



ANU

THE AUSTRALIAN NATIONAL UNIVERSITY

# PARLIAMENTARY STUDIES CENTRE

CRAWFORD SCHOOL OF ECONOMICS AND GOVERNMENT



## In the Eye of the Beholder?

A Framework for Testing the  
Effectiveness of Parliamentary  
Committees

David Monk

[www.parliamentarystudies.anu.edu.au](http://www.parliamentarystudies.anu.edu.au)

ANU COLLEGE OF ASIA & THE PACIFIC

PARLIAMENTARY STUDIES PAPER 10

## ABOUT THE PARLIAMENTARY STUDIES CENTRE

The Parliamentary Studies Centre is devoted to furthering academic research into parliamentary institutions, structures and processes, with a particular emphasis on comparative studies. The Centre operates as a research broker or facilitator, as distinct from a stand-alone research entity. Funding is sought for researchers who are already well placed to carry out relevant research, thereby minimising organisational overheads.

The Centre was established by the Policy and Governance Program in the Crawford School of Economics and Government and the Political Science Program, Research School of Social Sciences at the Australian National University. In 2007, the Centre began a three-year project entitled "Strengthening Parliamentary Institutions", funded through an Australian Research Council linkage grant and co-sponsored by the Department of the Senate and the House of Representatives, Commonwealth Parliament of Australia. The research consists of case studies of aspects of the Australian Parliament and comparative studies of institutional strengthening in legislatures elsewhere in Australia and overseas.

The Centre welcomes expressions of interest from researchers seeking advice or assistance with academic research in parliamentary studies, including those interested in participating in the current project on strengthening parliamentary institutions.

## ABOUT THE AUTHOR

David Monk is Director, Executive and Committee Support, at the Department of the House of Representatives in Canberra. He has worked for a number of parliamentary committees and central government agencies in New South Wales and Canberra. He is currently undertaking a doctorate in political science at the Australian National University.

This paper may be read in conjunction with Parliamentary Studies Paper 11 by David Monk, which applies one of the approaches recommended here. It is available on the Parliamentary Studies Centre website; see <http://www.parliamentarystudies.anu.edu.au/publications.php>.

# In the Eye of the Beholder? A Framework for Testing the Effectiveness of Parliamentary Committees

David Monk

This paper argues that it is both possible and valuable to quantitatively assess the performance of parliamentary committees. Most efforts to date have focused on anecdotal reporting, which is unreliable. The few studies that have collected quantitative information have been small in scale and have not used recognised sampling methods. The approach suggested here is to assess the level of approval of committee reports by different political sectors or relevant groups, by surveying voters and other stakeholders and analysing the government response to reports. For a committee report to achieve a minimum level of effectiveness, at least one group must rate it as effective. The more groups that consider a report to be effective, and the higher the rating, the greater that report's effectiveness would be.

## INTRODUCTION

The activities of committees are now a large part of the business of the parliament of the Commonwealth of Australia. In their 2007/08 annual reports, the departments of the Senate and House of Representatives reported total expenditures on committees of \$8.0 million and \$10.2 million respectively. This represented 36.1 per cent and 42.8 per cent respectively of their total expenses.<sup>1</sup> In early 2009, the Department of the Senate was supporting 21 Senate committees and four joint committees; the Department of the House of Representatives had 16 House committees and nine joint committees.<sup>2</sup> The fact that \$18 million of taxpayers' money is spent each year on committees in itself makes these bodies eligible for evaluation.

In parliamentary terms, the current scale of activity of committees is quite recent. For much of the twentieth century, the parliament had a limited

number of standing committees to cover the full range of government operations. The Senate created its suite of standing committees in 1970 and the House did so in 1987.<sup>3</sup> The House of Commons in the United Kingdom, which is the constitutional reference point for the Senate and the House,<sup>4</sup> created its suite of portfolio standing committees in 1979.<sup>5</sup>

The literature evaluating committee systems has three main branches. The first examines the effect of committees on public policy, including the attitude of governments and the related public debate. Rather than collecting quantitative data, researchers in this area rely on case studies, observation, and interviews with key participants such as committee members. A key feature of this approach is the argument that government implementation of committee recommendations does not constitute a reliable indicator of effectiveness.<sup>6</sup>

The second approach is to use information on the implementation of recommendations and their effect on debate as indicators of effectiveness. The data collected on the acceptance of recommendations tend to be limited to summary data, such as averages; and the reports studied are usually chosen selectively, focusing on one or two committees, rather than through a sampling methodology. The conclusions of these studies regarding the effect of committees on debate also tend to be based on case studies.<sup>7</sup>

The third, and smallest, branch of the literature argues for a greater use of quantitative data. Realising that there may be a significant gap between perceptions and common wisdom on the one hand and reality on the other, these researchers do not start with a pre-determined plan but allow the data to guide the research process and their conclusions.<sup>8</sup>

This paper is based on the second and third branches. Attaching numbers to parliamentary committee work is difficult given its flexible and unpredictable nature. Nevertheless, the exercise is likely

to bring additional information to light and increase our understanding of committees, even if it does not capture everything of importance. It appears incongruous for commentators to argue against the analysis of committee recommendations when this is such a central part of what committees do. *Odggers' Australian Senate Practice*, for example, notes that 'The main purpose of a report is to make recommendations for future action'.<sup>9</sup> A better research question is to ask what the data mean, in order to develop a methodology for assessing committee effectiveness.<sup>10</sup>

### IS IT DESIRABLE TO MEASURE COMMITTEE PERFORMANCE QUANTITATIVELY?

The main argument in favour of quantitative measurement of committee performance is that generally held perceptions may not match the reality. One or two particularly successful committee reports, for example, may be seen as validating all committee work, despite constituting only a small minority of the total. Peter O'Keeffe, a supporter of this view and a former clerk-assistant (committees) in the Senate, notes that a failure to measure performance may be correlated with reduced performance:

Although real and important, all of these examples of performance are anecdotal and hence in some respects unreliable. Parliaments seldom genuinely assess or evaluate themselves and their committees ....

