



Global Partners
Governance

Parliamentary Reform and Enhancing Oversight

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GPG Background

- Supporting parliaments, parties, ministries and local government
 - Established 2005, aiming to provide more politically-astute and agile form of programming
 - Associates with direct political experience
 - Focus on problem-solving rather than activities
- Analysis, advice, delivery
- Delivery projects
 - Iraq, Jordan, Egypt, Sudan, Honduras, Ukraine, Fiii.
 - Nepal, Libya, Tanzania, Kuwait, Oman, Rwan
 - Uganda, Afghanistan, ...



Strategic Analysis and Advice



Why engage with parliaments?

International assistance and parliamentary strengthening – an overview.

It seems that almost every system of government needs a parliament. Given that there has been the search for a 'quickly as possible' to the most obvious, surely as mentioned, the most obvious, having a parliament is not the same as having a parliament. Parliaments vary in terms of power, significance and effectiveness. To however flawed they may be, their presence appears to be essential to the idea of the state's legitimacy and its claim to represent the public interest.

Parliaments play a critically important role in emerging democracies. The institutions' performance in those early years will shape public perceptions, establishing the norms and values which determine the democratic culture. Their work covers every significant policy area connected with politics and economic development. Parliaments can perform a pivotal role in gender equality and conflict management through debate and legislation.

In short, parliaments are concerned with the same strategic concerns as international donor agencies. They should be powerful allies in achieving those objectives. Yet, for the most part, they remain ignored, misunderstood and largely excluded in development programmes. Despite increased recognition of the centrality of parliaments, they remain a small part of the international support to governments.

The purpose of this series of notes is to equip parliaments and parliamentary processes, and identify ways for the international community to engage with them more effectively. This first note offers a summary, which subsequent notes will explore in more detail. It covers:

1. Why engage with parliaments?
2. Political economy analysis and parliamentary support.
3. The functions of parliaments.
4. Legislation, oversight, representation, and extra-parliamentary opportunities and entry points.
5. The role of parliaments in political development.
6. Conclusion: Parliaments as powerful allies.

1. Why engage with parliaments?

International support to parliaments has a poor track record. This result is not surprising since donor support has been largely ad hoc, depending on the personality of the donor and the needs of the recipient. The role of parliaments in political development, and the extent to which they are supported, is largely determined by the needs of the donor and the needs of the recipient.

Because of such limits the field of parliamentary development has sometimes been regarded as the most effective area of international governance support.

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POLITICAL PARTIES IN DEMOCRATIC TRANSITIONS

A DIPD READER



DIPD

Kuwait Programme on Development, Governance and Globalisation in the Gulf States

The difficult development of parliamentary politics in the Gulf: Parliaments and the process of managed reform in Kuwait, Bahrain and Oman

Greg Power

Department for International Development



GUIDE TO WORKING WITH PARLIAMENTS AND POLITICAL PARTIES FOR SUSTAINABLE DEVELOPMENT



A DFID Strategic Document



GLOBAL PARLIAMENTARY REPORT



The changing nature of parliamentary representation



Global Partners Governance

“Government by explanation”

Parliamentary oversight “is not a stop switch, it is the tuning, the tone and the amplifier of a system of communication which tells government what the electorate want”

“Parliamentary control of the Executive – rightly conceived – is not the enemy of good government, but its primary condition”

