certainly will respond. I was interested here to note that there are committee reports that will never be responded to. I am not aware of that ever happening in the UK and I would be surprised if it did.

**Mr SOMLYAY**—Is that by a standing order or convention?

**Dr Larkin**—As far as I know, it is a standing order. But I would have to check. But nonetheless it is enforced. Sometimes they are late. They would normally have to square it with the committee if they are going to be late. Sometimes that is acceptable and sometimes it is not. Sometimes if the government's response is seen as inadequate, further evidence is taken and further hearings are held.

**Mr SOMLYAY**—Do they have the power to call before the committee a minister who has responsibility for the report?

**Dr Larkin**—Yes. I would have to check whether that was constitutional, but it is certainly conventional that ministers will appear before their departmental committee. Each government department has a dedicated select committee.

**Mr SOMLYAY**—Is that like our estimates committees in the Senate?

**Dr Larkin**—Yes. So a minister—I do not know whether it is by convention or by standing order—would certainly normally appear. The question is whether sometimes ministers appear before another committee.

**Mr SOMLYAY**—We discussed the other day—I do not think it is giving away any secrets—that we are very frustrated in the House of Representatives that governments of both persuasions do not respond to committee reports. That has an adverse effect on the morale of committees. It

affects the witnesses, who say, ‘Why should I bother giving evidence again?’ That has qualitative implications for committee work. We toyed with the idea of having a standing order where, if a minister does not respond within a certain time, the committee has the power to reconvene and call the minister before it to give a response in person. Does that happen in the UK system?

**Dr Larkin**—I see. It can do, certainly. Whether by standing order or not, ministers would normally appear before the committee as a matter of routine and certainly where a relevant bill is before them.

**Mr SOMLYAY**—Do they give the committee the reference?

**Dr Larkin**—No, they do not. It is up to committee to try to—

**Mr SOMLYAY**—Our minister gives us the reference.

**Dr Larkin**—I know. I appreciate that. That is the difficulty. That is why I was arguing for self-referencing earlier. I cannot imagine a situation in the UK where a committee just would not respond. It may have happened and I may not be aware of it, but it would be quite a serious breach of parliamentary procedure and would be taken up.

**Ms BIRD**—One thing that happens with our presentation of the government response, if you get one, is that it just appears on the paper that the government response to this was tabled. Do they have a different process where the minister actually has to present it to the parliament and there is some opportunity for debate or comment on it, or is it also once again just tabled?

**Dr Larkin**—It depends on the preferences of the particular committee. Some of them just deposit a response in the House library, or something like that. The committee I worked for published the government responses as a special report, usually with a small introduction to it. I have seen instances where the committee was particularly unhappy with a government response and was free to add quite a lot of critical comment, if you like.

**Ms BIRD**—It is not us that publish or table the report. It is the government.

**Dr Larkin**—No. Committees in the UK table their own reports anyway, effectively. But certainly some of the committees are responsible for publishing the government response as well.

**Ms BIRD**—Is there any debate within the House about the government response? It seems to me that putting it on the public record, in the *Hansard* of the houses, is one way to increase the status of the report, the government response and the issue.

**Dr Larkin**—In terms of an opportunity to debate the issue, not automatically, no. There would be opportunities for committees to ask questions and the like, clearly.

**Ms BIRD**—That is in committee, though. That is not in the chamber.

**Dr Larkin**—No. The committee members, as backbenchers, could bring things up in the chamber, if you like.

**Ms BIRD**—Through what mechanism?

**Dr Larkin**—Through backbench times or requests to the minister or something like that. Through the department.

**Ms BIRD**—But not a formal committee time?

**Dr Larkin**—No. That is one of the issues that has been brought up. Certainly there has been the opportunity for committees to debate in Westminster. That is one of the things that occupies the Westminster Hall debates. It is a sort of a mini parliament.

**Ms BIRD**—It is the same with ours, but it tends to be only on the report. It does not tend to be a mechanism available on the government's response.

**Dr Larkin**—No. I can see that. I do not know that there would be a mechanism to stop that, actually.

**Mr SOMLYAY**—We can do that in the main committee. The minister could respond to the reports.

**Ms BIRD**—Similar to the post budget, when we have ministers allotted times, where they come and answer questions in the in-detail section.