The problem remains, however, that if Parliaments impose no regular or even periodic performance standards on committees, they may function without any real responsibility for their own performance. And without some greater degree of responsibility there may be insufficient interest in even genuinely exerting the full range of influences and pressures which committees can project.<sup>11</sup>

In 2004, the Australian National Audit Office and the Department of Finance and Administration jointly published an authoritative guide for the Australian public sector on performance reporting. The *Better Practice Guide: Better Practice in Annual Performance Reporting* is aimed at government agencies, but many of its principles are applicable to parliamentary committees. For example, the *Better Practice Guide* notes the importance of quantitative data, stating that 'Without performance reports, planners would have to rely on intuition and opinions, which are likely to be less precise and more subjective than carefully designed and balanced reporting'.<sup>12</sup> Moreover, the availability of quantitative data would make the public better informed, and therefore better able to make judgments about politicians' performance at elections.

The *Better Practice Guide* challenges some of the arguments against using quantitative data to assess the effectiveness of committees. One such argument is that it is simply 'too hard' to collect robust quantitative data. In a major work on the 1979 reforms to the House of Commons, for example, Philip Giddings said that:

... it is clear that while the form in which objectives have been set may have varied, the committees have in general focussed on indirect influence, information and accountability. No easy measure of their achievements or effectiveness under such heads is possible, given the imprecise nature of such objectives. We shall, therefore, look not at measures of achievement, recommendations accepted or whatever, but rather at the three directions in which such influence is directed – the House, the government, and public opinion – in order to see what effect it has had.<sup>13</sup>

In view of the difficulties, Giddings chose to use a non-quantitative approach. In a 2007 work on Australian parliamentary committees, John Halligan, Robin Miller and John Power made a similar point:

There is little doubt that the outcome of such a massive evaluative exercise would be ambiguous and inconclusive, if only because there are typically too many players and interactions in most policy processes for the distinctive contributions of individual players, such as a parliamentary committee, to be evaluated in a quantitative sense.<sup>14</sup>

The *Better Practice Guide* responds as follows:

Good performance reporting does not come easily or quickly. It involves focusing everyone in the agency on capturing accurately the essence of what success means for an agency and presenting it in context for all users. It entails review and refinement over time in consultation with both internal and external stakeholders.<sup>15</sup>

In other words, the *Better Practice Guide* accepts the difficulty of the task but suggests that repeated attempts, combined with learning from each stage, will eventually produce a useful result.

In cases where it is difficult to find an indicator that exactly matches the conduct in question, the *Better Practice Guide* suggests using an approximate indicator together with an explanation as to why it was used.<sup>16</sup> That is, it is acceptable to use less than perfect data as long as the weaknesses in the data are clearly explained. The advantage of such an approach is that it leads to better-informed debate. Also, if no one is producing quantitative information, then no one is in a position to determine whether or not the data add value. Even those arguing against the use of numerical data would be in a much stronger position if there were data to argue against.

A number of indicators are available to examine public sector performance. The first is to measure inputs, that is, the resources used by an agency. This is usually measured through staff hours or money spent.

The second is to measure outputs, that is, what an agency does. This measure would vary depending on the role of the agency: a health department might measure the number of surgical operations or the number of patient consultations, for example, while a parliamentary committee might measure the number of reports produced or the number of submissions authorised for publication. Dividing outputs by inputs would give an efficiency result showing outputs produced per hour (or dollar) of inputs.

The final, and perhaps most important, indicator is effectiveness. The *Better Practice Guide* defines this as 'the essence of what success means for an agency'.<sup>17</sup> For a health department, it might mean a reduction in disease or an increase in life expectancy. For a parliamentary committee, it might mean the ability to influence government or to influence the general debate.

It is important to distinguish between outputs and effectiveness. According to the *Better Practice Guide*, 'Better practice performance reporting involves agencies going beyond *what they did* to explain *what happened next*'.<sup>18</sup> In their study of Australian parliamentary committees, Halligan et al. identified four categories of committee report: review, legislation, investigation and scrutiny. They noted that Senate committees were involved in all four categories, whereas House and joint committees tended to focus on review and scrutiny inquiries respectively. They concluded that 'the Senate performs fairly strongly across all four roles'.<sup>19</sup> In terms of effectiveness, however, the real question is not what type of report a committee produces, but whether it has the appropriate effect on government and the general debate.

## COMMITTEES ARE POLITICAL

In assessing committee effectiveness, many researchers use what is known as the 'impact test'. This involves assessing a committee's effect on one or more of the following: the government, the general debate, administration and experts. Committees generally use their status and reputation for transparency either to make a case for change or to inform the political and general communities. In focusing on committees' success in achieving those outcomes, the impact test appears to be a reasonable approach, especially if the people assessing the impact are clearly identified and their particular perspectives acknowledged.<sup>20</sup>

A failing of the impact test is that it does not take account of the political dimensions of committees. As O'Keeffe has pointed out, 'Parliamentary committees are made up of politicians, behaving politically'.<sup>21</sup> Geoff Skene provides more detail on how political considerations affect committee members' approach to committee work:

Bargains can be struck in small groups which would not be considered in open debate; repetitious partisan clashes can be short-circuited by covert committee manoeuvring; as governments see fit [where the government controls the chamber], contentious policy proposals can be worked over with interest groups or quietly buried away from the public's gaze; MPs can engage in oversight activity, advertise their concern for constituents, or seek advancement through the astute management of important issues.<sup>22</sup>

Many of the participants in committee inquiries – government departments, peak bodies, businesses, individuals and so on – also have political aims. An improved impact test would better reflect the political self-interest and subjectivity of participants.