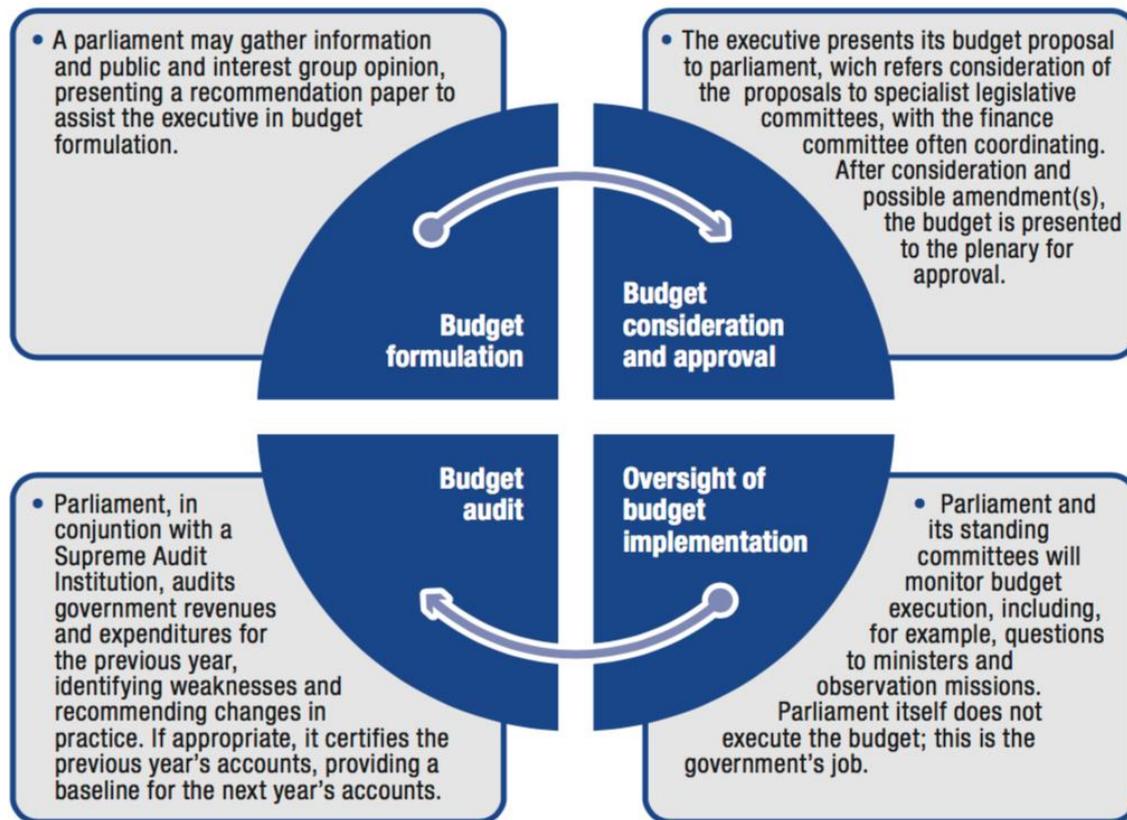
Professor Bernard



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Parliament and the budget process

Figure 10: The role of parliament in a typical budget cycle



Oversight mechanisms

- Plenary session – general principles
 - Debates, questions, interpellations
- Committees - the detail
 - Inquiries, evidence-gathering, questioning ministers
- External oversight agencies – the experts
 - Supreme audit institution, inspectors