**Ms GEORGE**—I was going to raise the same point that Alex raised and was reinforced by Sharon. I think to enhance the standing of committees governments of both persuasions have to take committee reports seriously. Mal and I have been chair and deputy chair from the time I have been in parliament. All our reports have been bipartisan. After four years on a very major issue of sustainable cities, we still do not have a response. We did not get a response from the former government and now, two years into our government, we are still awaiting a response. So the message that sends to submitters is that the committee system is not really that important. Why bother going through all that? Why travel around the country taking evidence? Until we formalise through the standing orders some structure where there is greater accountability, I do not think we are ever going to enhance the system. Some of the ideas that Sharon has put forward I will not repeat. I think we need to look at the structural arrangements if we are seriously looking at beefing up the powers of the House of Representatives committees.

**Dr Larkin**—That would seem reasonable. It has to be that the backbenchers demand this happen.

**Ms GEORGE**—Or this committee recommends.

**Dr Larkin**—Yes. Or, as you say, standing orders are changed to enforce that.

**CHAIR**—You refer in your submission—and several others do too—to the accountability role, or holding governments to account. Do you think our House committees hold governments to account? Do they have that in their current practice?

**Dr Larkin**—From the outside, I would say not especially. Again, it may be a function of the quite rigid party discipline that you have that it does not appear, from an outsider's perspective, that that is necessarily the case.

**CHAIR**—But other committee systems do?

**Dr Larkin**—I would say yes. Certainly I would say that that would be the case.

**CHAIR**—What are the differences?

**Dr Larkin**—Again, it is not so much a formal procedural thing as a willingness to do the things to get ministers in for a particular inquiry, if necessary, and take them to task a bit—to hear other possibly critical perspectives from other submitters to the inquiry and to put their case, in a sense, to the ministers on the public record in a public forum and in a deliberative forum, where there is the opportunity to ask follow-up questions and it is not just a matter of tabling a question on notice or something. Some ministers embrace this. They have taken the opportunity to explain the logic behind controversial legislation when they feel that the underlying *raison d'être* has been misinterpreted or misrepresented. They have actually been quite keen to come and try and explain exactly what they are doing and why they are doing it. So it is not a one-way street, necessarily.

**CHAIR**—I am told that one of the advantages of having the whips on the committee is that we know sometimes there is likely to be a division at some point. Does anyone else have any questions? Can I keep going?

**Mr SOMLYAY**—Before two o'clock.

**CHAIR**—That is fine. Look at the way we operate. Perhaps it is the rigid discipline that we have at various times in our lives, both in government and in opposition. The idea that a backbencher would be openly critical or question the position of the government in Australia would lead to quite a considerable media flurry. Is it different in countries where that is a usual event? Is it handled differently? Is it reported differently? Is it perceived differently?

**Dr Larkin**—Again, I come back to the UK because it is not a PR system. It would depend slightly on the scale of the rebellion and who did it. But that would be in the chamber. Select committee reports are quite regularly critical of government, even though they have a government chair and a government majority on them. It is not particularly unusual. It may be that the scale of the criticism is newsworthy. It is also possible that if the report were not particularly critical of government, it would not be particularly newsworthy. They are unwhipped. The backbenchers of both sides would take that quite seriously.

**Mr SOMLYAY**—Would they be critical of the policy or critical of the administration of the policy?

**Dr Larkin**—It could be both. They could say the policy was wrong or the policy has been adequately implemented. I do not think there would be a problem with either of those.

**CHAIR**—Again, because they can set their own brief, if you like, they can choose.

**Ms BIRD**—You do not have to name names. Are there ministers who use the committee system to create pressure for something they may want to do in government within the context of their cabinet negotiations?

**Dr Larkin**—I am almost certain. I suppose it is public knowledge now because I published an article on it with a quote in it. Certainly one minister told me in an interview for this that, yes, he could use a report within cabinet that said ‘This area is under-resourced’ to try to extricate more resources or to try to create pressure for something to happen. So, yes, certainly that was the case. On the previous point, I was going to say that the committees do like to be seen as relevant. They like to be seen as addressing areas of current concern to the point where sometimes they are accused of ambulance chasing. It can be overwhelming at times. When London won the Olympics, the number of inquiries from various committees into various Olympic related matters was extraordinary. So it can be not necessarily useful as well. But certainly they like to be seen as relevant. If it were a current and high profile issue, I think they would want to get in there and give their views if they could.

**Mr SOMLYAY**—Does the House of Lords have a committee system?

**Dr Larkin**—Yes.

**Mr SOMLYAY**—Different from the Commons?

**Dr Larkin**—Yes.

**Mr SOMLYAY**—Do they have joint committees?

**Dr Larkin**—They do also have joint committees, yes. The Lords does have a rather lower profile but interesting, nonetheless, committee system. They do interesting inquiries. They are more thematic and less departmental based.

