

THE THREE COMMITTEE SYSTEMS OF THE AUSTRALIAN PARLIAMENT- A DEVELOPMENTAL OVERVIEW?

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Parliamentary institutions have undergone a revival internationally during the last twenty years. As a starting point for our inquiry into parliamentary change, we have focused on the one dimension that has been universally acknowledged as having had transformative effects on world Parliaments (Longley and Davidson 1998). The Australian Parliament over the past two decades has already changed to the point where almost all non-executive members (i.e. excluding the Ministry and shadow cabinet) are preoccupied for much of their time with parliamentary committees. Those who are most attentive to committee work (one quarter of the members) are now devoting at least a quarter of their time to this work. In equivalent full-time terms, this means that at least ten per cent of the time (a conservative estimate) of the Members of the Parliament is now committed to committee work. The number of parliamentary committee reports produced annually in the recent past has ranged between 100 and 200.

The Commonwealth Parliament is distinguished internationally by having three committee systems, one located with in each house, the third set operating at the interface between the two and composed of members from both. Three questions are relevant: Why have three committee systems emerged? Why have they developed in different ways and at different times? Do the three systems specialise in differing types of committee work? This paper addresses these questions by concentrating on the different pathways and roles of the three systems.

Historical background and pathways

The Australian Parliament has passed through several developmental stages during its first century. The development of committee systems has been a central feature of the modern Parliament. In institutional terms this has meant a transformation of the operations of both Houses of Parliament. From a time earlier this century when most members were not actively engaged in committee work, the two houses now have systems which require the participation of most Members of Parliament.

For the first two-thirds of its century-long existence, the Australian Parliament possessed a relatively weak committee system. Unlike the majority of other national Parliaments, the Australian legislature did not use specialist committees to appraise proposed legislation (rather, in each House, bills were examined in committees-of-the-whole, a stage normally placed between the Second and Third Readings of proposed legislation). Again, unlike the majority of national Parliaments in Australia, committees played little role in settling disputes between the Houses.

Until the middle of the 20th century, then, the record of parliamentary committees was especially patchy. Other than the normal housekeeping bodies (procedures, libraries etc.), the Parliament boasted only three committees of any lasting significance. In 1913, the Parliament drew on earlier experience in the colonial parliaments (in which many of its members had previously served) in the establishment of two Joint Statutory Committees - on Public Works - to appraise proposals from Commonwealth agencies for works projects - and of Public Accounts - to scrutinise expenditures by those same agencies. The 1930s witnessed one step forward, and two steps back. In 1932, the Senate established a pioneering body - the Regulations and Ordinance Committee - with a brief to appraise all proposed pieces of delegated legislation so as to protect the rights and entitlements of the citizenry. In the same year, the Parliament approved the bizarre Depression 'economy' step of suspending the operations of both the aforementioned Joint Committees! Although the Joint Committee on Public Works was re-established in 1936, the revival of the Joint Committee of Public Accounts had to await the advent to power of the Menzies Government at the end of the first half of the 20th century.

Although it subscribed to a narrowly traditionalist version of the Westminster doctrine, the Menzies Government cautiously strengthened the Joint Committee system. Not only did it restore the Joint Committee of Public Accounts in 1951 but in the following year it also agreed to the setting up of a Joint Committee on External Affairs.

The development of committees can be divided into two distinct periods: from federation (1901) to the late 1960s, and from the late 1960s to the present. Neither the House nor the Senate displayed much interest in committees for their first sixty or so years. The nucleus of a committee system could be said to have first existed in the interface between the two Houses - the joint committee. By the 1960s the only committees, other than the domestic, were concentrated in this joint 'system' (Table 1). Apart from several domestic committees concerned with the library or Standing Orders, each House averaged at the most about one committee for the first six decades.

Table 1: Committee numbers by Houses 1901-2000

Year	Domestic*	House	Senate	Joint	Total#
1901	9	2	1	-	3
1910	9	1	-	-	-
1920	9	1	1	2	4
1930	9	-	1	2	3
1940	9	1	1	1	3
1950	10	-	3	2	5
1960	10	-	1	5	6
1965	10	-	1	6	7
1970	12	3	14	7	24
1975	12	4	17	10	31
1980	12	4	18	7	29
1985	15	6	19	10	35
1990	15	9	17	10	36
1995	16	9	24	11	44
2000	16	9	22	12	43

* For HoR and Senate, including one joint committee from 1901.

Excluding domestic committees.

Prior to 1970, the select committee, the most common and the weakest form of committee (from the point of view of institutionalisation) was only appointed in the House in about one-third of the years and for the Senate in somewhat over half the years. The use of committees during this period can be characterised as intermittent and ad hoc with relatively little institutionalisation apparent in terms of subject matter or specialisation by fields.

The flowering of committee systems dates from the late 1960s as the Senate in particular made a major commitment to their use (Reid and Forrest 1989). The middle of the 20th century had witnessed a reform of the election system for the Senate that was to transform that Chamber and greatly shape its committee system. After the introduction at that time of proportional representation, Government control of the Senate became a relatively rare phenomenon. In these circumstances, the Senate soon became more active in initiating committee inquiries and in 1970 established the first comprehensive committee system to function in any Australian Parliament.

The growth in the number of committees did not automatically provide coverage of all possible functions or policy fields. An aggregation of committees did not necessarily add up to a proper system in which specialisation was extensive and comprehensive. While there had been early proposals (e.g.1929) and an experiment with wartime committees, the first committee system in the sense of a set of committees whose concerns coincided with those of government departments was not established until

1970 for the Senate. There were two components to this system: a set of legislative and general purpose committees with a coverage that extended across Government activity and a differently structured set of estimates committees.