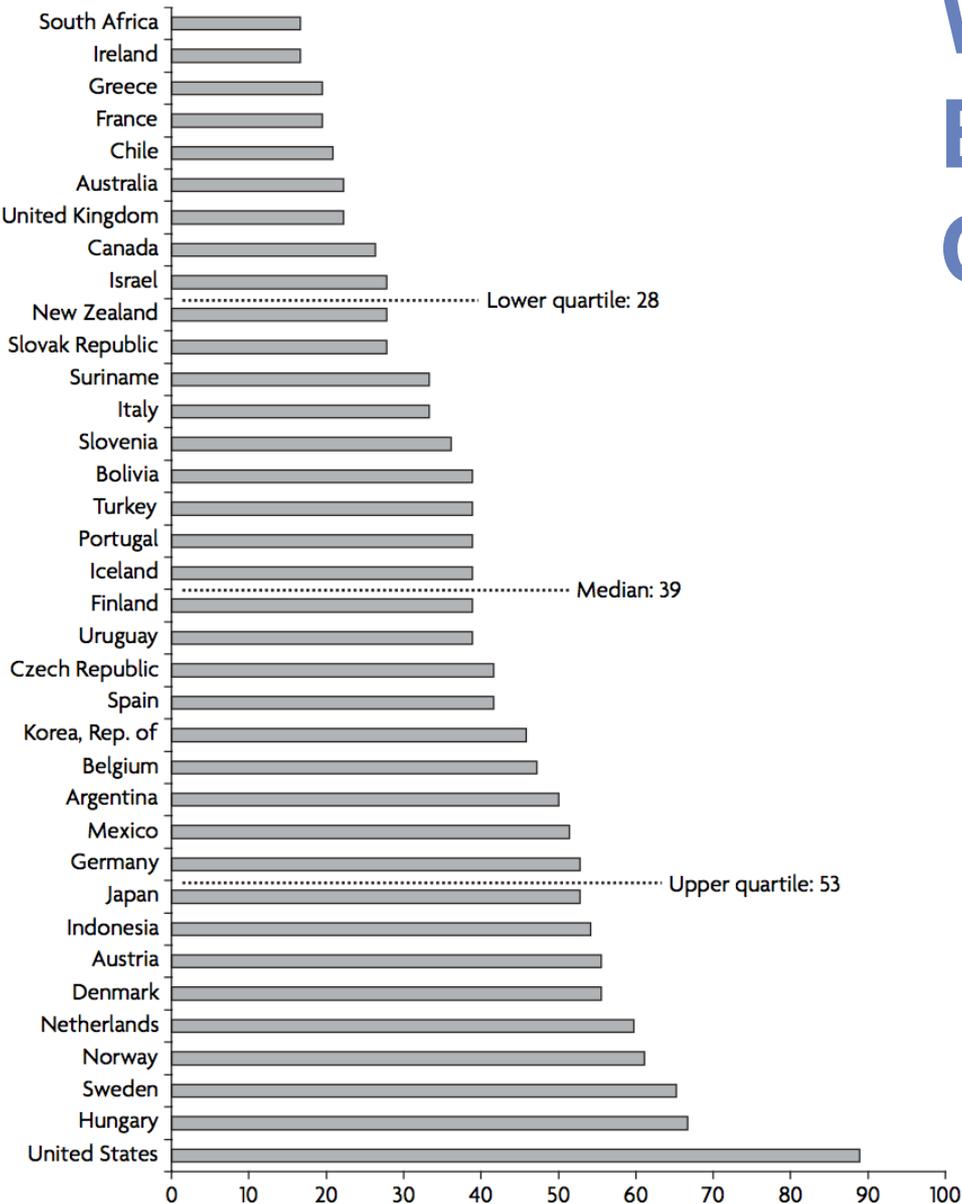


Budget Oversight Parliamentary Types

Role	Characteristics	Examples
Budget Making	Capacity to amend or reject the executive's budget proposal and capacity to formulate a budget of its own.	United States
Budget Influencing	Capacity to amend or reject the executive's budget proposal, but lacks capacity to formulate and substitute budget of its own.	Germany, Philippines, Poland, Hungary, India
Budget Approving	Lacks capacity to amend or reject the executive's budget proposal or to formulate a budget of its own. Confines itself to assenting to the budget that is placed before it.	South Africa, Israel, Namibia, United Kingdom, Canada



Figure 5.1. Index of Legislative Budget Institutions



Westminster and Budget Oversight



A Strange Way of Handling the Budget

Weeks of silence, then unveiled with a flourish

Ritually denounced by an Opposition leader who will have had minimal opportunity to think about its contents

A four day debate, during which the chamber is largely empty, then follows.

Confusion on committee corridor between Treasury and Bill Committee

Once, every thousand years or so, this process results in some change to the Budget



Repeated Calls for Reform

- Pre-legislative scrutiny of draft budget
- Additional committees to the Treasury Committee to deal with tax and HMRC matters
- Replacing 'estimates' with Committee reviews of departmental annual reviews
- Better, more co-ordinated follow up of PAC/NAO reports
- Each committee to have finance sub-committee/rapporteur



More resources for Oversight

- Procedure Committee Report (1999)
 - need for a specialist unit for financial scrutiny in its report on *Procedure for Debate on the Government's Expenditure Plans*.
- Liaison Committee (2000)
 - “committee office should establish a unit specialising in public expenditure and pre-legislative scrutiny”
- Hansard Society “Challenge for Parliament” (2001)
 - need for all committees to improve financial oversight, recommending ‘core tasks’ and additional resources including a scrutiny unit.
- Modernisation Committee (2002)
 - the House of Commons Commission should make available the necessary funds for a central unit of specialist support staff



The Scrutiny Unit

- 18 staff.
- 2 legal specialists,
- Statistician from Commons Library
- 4 financial analysts (two from NAO)
- 1 economist
- Home Affairs/Public Policy Specialist.
- Core team of the Head of Unit, two Deputy Heads (Finance and Legislation) and support staff



Core Tasks for Committees

OBJECTIVE A: TO EXAMINE AND COMMENT ON THE POLICY OF THE DEPARTMENT

Task 1: To examine policy proposals from the UK Government and EU in Green papers, White papers, draft Guidance, and inquire further where the Committee considers it appropriate.

Task 2: To identify and examine areas of emerging policy, or where existing policy is deficient, and make proposals.

Task 3: To conduct scrutiny of any published draft bill within the Committee's responsibilities.

Task 4: To examine specific output from the department in documents or other decisions.

OBJECTIVE B: TO EXAMINE THE EXPENDITURE OF THE DEPARTMENT

Task 5: To examine expenditure plans and out-turn of department, agencies and NDPBs.

OBJECTIVE C: TO EXAMINE THE ADMINISTRATION OF THE DEPARTMENT

Task 6: To examine the department's Public Service Agreements, the associated targets and the statistical measurements employed, and report if appropriate.

Task 7: To monitor the work of the department's Executive Agencies, Non-Departmental Public Bodies, regulators and other associated public bodies.

Task 8: To scrutinise major appointments made by the department.

Task 9: To examine the implementation of legislation and major policy initiatives.

OBJECTIVE D: TO ASSIST THE HOUSE IN DEBATE AND DECISION

Task 10: To produce reports which are suitable for debate in the House, including Hall, or debating committees.



Central Tensions in the Reform Process

- Government vs parliament.

Government wants to get its way, parliament's job is to hold it to account

- Personal preference and political interests.

Every MP has an opinion about reform.

- Administration and political business.

Politicians and staff do not necessarily want the same things.



Individual Interests and Reform

- Personal Interests
 - What do MPs hope to achieve – personally and professionally?
 - What are public pressures and policy priorities?
- Political Interests
 - What is the role of the political party?
 - What is the attitude of fellow MPs?
- Institutional Interests
 - What opportunities does the structure of the institution offer to MPs?
 - How can these be aligned?



Parliament at the Apex

- Parliaments do not 'implement', they monitor
- Parliaments do not have the same capacity or resources as ministries
- Politicians do not have the same policy expertise as government departments
- The role of parliaments is to draw out the political, economic and social significance from issues for the public



Formal and informal power

- Extending formal and constitutional power
 - Seeking rules-based solutions
 - Frame in terms of purpose (what will be achieved) not balance of power
 - Ensure provisions then used
- Extending informal influence
 - Using existing rules to increase impact
 - Generating additional resources to identified need
 - Shaping behaviour- “the way we do things at here”
 - Formalising practice in the rules