**CHAIR**—There are a number of things that are done around parliament that are not done by the backbenchers or the committees. When we know a bill is coming, there is quite often extensive consultation, which is done by departments. Then there is a white paper and a green paper and an exposure draft. To my knowledge, the committees have not been involved in them. Does it happen elsewhere that the backbenchers are involved in those sorts of processes?

**Dr Larkin**—Quite often, if there were an exposure draft or a green paper, for instance, for a white paper, the committee would try and get in there because it would regard that as a useful means by which it could try to affect the outcome of the eventual legislation. I worked inquiries into green papers and white papers quite regularly as a committee staffer.

**CHAIR**—There is the oversight side of things, such as long-term policies of the government. The one that comes to mind for me is Closing the Gap, for example, which seems to be a very logical place for an oversight function that crosses portfolios.

**Dr Larkin**—Of course.

**CHAIR**—Again, is that a common thing elsewhere?



**Dr Larkin**—Crossing portfolios can be potentially tricky because the UK has this departmental remit. It is one thing if there is a sponsoring department, if you like, even if other departments are roped in. Sometimes ministers will happily appear before a committee that is not their own, if you like—the one that is responsible for their department. However, sometimes equally they would refuse to do so. I remember when we were doing WTO related things on the committee I worked on we quite regularly would have the relevant minister in as well as the minister for trade and industry or the agricultural minister because they were all relevant, if you like, for that particular policy area. But, similarly, I know that some departments were unsuccessful in trying to get the Chancellor in to give evidence to committees other than the Treasury committee. They failed to get the Chancellor of the Exchequer in.

**CHAIR**—We were talking about reducing the number of committees. We worked it out that if we took the shadow ministers off the committees and we reduced the number to six, we would still all be on 2.8, which is a lot of committees.

**Dr Larkin**—Yes.

**CHAIR**—It is a lot of committees, if you take them seriously.

**Dr Larkin**—Absolutely.

**CHAIR**—There was a suggestion, which was quite interesting, that if we did reduce them, we could line up with the ministerial council, the COAG process, if you like. Australia is engaged in a state-federal realignment. What would your view be on that?

**Dr Larkin**—I think that would be interesting and logical. Talking to a Pom about federalism is always tricky, but I will do my best. It is not something that comes naturally to us, I do not think. I can certainly see the logic behind it. It might well be useful. I think the only danger would be that committees, even with the power of self-referencing, might end up having their agendas dictated by others—by the COAG agenda. So that would be a potential shortfall. Again, it would be up to the committees. You want to be relevant and you do want to do what COAG is doing, possibly, but you also want to keep your own agendas and keep your own lines of inquiry.

**CHAIR**—Would any committees you are aware of ever have undertaken the kind of process that the 2020 was in its own section? We tend not to go that far out in any of our backbench roles.

**Dr Larkin**—No. I mean, 2020 was a quite radical departure just on the scale and breadth of its remit. I cannot imagine a single committee trying to—

**CHAIR**—Even in its own—

**Dr Larkin**—The range of witnesses they might get in would be wide. You would have academics. But it was such a broad-ranging and blue sky thing. Committees do blue skies work, but it is not normally quite as broad as that. Maybe they should. From my completely partial view, I would say that committees would work better where they tend to be slightly more focused than that. But that is just an observation I would throw in.

**CHAIR**—You talk about the need, obviously, to resource the committee systems well. Do you have any views on how the funding should be determined? For example, is there a difference between parliamentary appropriations determined by government and other models, such as parliamentary commissions?

**Dr Larkin**—If it works and the committees are adequately resourced, I do not particularly have a view. The end point is the important one, not the process. I suggest that there is a sufficient backbench demand for adequate staffing, for adequate resources and for parliamentary research services in the library. That can be achieved either through backbench demands for it from government or via parliament taking a more direct role in establishing its own budget. I think either would work. Parliament controlling its own budget is probably better. However, you could also attribute the expenses fiasco to the downside of that. As I say, I do not think it matters as long as the committees are adequately resourced and the parliamentary library is adequately resourced.

**CHAIR**—You do not think it is?

**Dr Larkin**—I do not think there is a 100 per cent correct model. I think it is in the application of the key thing.

**CHAIR**—You talk in your submission about the important role of the committee in providing that link between parliament and its people. It is almost the link with the participatory democracy side of things. How do you think we go in that regard relative to the rest of the world?

