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Sovereignty of Parliament – Developing the Westminster System in a Political World

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12 April 2013**



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Agenda

- 1) **Limitations to the prescriptions herein**
- 2) **Description of Pragmatic Westminster System**
- 3) **Overview of purpose of PACs & Parliamentary Sovereignty**
- 4) **Threats to Parliamentary Sovereignty**
- 5) **Maintaining Parliamentary Sovereignty and the PAC**



PACs are Parliament's Principal Committee

An ineffective PAC diminishes the Parliament's capacity to enforce its position in its relationship with government

Therefore, PACs should strive to fulfil their role as effectively as possible within the context of the jurisdiction and its place in the Parliament



Limitations to Prescriptions

- **Jurisdictional Variations on a theme**
- **Political realities and priorities**
- **Place of Auditor General, Other Committees, History and Practice**
- **Constitutional Intent v Political Pragmatism = Pragmatic Westminster System**



Purpose of PACs

- **1860s Westminster Genesis – Chief Financial Committee of the Parliament**
- **Classical Place of the PAC in the Westminster System:**
 - **Permanent**
 - **Exercise effective control of the appropriation of money it has authorised.**
 - **That is, has the money been raised as intended, used effectively and acquitted as intended by the Parliament?**



Parliament's Role & Committees

- Committees are established to assist the Parliament in its work
- Principal role of the PAC to assist the Parliament to be accountable
- However, not simple as there are difficulties here:
 - a) Multivariate accountabilities
 - b) Place of Committee, Parliament, Government, Agencies and Community
 - c) Accountability? Acquittal? Policy Determination? Anti-Corruption? All?
- Often complex and large – probably the threat of oversight is as important as the oversight itself



Threats to Sovereignty

An ineffective PAC constitutes a threat to Parliamentary sovereignty and ineffectiveness can be caused by:

- **Poor Training & Member Selection**
- **Poor Resourcing**
- **Political Emphasis – too close to government or too focused on policy and away from financial management**
- **Lack of discipline in pursuing a work plan (e.g. follow-ups)**
- **Lack of co-ordination with other committees, joint committees or committees of the other House**
- **Lack of public empathy for constitutional niceties**



Pragmatic Westminster System

Westminster Ideal	Pragmatic Arrangements
Public Accounts Committee Members hold high esteem	Often not highly esteemed – incentives to being a member
Members should be balanced between government and opposition	Often preponderance of government members
Opposition chairs the committee	Government chairs the committee
PAC is the premier finance committee	PAC one of a number of finance committees
Auditor General reports to PAC	Auditor General reports variously
Financial Operations / Integrity of Reporting primary focus	Policy focus
MP Training Ground	MP performance opportunity (Politics)



PAC Roles

- Oversight of Financial Reporting
 - Receive Government's Financial Reports
 - Integrity of Reporting System
 - Focus & Issues Management; Prioritisation
- Oversight of Auditor General:
 - Receiving Reports
 - Follow up Reports
 - Resourcing Auditor General
- Miscellaneous:
 - Credit Ratings & Financing Arrangements
 - Parliamentary Appropriation
 - Policy Focus



Maintaining Sovereignty – Some Ideas

- **Develop an annual work plan including:**
 - **Oversight of Auditor General & co-ordination of work load in terms of the AG's intended focus**
 - **Review of Appropriations intended for the Officers of Parliament (including the Auditor General)**
 - **Review of Appropriations intended for the Committees of the House (especially the PAC)**
 - **Use sub-committees to distribute workload and meet the work plan**



Maintaining Sovereignty – Some Ideas

- **Develop an annual work plan including (Cont'd):**
 - **Ensure the PAC is jurisdictionally relevant and effective and that this effectiveness is communicated to the House, the government and the broader community**
 - **Ensure an opposition or cross-bench member chairs the committee**