The elements of subjectivity and diversity of views among parliamentary committees are recognised in some of the literature. According to Professor Paul Thomas of the University of Manitoba:

Effectiveness of parliamentary committees is largely in the eye of the beholder. Various observers will emphasise diverse and often conflicting criteria to appraise the performance of committees.<sup>23</sup>

Senator Bruce Childs puts it more bluntly, stating that 'Everyone in the political process has an angle'.<sup>24</sup> Dr Rodney Smith of the University of Sydney notes that the elements of diversity and subjectivity have implications for how groups view committees. He points out that committees are unlikely to please all stakeholders all of the time; and that if they do please all stakeholders at any one point in time, it is likely to be for differing reasons.<sup>25</sup> To date, the impact test has not explicitly recognised this element of subjectivity.

An alternative would be to accept the political nature of committees and make this the basis for assessment. If individuals and groups are competing to push their political views through committees, then their individual, subjective perceptions of a committee inquiry or report are an indicator of effectiveness. In other words, the subjective views of participants and stakeholders can be used as an objective measure of committee effectiveness.

Jaqi Nixon proposed this approach in 1986 to evaluate parliamentary committees in the United Kingdom:

This approach adopts a pluralistic view and thus takes account of the value positions of multiple audiences on concerns or issues relating to the programme or entity being evaluated i.e. the 'evaluand'. Responsive evaluation, therefore, is not so much concerned with pre-ordained objectives of the evaluand as with its actual effects in relation to the interests of 'relevant publics'.<sup>26</sup>

Who are these 'relevant publics'? Nixon quotes a book by E.G. Guba and Y.S. Lincoln suggesting that anyone who is affected by a program (in their case education, the topic of their book) is a relevant group and should be consulted. They defined relevant groups as:

... groups of persons having some common characteristics (e.g. as administrators, clients, professional groups, politicians) [and] some stake in the performance (or outcome or impact) of the evaluand, that is, [groups] somehow involved in or affected by the entity [being evaluated]. By virtue of holding a stake, an audience has a right to be consulted.<sup>27</sup>

The procedure used by most committees is to collect evidence from stakeholders and government and then report back to one or both chambers with recommendations directed to the chambers or the government. This suggests that, in the case of committees, the relevant groups would be stakeholders, the chambers and the government. In addition, because any parliamentary process has the potential to affect the general community, the electorate would be a fourth relevant group.<sup>28</sup>

The media, academics and parliamentary staff are well placed to comment on committee inquiries and often do so. However, they do not meet the definition of a relevant public because they do not have a formal stake in committee work. If any of these groups were to become the subject of a committee inquiry, then the members of that group would become stakeholders. Any individual member who participated in an inquiry by making a submission or appearing as a witness would also become a stakeholder.

This paper will now look at each of the four relevant groups in turn and suggest some methods for measuring their level of satisfaction with the work of committees.

## THE VIEWS OF GOVERNMENT

### Analysing acceptance of recommendations

Where a report's recommendations are aimed at the government, the usual way in which the government gives its view of the report is through a government response tabled in the relevant chamber. The formal government response to a report states

what the government has done, or plans to do, with respect to the report's recommendations. It generally also gives reasons where the government has decided not to implement a recommendation. For inquiries into bills, a minister usually either makes a statement in one of the chambers or refers to the report during debate. These comments are of necessity briefer than a tabled response.

One approach to ascertain the views of the government would be to calculate the proportion of recommendations that the government had accepted in its responses. The advantage of this approach is that the responses are on the public record as official government statements. Also, a reasonable number of committee reports requiring the government to take new action receive a response. Of 95 reports tabled between 2001 and 2004, for example, 66.3 per cent received a government response.<sup>29</sup>

The weakness of such an approach is that a response (or lack of a response) may not accurately reflect the government's actions. For instance, governments sometimes begin to respond to an issue that is being addressed by a committee while its inquiry is still under way, that is, before the committee has completed its report.<sup>30</sup> This is called 'bureaucratic anticipation'. Derek Hawes demonstrated the bureaucratic anticipation effect numerically in the case of an inquiry into toxic waste conducted by the House of Commons' environment committee. Before the inquiry, the policy document output of the Waste Management Unit of the Department of Environment averaged one per year; during the inquiry it increased to one per month.<sup>31</sup>

In addition, the government may fail to implement the commitments set out in its response or it may promise to implement only minor recommendations.<sup>32</sup> Alternatively, the government may accept only one recommendation among many, but it may be the most important recommendation in the report.<sup>33</sup> Finally, the government may implement a report's recommendations without acknowledging a committee's influence. This sometimes occurs through what is known as the 'delayed drop', where a committee report changes the political climate, leading to reform later on.<sup>34</sup> All these nuances are lost in a single statistic such as the acceptance rate of recommendations.

Three responses can be made to these criticisms. The first is to acknowledge that the acceptance rate is not a perfect indicator of the government's views of a report, but is the closest approximation (or 'proxy') available. As noted earlier, the *Better Practice Guide* states that this is a reasonable approach provided weaknesses in the data are explained and acknowledged.<sup>35</sup>

The second response is to include a range of effectiveness indicators in the analysis and explain

how they fit together. According to the *Better Practice Guide*, one indicator is not enough, because the government is not the only relevant group that would be 'consulted' about a committee report. The views of the chambers, the citizenry and stakeholders should also be considered.