**Dr Larkin**—Again, I would be hesitant to criticise the Australian parliament because I do not know it as well as the UK one particularly. I think it has a role that can be usefully played. In a sense, it is up to parliament. It is not just getting people in and giving them their 20 minutes to state their case. Again, it is how the committee and how parliament in general deals with that. It is not a question of whether the government accepts all their recommendations. It is more a question of how the government responds to and addresses those and takes them seriously. I think that is crucial. My impression would be that the interest groups, stakeholders, community groups or whatever like being able to be given a fair hearing. They appreciate that. Even if the outcome is not to their liking, as long as they are taken seriously, I think that is important. Of course, it is a way of getting knowledge and information that simply would not be accessible, even necessarily through submissions to a government inquiry on a green paper or something. The fact that you can interrogate and deliberate does allow you to uncover and get a deeper understanding, I think, of how things work on the ground, quite often. So I do think that is a useful role. Again, as I say, if you just get them in as a matter of routine and then nothing happens and they are not taken seriously, it is not terribly useful.

**Ms BIRD**—Phil, on the education committee, we have experimented with some online engagement. We had a student survey for high school students in our current inquiry. I have to say that we got 2½ thousand responses online, which was tremendous. Have you seen good models of utilising modern technologies a bit more effectively for committee work in that engagement area?

**Dr Larkin**—There have been examples. I have not been involved in any. I believe that members of the House staff were looking at this in a little more detail, actually, so they might be people who could help out. Certainly in the UK there were examples. I put the members of the House staff in touch with a member from the House of Commons staff on this.

**Ms BIRD**—What sort of thing?

**Dr Larkin**—It was on online engagement. It was online. Of course, the danger is that you exchange scale for depth, if you like. You end up with an awful lot of short rather than detailed interrogations or deliberations. But certainly the arguments for not doing it do not seem to me to be particularly persuasive.

**Ms BIRD**—It does have significant resourcing implications, however.

**Dr Larkin**—It can do.

**Ms BIRD**—If you get 2½ thousand surveys returned, that is an exhaustive number of hours to go through them and treat them seriously.

**Dr Larkin**—Of course. I am aware that it has contracted out the process in the past, has it not? You have a committee staff of four trying to cope with that.

**Ms BIRD**—Is that well-regarded by the broader community as part of the remit to have people feel they are participating in the parliament's processes? Do you think it is well-regarded in the broader community?

**Dr Larkin**—Again, it would depend very much on what the outcomes were, I think. Clearly, if it is an actual organisation with some resources behind it, they would presumably prefer to be able to do that face to face rather than just give an electronic response, for instance. As I say, you do have the capacity, all of a sudden, with those who would never appear before a committee. That should not be ignored.

**CHAIR**—The committee proceedings are often interrupted by divisions here. We prepare for committees that we never get to. We have witnesses that sit there while we leave. How is the committee work handled in other parliaments? How is it given priority?

**Dr Larkin**—They sit longer. Certainly in my experience we had loads of divisions. It was just a fact of life. Parliament was sitting most of the time most weeks of the year and most days of the week. Committees sit parallel to that. I should add there are an awful lot more divisions in the UK than there are here as well.

**Mr SOMLYAY**—Is that right?

**Dr Larkin**—Yes. I believe so, yes.

**Mr SOMLYAY**—You will fix that.

**Ms BIRD**—Phil, you are saying they continue to sit? It could be half a day of sittings to get through the evidence?

**Dr Larkin**—Yes. They get up and go.

**CHAIR**—And then come back?

**Dr Larkin**—And then they come back.

**Dr WASHER**—We had a roundtable and a conference on this with some of the chairs and deputy chairs of other committees. One suggestion was a pairing system. I do not know whether this happens anywhere else. We would have a subcommittee. In other words, if we had people come from Western Australia to present to the committee and divisions happen, we could have some agreement with the whips. This was a suggestion. You would have a core group of people and a pairing agreement not to go so that those people would not be disappointed in terms of their presentation being heard. Is there any parallel to that happening anywhere?

**Dr Larkin**—Not that I am aware of. It seems like a very sensible idea. I would only observe that one of the issues is that there are now websites that electronically record the number of times members vote. They are trying to encourage members to be accountable to their constituents. A lack of activity is used to condemn them. So you need to share it around. But I think that would be a good thing to do.

**Dr WASHER**—Can you explain the system here? I think it would be recorded, though, if you have a pair.

**Mr SOMLYAY**—We have something which we believe is a first in this parliament. A mother who is nursing and feeding an infant may give their proxy by telephone to the whip when the bells ring, and the whip exercises their vote and it appears in the *Hansard*. If we could have some variation of that to a committee—

**CHAIR**—To a public hearing.

**Mr SOMLYAY**—To a public hearing, it would be obvious in the *Hansard* that that person is actually working and not missing a division.