The expansion of the House committees has been more hesitant but is also substantial (compared to the immediate post-war decades). After a good deal of experimentation in the 1970s and early 1980s, the House of Representatives finally established its own comprehensive system in 1987. The House moved more slowly and unevenly. Some of the early initiatives - such as the establishment of standing committees on aboriginal affairs, environment, and transport safety - were to prove of significance in the longer term. Others - such as the establishment of estimates and expenditure - were soon abandoned. Just before the introduction of the new system, an observer was asking:

Why then has the House not followed the example of the Senate, and inaugurated a committee system? Essentially, because the House, above all else, is an arena for party contest. Its members are concerned with party confrontation rather than the details of government (Jaensch 1986: 100).

It was not until 1987 (with its massive machinery of government changes) that the House moved to establish a comprehensive system of legislative and general committees, which reflected the new structure of government administration, but did not include the function of estimates.

The last major reform of this phase occurred in 1994, when the Senate leadership responded to a growing burden of committee work - much greater than that of the House which enjoys a membership twice the size of that of the Senate - with an attempted rationalisation. Two parallel comprehensive and isomorphic systems were created - legislation (and estimates) committees (to be chaired by government members) and reference committees (to be chaired by non-government members).

Comparing systems by committee reports

The existence in the one institution of three committee systems, each with its own distinctive history and character, offers considerable scope for comparative analysis. Many of the difficulties that customarily afflict comparative studies - such as differences in national histories and macro-political cultures - are absent here. All Australian MPs share many common orientations, however much the micro-political cultures of their chambers and committee systems may have diverged.

In order to provide answers to the questions we raised at the outset, we have examined the near 3000 reports which have been produced by the three systems since the creation three decades ago of the comprehensive Senate system.

Table 2: Reports by committee system for three decades

	1970-79	1980-89	1990-99	1970-99
Senate	222 (41)	304 (38)	884 (61)	1410 (51)
House of Representatives	39 (7)	105 (13)	152 (11)	296 (11)
Joint	279 (52)	397 (49)	403 (28)	1079 (39)
Total	540 (100)	806 (100)	1439 (100)	2785 (100)

While these reports differed greatly in length - ranging from a few paragraphs to tomes of several hundred pages - these aggregate figures do indicate three overall trends.

The first is the spectacular growth in the volume of reports produced, especially in the third decade. The second is the relatively dominant position occupied by the Senate system in the 1990s (and the secondary position of the House of Representatives). The third is the stability of the Joint system, which did not seek to compete with the newer systems.

Committee systems and policy field

In order to obtain a finer-grained appreciation of the differences between the three systems, we turn to a classification of policy fields. We have classified all the reports we have examined - nearly three thousand - under four heads.

- governance (i.e. legal and constitutional issues, financial institutions and public administration)
- foreign affairs and defence
- social and community services (i.e. social security and health, education, recreation and culture, employment, immigration and regional development)
- industry, resources and environment (i.e. rural industries, science, energy and mining, manufacturing and tourist industries; transport and communication; environment).

Table 3: Reports of Committees by Policy Field, 1970-1999

	1970-79	1980-89	1990-1999	1970-99
Foreign Affairs and Defence	63 (11.7)	124 (15.4)	224 (15.6)	411 (14.8)
Governance	254 (47.0)	367 (45.5)	517 (35.9)	1138 (40.9)
Industry, Resources and Environment	96 (17.8)	137 (17.0)	265 (18.4)	498 (17.9)
Social and Community Services	127 (23.5)	178 (22.1)	433 (30.1)	738 (26.5)
Total	540 (100.0)	806 (100.0)	1439 (100.0)	2785 (100.0)

Two main observations can be made on Table 3. Most attention has been given to governance in each decade and overall, but this category is a declining proportion of the total number of reports. Second the growth in the number of reports in all four fields, but the greater interest in social and community service in the third decade is clear from its increasing share.

Table 4 indicates that the major policy interests of the three systems were distinctively different. True to its traditions, the Joint system was most interested in Foreign Affairs and Defence, and Governance. The first of these interests was due to the activities of the most prestigious of all the parliamentary committees - the Joint Standing Committee on Foreign Affairs, Defence and Trade. The equally strong interest in major policies relating to Governance arose principally from an evolutionary change in the Joint Standing Committee of Public Accounts (which culminated in its success in 1997 in having its remit explicitly extended to cover the audit function).

Table 4: Reports by committee system and field, 1970-1999

	1970-79	1980-89	1990-99	1970-99	
Senate					
FAD	14	20	49	83	(5.9)
Governance	148	184	338	670	(47.5)
IRE	26	38	183	247	(17.5)
SCS	34	62	314	410	(29.1)
Total	222	304	884	1410	(100.0)
House					
FAD	3	2	6	11	(3.7)
	2	16	46	64	(21.6)
Governance	24	46	48	118	(39.9)
IRE	10	41	52	103	(34.8)
SCS	39	105	152	296	(100.0)
Total					
Joint					
FAD	46	102	169	317	(29.4)
	104	167	133	404	(37.4)
Governance	46	53	34	133	(12.3)
IRE	83	75	67	225	(20.9)
SCS	279	397	403	1079	(100.0)
Total					

The Senate systems displayed the most balanced set of major policy interests of the three, in large part because it was early able to establish niches in policy fields - such as foreign policy and machinery of government - that had previously been partially covered by the Joint system. By the time the House system came to be created, it was too late, for example, for it to establish yet another Standing Committee on Foreign Affairs, Defence and Trade.

The House system was the most heavily oriented to the more “pork-barrel” policy issues, those concerned with the delivery of services to local communities.

References

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