Third, the *Better Practice Guide* states that benchmarks should be well researched and realistic.<sup>36</sup> Clearly committees do prepare good reports that are not accepted by the government; the delayed drop is an example of this. It would therefore be unreasonable to conclude that a committee has been ineffective simply because the government has not accepted its recommendations. Also, some committees do not publish reports containing recommendations, but influence the government through other avenues. For example, the Senate Standing Committee on Regulations and Ordinances ensures that legislative instruments meet basic requirements, such as being in accordance with the statute and not unduly trespassing on rights and liberties,<sup>37</sup> and tries to resolve matters directly with the minister if there are concerns about a proposed legislative instrument. This committee is very well regarded.<sup>38</sup> It would not make sense to argue that it needs to have a government response tabled in the Senate in order to be effective.

The other perspective is that if the government has accepted a large number of a report's recommendations, it most likely has been effective. If most committee reports include recommendations directed to the government, and they are important enough to be listed at the front for easy reference, it is illogical to say that the government's acceptance of them is not relevant to committee effectiveness.

Committee members themselves believe that the implementation of recommendations is a valuable outcome. During Senate debate on a report on children in institutional care, for instance, Senator Murray said:

Whatever our starting point, what we learned and experienced as senators and as the committee secretariat has drawn us to common conclusions and unanimous recommendations. There is a difficult message right there: how are we going to persuade the politicians and bureaucrats who have not been through our experience of the absolute necessity of responding strongly and positively to our reports and recommendations? I do fear that only from confronting the humanity of individuals face to face, of hearing their stories and of being immersed and deeply involved in such inquiries can one really 'get it'.<sup>39</sup>

Other parliamentarians have made similar comments.<sup>40</sup> This is also consistent with the author's experience of working for joint and House committees. Committees are concerned about any perceived

delay in a government response and they discuss the response once they receive it.

While stressing that it should not be the main goal of committees, the House of Commons Select Committee on Procedure has stated that the ability to have a direct influence on government policy is a sign of effectiveness:

Although, as most witnesses agreed, it would be misguided for the departmentally-related Committees to seek their main achievements in the degree of direct influence they have exerted over policy decisions, they need not, in our view, feel unduly modest on this score ... At the risk of invidiousness, we would repeat the examples of the Home Affairs Committee in relation to the abolition of the 'Sus' laws ... ; the Foreign Affairs Committee's Report on the future of Hong Kong; and the Treasury and Civil Service's Committee's recommendations on the publication of annual departmental reports.<sup>41</sup>

This extract highlights once again the necessity to avoid using acceptance rates as the only measure of committee effectiveness. The House of Commons Select Committee on Procedure was not prepared to argue that committees should overtly seek to influence government decision making, but recognised such influence as a sign of success. This confirms that a government response that accepts some recommendations is a sufficient, but not necessary, condition for demonstrating effectiveness.

### Setting a benchmark

The next question is whether a minimum acceptance rate can be used to show committee effectiveness. As noted earlier, any benchmark should be well researched and realistic. A statistical paper by this author on government responses to committee reports may provide some guidance on this matter.<sup>42</sup> The article classified each recommendation in a sample of 95 reports according to whether or not it had been accepted by the government. This allowed a separate acceptance rate for the majority and minority recommendations in each report to be generated. The data also enabled calculation of the number of reports that had at least one recommendation accepted. The results are summarised in Table 1.

Malcolm Aldons has argued that the benchmark for government acceptance of committee reports should be either 50 per cent or acceptance of at least one major recommendation.<sup>43</sup> The figures in Table 1 suggest that 50 per cent is too high; only joint committees would regularly meet this benchmark. An alternative would be a lower rate, such as 25 per cent. The problem with this is that it appears arbitrary – why would 25 per cent be chosen rather than, say, 10 per cent, 20 per cent or 30 per cent? A more

**TABLE 1 Acceptance rate of recommendations in selected committee reports, 2001–04 (%)**

Committee type	Reports with at least one recommendation accepted	Average acceptance rate	
		Majority recommendations	Minority recommendations
Joint	82.4	52.0	4.2
Senate references	52.4	17.0	4.5
Senate legislation <sup>a</sup>	36.7	54.5	7.0
House	70.0	22.4	– <sup>b</sup>
<b>Weighted average</b>	<b>60.0</b>	<b>39.5</b>	<b>5.9</b>

a In the case of bill inquiries (where the government does not table a response), the government was counted as having accepted a recommendation if a minister had acknowledged a committee’s contribution to an amendment to a bill in *Hansard*.

b House committee reports did not contain any minority recommendations.

Source: David Monk, ‘A statistical analysis of government responses to committee reports: reports tabled between the 2001 and 2004 elections’, Parliamentary Studies Paper 11, Crawford School of Economics and Government, Australian National University, Canberra, 2009.

clear-cut approach would be to say that a committee has demonstrated a minimum level of effectiveness if the government accepts at least one of its recommendations. This is realistic but also allows us to differentiate between reports. While this benchmark is a good starting point, it should still be subject to further debate.

### The literature on acceptance rates

There is a range of views in the literature on whether analysis of government responses is useful. Professor F.A. Kunz, who reviewed the work of Canadian Senate committees in 1965, concluded that committees could be effective in two ways: if the government implemented their recommendations, and if they informed and influenced debate.<sup>44</sup> Jaqi Nixon described the analysis of government responses as ‘a useful starting point for any evaluation of select committee work’.<sup>45</sup> Michael Rush, on the other hand, stated that it gave ‘a partial and somewhat simplistic picture’ of committee effectiveness.<sup>46</sup> While at first glance this may appear to be a criticism of such analysis, it is in fact consistent with the view expressed throughout this paper that government acceptance should not be the only measure of committee effectiveness, and that the views of other relevant groups should also be considered. The acceptance rate may be an overly simplistic measure of committee effectiveness, but it is currently the best proxy we have for the government view of a report.