**Dr Larkin**—Sure. I think that would be an eminently sensible idea, because it is clearly disruptive.

**CHAIR**—People travel so far.

**Dr Larkin**—They do.

**Ms BIRD**—And with all of us being on so many committees, you cannot just keep going, because people say, ‘Sorry, my next committee is starting. I have to go off to that.’

**Dr Larkin**—If there is something contentious going through the chamber at that time, clearly, there are going to be more divisions than not. It is going to clearly interrupt things. That seems like an eminently sensible mechanism.

**CHAIR**—I have only one more question. We will then ask whether you have any other comments. The difference in the two systems, of course, is that here every chair is a government member. In the UK, they are allocated proportionally. In terms of the effectiveness of the committees generally, ignoring the wild ones—every now and again, I am sure there is a mad one—how do the two compare? Which do you think is better and why?

**Mr SOMLYAY**—Can I just add to that that it is only in the House. In the Senate, we have opposition chairs as well.

**CHAIR**—I know. But the Senate is different because the numbers are different.

**Dr Larkin**—You are asking whether having all government chairs fundamentally affects things?

**CHAIR**—Yes.

**Dr Larkin**—If there is a commitment to genuine bipartisanship. I am not convinced that the committee I worked for was a better scrutiny body, a better accountability body or whatever with an opposition chair than it was with a government chair. I think it did an okay job with both. As I say, that was with a commitment to unanimity or to bipartisanship within that.

**CHAIR**—But the difference there, from what you said earlier, is that the government members are more inclined to be critical of the government?

**Dr Larkin**—Certainly.

**CHAIR**—And the opposition members are more inclined to be bipartisan. So, if you like, the band of behaviour is narrower than it would be in our parliament at the moment?

**Dr Larkin**—Absolutely. But the danger would be that, given that, having opposition chairs would merely mean a lot more minority reports or dissenting reports, possibly. I am not sure. But certainly that would be a possible outcome if government members were still unwilling to criticise their government.

**CHAIR**—I think the unanimous decision there is actually part of the control mechanism.

**Dr Larkin**—It can be. Certainly it can be seen as a control mechanism. By the same token—

**CHAIR**—It narrows the bandwidth—

**Dr Larkin**—It does.

**CHAIR**—of disagreement.

**Dr Larkin**—It is not that you cannot have dissenting reports. It is just with the culture they try very hard to avoid them. Chairs pride themselves on never having had one.

**Ms BIRD**—I want to make an observation. What I am hearing you say is that the number one component seems to be the personality, which is expended by the career point. So the difference I am seeing is that, in ours, the chairs tend not to be at sunset of the career but rather at the other end. It is seen as some sort of promotion route to be chair of a committee to move on to the front bench. Certainly I met with—the name escapes me—the education chair committee in the UK.

**Dr Larkin**—Barry Sheerman.

**Ms BIRD**—Yes. He was quoted in the media constantly in the few days I was there. I asked him about it. He said, ‘Well, it’s simply because of the point I am at in my career. I’m going to say what I want to say.’ I wonder whether we perhaps do it the wrong way about and we should encourage people who are post the frontbench interest and have had lots of experience to take on the role.

**Dr Larkin**—All I would add is a couple of Barry Sheerman’s predecessors actually became ministers. Margaret Hodge was a former education committee chair and then subsequently a cabinet member. So they are senior and established, but they are not always over the hill, if you like.

**Mr SOMLYAY**—I was a committee chair before I became a minister.

**Ms BIRD**—Were you an outspoken one?

**Mr SOMLYAY**—In John Howard’s government, the committee chair position is part of the patronage of being Prime Minister. It is within his gift to give it to various people. There is a stipend attached to the position. There was an occasion where the parliamentary committee itself, which actually has to elect the chairman, elected somebody else even though this person had been given the job by the Prime Minister. They rolled the Prime Minister’s recommendation. I can assure you that the recommendations from that committee were not consistent with what the expectation was by the Prime Minister.

**CHAIR**—Do you have anything you would like to add?

**Dr Larkin**—No. Only to say that it is interesting that this is occurring currently. As I said earlier, the UK is looking at its procedures relating to select committees as well. It is an area which is clearly being taken seriously. It is an important area of parliamentary work, so I am pleased to see the inquiry taking place.

**CHAIR**—Let me thank you very much for coming. It has been really informative and enjoyable.

Resolved (on motion by **Dr Washer**):

That this committee authorises publication of the transcript of the evidence given before it at public hearing this day.

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**Committee adjourned at 1.31 pm**