Halligan et al. are not in favour of the analysis of government responses, arguing that it is ‘not a fruitful exercise’.<sup>47</sup> Their objections include, first,

the tendency towards bureaucratic anticipation discussed earlier. They point out that the government’s ready acceptance of ‘soft’ recommendations – those that it is already in sympathy with and therefore has no trouble accepting – is another way of inflating a committee’s effectiveness rating. One way of avoiding this problem would be to set a higher benchmark for a committee recommendation to qualify as having been accepted. In this author’s study of government responses to reports tabled between 2001 and 2004, a recommendation was counted as accepted only if the government had promised to take new action in response to the recommendation or was still examining it. Soft recommendations – where the government stated that it agreed with a committee’s recommendations and described the action it was already taking in response to those recommendations – were counted as rejections.

Halligan et al. also object that there are too many players and interactions in the political system for a researcher to be able to extract the effect of parliamentary committees. There are very few cases, they say, where committees have unambiguously had major policy impacts. The counterargument is that the government response is just one of four possible indicators of effectiveness, and not a necessary one. In addition, as Rush has argued:

A cynic might argue that at best the committee must have been pushing at an open door or at worst the government had already made up its mind, but wished the committee to think it had had some influence. Such may be the case in some instances, but it is just as much an assumption to assume that it is always thus. The development of policy and the decision-making proc-



ess can be labyrinthine and governments are under no obligation to acknowledge who influenced them over what or disclose how a particular decision was reached. Nonetheless, if only because they publish evidence and issue reports, at the very least committees can normally claim to be part of the policy input.<sup>48</sup>

In other words, it is significant for a government to state that it will do something new as a result of a committee's report. A committee is justified in considering its work valuable under such circumstances.

Halligan et al.'s penultimate comment is that it is difficult to determine if the implementation of a committee recommendation 'improves' the policy in question. The difficulty here is to define 'improvement', given that committees and governments operate in a political environment where the main criterion for policy success is political, that is, general support in the community for a policy. Even policies that have an objective, technical basis, and might therefore be considered improvements among some sections of the community, will only be adopted if they have significant political support. This paper argues that the main criterion for committee effectiveness should be the political views of the four relevant groups. Raising doubts over whether a committee-induced policy change is an improvement could also be done for any other policy change.

The final point raised by Halligan et al. concerns committee members' own views about the value of their activities. The authors asked parliamentarians to list their most important and successful inquiries and explain why they were successful. They observed that committee members tended to select those reports that had been successful in reaching the relevant policy community and experts.<sup>49</sup> By implication, this was another argument against analysing the government response. However, in their questionnaire Halligan et al. did not expressly ask committee members for their observations on the government response.<sup>50</sup> If they had done so, they may well have found, like the House of Commons Select Committee on Procedure, that committee members viewed a positive response from the government as a sign of success. Professor Kunz said as much in 1965.<sup>51</sup>

## THE VIEWS OF THE LEGISLATURE

The legislature is relevant to committee work because it is the chambers that establish committees and give them their terms of reference, through standing orders, separate resolution or legislation.<sup>52</sup> Legislatures occasionally hold inquiries into committees' performance, with the most common con-

clusion being that they are effective.<sup>53</sup> What they do less often is debate seriously the rationale for committee work and, by extension, the ways in which committees can demonstrate effectiveness.<sup>54</sup> None of the inquiries conducted so far by legislatures have set quantitative performance benchmarks.<sup>55</sup>

In discussing committee effectiveness, it needs to be remembered that committee members are drawn from the legislature. Therefore, the views expressed by the legislature about a committee may well overlap with the views of the committee itself about its work. Research conducted by Ken Coghill (a former Speaker in the Victorian parliament) and Colleen Lewis demonstrates that committee members generally find their work very satisfying.<sup>56</sup> Recognising that any information that drew on the opinions of committee members in relation to their own work might well be biased, the *Better Practice Guide* suggests that the most credible performance information would come from outside the agency in question.<sup>57</sup> Any testing of opinions within the parliament about a committee report would need to exclude the opinions of the committee members themselves.

In determining the views of the legislature about committee reports, the most robust approach would be to ask senators and members to rate a sample of reports on a numerical scale. Any senator or member who had sat on a particular committee would be excluded from commenting on its reports. Such an approach is not always practical, however, and a proxy may be required. One such proxy would be to check *Hansard* to determine whether any parliamentarians had referred positively to a committee report during parliamentary debate. Once again, anyone who had been a member of the committee concerned would be excluded from the analysis. Given that it is routine for members of House committees to draw attention to their reports in the House, what would set one report apart from the rest is if parliamentarians outside the committee had referred to it in their speeches.

In setting the benchmarks for effectiveness, one approach would be to say that the legislature had found a report or inquiry to demonstrate a minimum level of effectiveness if a member of the legislature had referred to it in *Hansard*. The lack of such a mention would not necessarily mean that the committee had been ineffective, because other relevant groups may have found the report effective. If members of the legislature had criticised a report, then it would be prudent to take this into account. A simple system of cancelling one positive reference for each negative reference would address this. Thus, if the number of parliamentarians making negative references to a report outweighed the number making positive references, then the committee would not

have demonstrated effectiveness from the perspective of the legislature. These benchmarks are preliminary. They would depend on the data and would need to be refined through further debate.

### THE VIEWS OF STAKEHOLDERS

Stakeholders are the various interest groups, businesses and individuals who lobby for political outcomes favourable to them or their views. In the context of committee effectiveness, they are possibly the most important of the four groups considered here. Stakeholders tend to be well versed in the issues and detached from the party political conflicts that influence effectiveness measures involving the government and the legislature. Of the four groups, they are probably the closest to the ideal of an impartial, informed observer.

The value of obtaining the views of stakeholders is reflected in the literature. In their survey of committee members, Halligan et al. found that parliamentarians judged a committee inquiry to be successful if it had had an impact on the policy community and experts.<sup>58</sup> In 2001, the New South Wales Legislative Council concluded that surveying stakeholders was 'Perhaps a more important measure of effectiveness' than government acceptance of committee recommendations.<sup>59</sup>

The research conducted so far on stakeholder perceptions of committee inquiries has not made use of sampling and quantitative techniques. Derek Hawes, who interviewed stakeholders in the United Kingdom about their views on committee effectiveness, uncovered a range of responses, both positive and negative.<sup>60</sup> Ian Marsh, who asked participants in Australian Senate committees about their general

experiences with inquiries, found that they were mostly positive about the committee process.<sup>61</sup>

One approach to determining stakeholder views of committee reports would be to survey each individual or group that had made a submission or given evidence to an inquiry, for a sample of reports. Quantitative values could then be assigned to the various responses. It would be necessary to construct a separate sample for those committees that do not use the normal submission process, such as Senate estimates and the Senate Standing Committee on Regulations and Ordinances. Once again, it would be necessary to adjust the benchmarks to take account of the data. As stated previously, lack of support from stakeholders would not in itself render a committee report ineffective.

### THE VIEWS OF VOTERS

Voters make the ultimate judgment about the legislature and the government through the ballot box. They are the final authority in the political system and therefore a significant group. However, voters tend to be less well informed about committee work than the other three groups, because much committee work goes unreported in the media.

This can be seen in Table 2, which shows newspaper coverage for committee reports tabled between 2001 and 2004. To illustrate, the score of House committees on the newspaper coverage index is 1, which is equivalent to an article in 20 per cent of newspapers towards the end of the news section (for example, on page 10). The score for Senate references committees is 3, which is equivalent to an article in 60 per cent of newspapers towards the end of the news section.

**TABLE 2** Average newspaper coverage and bipartisanship scores for committee reports, 2001–04<sup>a</sup>

Committee type	Newspaper coverage index (0–10)	Bipartisanship (%)
Joint	0.81	92.0
Senate references	2.94	65.4
Senate legislation	0.39	65.6
House	0.96	99.0
<b>Weighted average</b>	<b>1.16</b>	<b>78.5</b>

a Newspaper coverage ranges from 0 (no coverage) to 10 (page 1 article in all newspapers). The bipartisanship score is the percentage of committee members who agree with a majority report.

Source: David Monk, 'A statistical analysis of government responses to committee reports: reports tabled between the 2001 and 2004 elections', Parliamentary Studies Paper 11, Crawford School of Economics and Government, Australian National University, Canberra, 2009.

Judi Moylan MP has suggested that the media is more interested in parliamentary conflict than committee work, leading to low coverage of inquiries and their reports in the media. The data corroborate this view: as shown in Table 2, Senate references committees score highly on media coverage but have the lowest rates of bipartisanship, which is a proxy for conflict. Bob Charles MP has also expressed concern that the public is generally unaware of constructive, bipartisan committee work.<sup>62</sup>

Given such low levels of media coverage, it seems unlikely that voters would generally perceive committee work to be effective. This view is reflected in one of the few surveys conducted on voter perceptions of parliamentary committees.<sup>63</sup> In 2005, Coghill and Lewis published an overview of research undertaken on behalf of the Victorian parliament on community perceptions of the state legislature. They described the general reaction to committees as 'dismissive'.<sup>64</sup> According to Nixon, some commentators in the United Kingdom argue that being in the news is equivalent to success for many parliamentary committees.<sup>65</sup> It is difficult to accept this view. Media coverage of an inquiry is only a prerequisite for community support; voters would still have to make a judgment about whether they approved of that committee's work.

It should be possible to survey a structured sample of voters – matching the census in terms of age, gender, employment and residence – to determine their views on committee work. Because most of these individuals would not have much knowledge about the work of committees, the survey would need to be designed with this in mind. Rather than asking respondents whether they thought a committee report was effective, for instance, it would probably be more productive to ask them whether they were aware of a particular issue, what they knew about the work of a particular committee with respect to that issue and then, finally, whether the committee was effective. Respondents could be asked to view excerpts of committee hearings, such as Senate estimates and Reserve Bank hearings, on a portable DVD player. Interviewers would then ask the respondents whether they were familiar with such hearings and what they thought of them. The comments made previously about setting benchmarks and indicators of effectiveness would apply in this case as well.

## CONCLUSION

The goal of this paper is to set out a framework for evaluating committee effectiveness. Recognising that committees are political bodies, the framework seeks to take into account the subjective responses to com-

mittee work of the four relevant political groups. If one of these groups states that a certain piece of committee work is effective, then the committee in question can argue that it has demonstrated a minimum level of effectiveness. The more groups that find a committee effective, and the higher that committee's individual score, the higher the level of effectiveness the committee can claim. The framework takes an objective approach to measuring subjective, political responses to reports and inquiries by using recognised sampling methods and proxies. The political nature of committees makes this a valid approach.

Study of each of the relevant groups is a research project in its own right. However, it would also be valuable to construct a combined project for all four groups based on the same sample of committee reports and inquiries. This would permit a comparison across groups to see whether there are common patterns of committee effectiveness. It might also shed light on the current theory that committees are effective if their recommendations are implemented or inform debate. Alternatively, one relevant group may prove to be a 'litmus test' for effectiveness, in that no other group is likely to find a committee report effective unless the 'litmus test' group does.

The best way to determine whether quantitative work adds to our understanding of political institutions is to carry it out, interpret it and evaluate it. Even if the indicators proposed in this paper do not prove to be reliable indicators of committee effectiveness, they are likely to provide some information about the behaviour of political agents and enhance our understanding of the political system. This in itself would be a valuable outcome.

## ACKNOWLEDGMENTS

A number of people contributed to this paper in various ways. They include Stephen Boyd, Russell Chafer, David Clune, Richard Grant, Sonia Palmieri, Ian Thackeray and Glenn Worthington.

## NOTES

- 1 Department of the Senate, *Annual Report 2007–08*, Canberra, 2008, p. 15; Department of the House of Representatives, *Annual Report 2007–08*, Canberra, 2008, p. 11. These amounts do not include travel by members or allowances for committee work.
- 2 Department of the Senate, 'Senate and other Senate-based committees', Canberra, 2009, <http://www.aph.gov.au/Senate/committee/com-list.htm>; Department of the House of Representatives, 'House committees of the 42nd Parliament', Canberra, 2009, [http://www.aph.gov.au/house/committee/comm\\_list.htm#standing](http://www.aph.gov.au/house/committee/comm_list.htm#standing), both accessed 13 January 2009.
- 3 Harry Evans (ed.), *Odgers' Australian Senate Practice*, 11th edition, Department of the Senate, Canberra, 2004, p. 347; I.C. Harris, B.C. Wright and P.E. Fowler, *House of Representatives Practice*, 5th edition, Department of the House of Representatives, Canberra, 2005, p. 627.
- 4 Section 49 of the Constitution states that the powers, privileges and immunities of the Senate and the House are the same as those of the House of Commons at the time of federation (1901).
- 5 Geoffrey Lock, 'Resources and operations of select committees: a survey of the statistics', in Gavin Drewry (ed.), *The New Select Committees: A Study of the 1979 Reforms*, 2nd edition, Clarendon Press, Oxford, 1989, p. 319.
- 6 See, for example, Philip Giddings, 'What has been achieved?', in Gavin Drewry (ed.), *The New Select Committees: A Study of the 1979 Reforms*, 2nd edition, Clarendon Press, Oxford, 1989; John Halligan, Robin Miller and John Power, *Parliament in the Twenty-first Century: Institutional Reform and Emerging Roles*, Melbourne University Press, Carlton, 2007, pp. 217–41, including the view of Senate committee secretaries at p. 223. A general argument against quantifying the effect of parliamentary committees is found in G.S. Reid and Martyn Forrest, *Australia's Commonwealth Parliament 1901–1988*, Melbourne University Press, Carlton, 1989, p. 387.
- 7 See, for example, Michael Rush, 'Does activity equal success? The work of the select committees on education and the social services', in Dilys M. Hill (ed.), *Parliamentary Select Committees in Action: A Symposium*, Department of Politics, University of Strathclyde, Glasgow, 1984; Derek Hawes, *Power on the Back Benches? The Growth of Select Committee Influence*, School for Advanced Urban Studies, Bristol, 1993; F.A. Kunz, *The Modern Senate of Canada, 1925–1963: A Re-appraisal*, University of Toronto Press, Toronto, pp. 263–8; New South Wales Legislative Council, *Annual Report 2001*, Volume 2, pp. 114–19.
- 8 Malcolm Aldons, 'Problems with parliamentary committee evaluation: light at the end of the tunnel?', *Australasian Parliamentary Review*, 18(1): 79–94, 2003, p. 91; Peter O'Keeffe, 'The scope and function of parliamentary committees', *Parliamentarian*, 73(4): 270–75, 1992, p. 275.
- 9 Harry Evans (ed.), *Odgers' Australian Senate Practice*, 12th edition, Department of the Senate, Canberra, 2008, p. 395.
- 10 There is a trend in many areas for statistics to supplement traditional expertise; see Ian Ayres, *Super Crunchers: How Anything Can be Predicted*, John Murray, London, 2007.
- 11 O'Keeffe, op. cit., p. 275.
- 12 Australian National Audit Office and Department of Finance and Administration, *Better Practice Guide: Better Practice in Annual Performance Reporting*, Canberra, 2004, p. 4.
- 13 Giddings, op. cit., p. 369.
- 14 Halligan, Miller and Power, op. cit., p. 222.
- 15 Australian National Audit Office and Department of Finance and Administration, op. cit., p. 5.
- 16 *ibid.*, p. 13.
- 17 *ibid.*, p. 5.
- 18 *ibid.*, p. 38.
- 19 Halligan, Miller and Power, op. cit., pp. 70–71.
- 20 The best example is Hawes, op. cit., pp. 143–68. The results of a survey of committee members are presented in Halligan, Miller and Power, op. cit., pp. 223–7.
- 21 O'Keeffe, op. cit., p. 271.
- 22 Geoff Skene, *New Zealand Parliamentary Committees: An Analysis*, Institute of Policy Studies, Wellington, 1990, p. 2 (unbound).
- 23 Paul Thomas, 'Effectiveness of parliamentary committees', *Parliamentary Government*, 44: 10–11, 1993, p. 10.
- 24 Senator Bruce Childs, 'The truth about parliamentary committees', *Papers on Parliament*, 18: 39–54, 1992, p. 37.
- 25 Rodney Smith, 'New South Wales parliamentary committees and integrity oversight: comparing public sector agency, news media and NGO perspectives', paper presented to the Australasian Study of Parliament Group Conference on Parliament and Accountability in the 21st Century: The Role of Parliamentary Oversight Committees, Sydney, 6–8 October 2005, p. 4.
- 26 Jaqi Nixon, 'Evaluating select committees and proposals for an alternative perspective', *Policy and Politics*, 14(4): 415–38, 1986, p. 423.
- 27 *ibid.*, quoting E. Guba and Y. Lincoln, *Effective Evaluation*, Jossey-Bass, San Francisco, 1981, p. 304.
- 28 If one were to accept the arguments by some scholars in the United States that the judiciary acts politically, then the judiciary could conceivably be a fifth relevant group; see, for instance, Terri Jennings Peretti, *In Defense of a Political Court*, Princeton University Press, Princeton, 2001. The Australian High Court has also been known to cite committee reports on occasion; see Professor Geoffrey Lindell, 'Introduction', in G. Lindell and R. Bennett (eds), *Parliament: The Vision in Hindsight*, Federation Press, Sydney, 2001, p. xxviii.
- 29 See the related paper by this author: David Monk, 'A statistical analysis of government responses to committee reports: reports tabled between the 2001 and 2004 elections', *Parliamentary Studies Paper 11*, Crawford School of Economics and Government, Australian National University, Canberra, 2009.

- 30 See the comments by Tony Abbott MP in Gerard Ryle, Lisa Pryor and Mark Metherell, 'Senate boss blasts PM's monarchy', *Sydney Morning Herald*, 21 June 2005, p. 1. See also Brenton Holmes, 'Both bark and bite: the effectiveness of Senate committees', paper presented to the 36th Conference of Presiding Officers and Clerks, Samoa, July 2005, p. 12.
- 31 Hawes, op. cit., p. 175.
- 32 Bob Charles MP, Chair of the Joint Committee on Public Accounts and Audit, interviewed in 'Straight shooter', *About the House*, Canberra, March 2004, p. 26.
- 33 Malcolm Aldons, 'Rating the effectiveness of committee reports: some examples', *Australasian Parliamentary Review*, 16(1): 52-60, 2001, p. 52.
- 34 Hawes, op. cit., p. 170.
- 35 Australian National Audit Office and Department of Finance and Administration, op. cit., p. 13.
- 36 *ibid.*, p. 31.
- 37 Senate Standing Committee on Regulations and Ordinances, 'Guidelines on the committee's application of its principles', Canberra, [http://www.aph.gov.au/Senate/committee/regord\\_ctte/guidelines.htm](http://www.aph.gov.au/Senate/committee/regord_ctte/guidelines.htm), accessed 30 November 2007.
- 38 John Uhr, 'Issues confronting parliaments', *Australasian Parliamentary Review*, 17(1): 119-30, 2002, p. 126, Evans; *Odgers' Australian Senate Practice*, 11th edition, op. cit., pp. 336-7, 356-7.
- 39 Senator Murray, *Senate: Official Hansard*, 17 March 2005, p. 26.
- 40 Childs, op. cit., p. 42; Charles, op. cit., p. 26; various House of Commons committee members in Hawes, op. cit., p. 146; Senator Bronwyn Bishop, 'Beyond the headlines', *About the House*, Canberra, March 2007, p. 47.
- 41 **House of Commons Select Committee on Procedure**, *The Working of the Select Committee System*, second report, HC 19 (1990), Volume 1, London, 1989-90, p. **lxxix**.
- 42 Monk, op. cit.
- 43 Aldons, 'Rating the effectiveness of committee reports: some examples', op. cit., p. 52.
- 44 Kunz, op. cit., p. 263.
- 45 Nixon, op. cit., p. 421.
- 46 Rush, op. cit., p. 164.
- 47 Halligan, Miller and Power, op. cit., p. 223.
- 48 Rush, op. cit., p. 164.
- 49 Halligan, Miller and Power, op. cit., pp. 226-7.
- 50 *ibid.*, pp. 265-6.
- 51 Kunz, op. cit., p. 263.
- 52 References for House committees usually come from ministers. Senate committees receive their references almost exclusively from the chamber.
- 53 See, for example, **House of Representatives Standing Committee on Procedure**, *Ten Years On: A Review of the House of Representatives Committee System*, 1998; and House of Commons Select Committee on the Modernisation of the House of Commons, *Select Committees*, first report, HC 224 (2002), 2001-02, London.
- 54 Two inquiries that have considered how committees demonstrate their effectiveness are **House of Commons Select Committee on Procedure**, op. cit.; and Liaison Committee, 'Report of the Liaison Committee on committee effectiveness: summary of conclusions and recommendations', *Parliamentary Government*, 43(June): 3-27, 1993.
- 55 In its 2001 annual report, the New South Wales Legislative Council assessed, but did not adopt, the benchmark of government acceptance of committee recommendations; see New South Wales Legislative Council, op. cit., pp. 114-19.
- 56 Ken Coghill and Colleen Lewis, 'Reforms to protect parliament's reputation', *Parliamentarian*, 85(4): 353-6, 2004, p. 354.
- 57 Australian National Audit Office and Department of Finance and Administration, op. cit., p. 31.
- 58 Halligan, Miller and Power, op. cit., pp. 226-7.
- 59 New South Wales Legislative Council, op. cit., p. 119.
- 60 Hawes, op. cit., pp. 161-7.
- 61 Ian Marsh, 'Light of reason: can Senate committees contribute to "social learning"?', *Papers on Parliament*, 45(August): 53-78, 2006, pp. 61-8.
- 62 Charles, op. cit., p. 27.
- 63 More broadly, little is known about voters' perceptions of parliament as a significant public institution; see Uhr, op. cit., p. 124.
- 64 Coghill and Lewis, op. cit., p. 354.
- 65 Nixon, op. cit., pp. 422-3.