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Can We Account for Parliamentary Committees?

A Survey of Committee Secretaries

Richard Grant

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Can We Account for Parliamentary Committees? A Survey of Committee Secretaries

Richard Grant

INTRODUCTION

In June 2005, the *Sydney Morning Herald* published a series of articles claiming that the failure of governments to respond to committee inquiries constituted a denial of democracy. In one of these articles, the journalists noted that 'hundreds of Senate recommendations have been either ignored or forgotten in the past 10 years'. Moreover, 'the amount of public money spent on Senate investigations that are then ignored is confounding'.[1]

This twin focus on outcomes and cost has been a hallmark of public administration in Australia over the past 25 years. Within departments of state, statutory authorities and parliamentary departments, it has been expressed in the practice of 'performance reporting'. Most public sector agencies now report annually on the 'effectiveness', 'quality' and 'quantity' of their various outputs. The widely accepted rationale is that all institutions need to be kept under review to justify their continued existence and to improve their performance in the future.[2] This is strongly in their interest and that of the taxpayer.

Outcomes and cost are important generic indicators of many organisations' performance. But are they a useful and adequate basis on which to assess parliamentary committees? To begin, there are two important points to consider. The first is that committees—as deliberative bodies—have qualitatively different functions to most other public sector agencies. They rely on a process that values debate and participation, and they operate within a political environment. The second point is that committee inquiries vary considerably in what they consider, what they aim to achieve and what they can achieve. As John Halligan, Robin Miller and John Power have noted:

> … a great many of the 3220 reports produced by committees over the past three decades relate to very specific administrative or technical issues, and the immediate policy impacts of such reports individually are likely to be limited to a very narrow area of activity. In summary, examples of parliamentary committees producing decisive reports that can be shown unambiguously to have had major policy impacts would not be commonplace.[3]

For these reasons, much of the research on the effectiveness of Australia's federal parliamentary committee inquiries has been based on case studies. These give valuable insights into committees' capacity to scrutinise specific security,[4] trade,[5] international education[6] and human rights[7] issues. Case studies are important to show what particular inquiries have done and what committees can achieve. They underline those features that help and hinder an effective committee inquiry, and as such are useful for this research.

But the case studies are also, by definition, highly selective. They do not indicate what committee inquiries in general should aim to achieve, whether they can consistently meet those goals and whether inquiries' performance can be measured consistently on this basis. These are necessary questions for parliamentary committees to consider.

AIMS

This article examines whether a set of performance indicators can be identified and applied to parliamentary committee inquiries.[8] Through a survey of Australian Senate and House of Representatives committee secretaries, it addresses several questions. In terms of performance, should greater emphasis be placed on the policy outcomes that arise from a report's recommendations, or on the merit of the recommendations regardless of the government's subsequent action or inaction? Should we associate performance with an inquiry's influence on parliamentary debate and media commentary? Should

performance measures incorporate the quality of written and verbal evidence the committee receives, the opportunities for participation in the inquiry process and the efficient use of a committee's time and resources? Should the opinions of witnesses, submitters and committee members themselves matter in assessing a committee's performance?

It must be stressed that the principal interest of this research is in measures of committee performance in handling the inquiries that the parliament refers to them. The intent is not to comment directly on the effectiveness of the system in which committees operate, although it is acknowledged that their ability to perform well may be strongly influenced by the wider parliamentary context. Similarly, the purpose of this paper is not to assess how effective federal parliamentary committees have been in the past, or to provide a blueprint for measuring their future performance. These are big, perhaps futile, tasks.

Rather, the purpose of this research is to highlight those factors that committee secretaries perceive to be important to the performance of committee inquiries. From their perspective, it may be possible to identify what inquiries might routinely set out to achieve, what they might achieve for certain inquiries and whether they can be assessed on this basis. The immediate interest, therefore, is in exploring a range of potential performance indicators for committee inquiries upon which we can then base a survey. To this end, the following section surveys both the Australian and international literature on the various measures by which one might judge the effectiveness of a committee inquiry. This makes it possible to identify, explain and group the performance indicators that are used in the survey.

THE LITERATURE ON PARLIAMENTARY COMMITTEE PERFORMANCE AND EFFECTIVENESS

Three themes emerge from the literature on parliamentary committee performance and effectiveness. The first is the difficulty of quantifying a committee's performance based on whether or not the government accepts its recommendations. The second and related theme is the broad range of possible measures—process and results-based, direct and indirect, short and long term—by which a committee inquiry's performance may be assessed. The third theme, an extension of the second, emphasises that committees depend on participation. Here, participation refers to the involvement of the community in the inquiry process and the engagement of committee members themselves. The survey incorporates many of the wide range of possible performance indicators identified in this literature. It asks respondents to consider whether these gauges are important to performance, and whether they can be measured.

Committees' recommendations and the executive's response

One of the first studies of the effectiveness of Australia's federal parliamentary committees was a doctoral thesis by Raymond Holzheimer. Submitted in 1980, the thesis principally aligned an inquiry's effectiveness with the government's treatment of its recommendations. Holzheimer noted that, although they were few in number, the most effective inquiries were those referred during the formative stage of policy development on a specific policy issue.[9] The recommendations of these inquiries tended to be accepted. The majority of inquiries, however, did not fare well:

> … some reports did not draw a Government response and appear to have had no other effects. In the usual Government response Ministers stated that the recommendations accepted were in line with what the Government was doing or intended under its own policies. Rejections were made as contrary to Government policy, or on the advice of other inquiries or authorities reporting to Government.[10]

Twenty years later, this focus on the executive's response to a committee's recommendations was the basis of a proposed methodology to rate the effectiveness of committee reports. Malcolm Aldons, a former House of Representatives committee secretary, began by asking 'whether anything of substance can be said about committee influence … without the application of a valid research methodology that measures report outcomes'. [11] He noted that some writers' attention to committees' 'non-decisional' functions, such as making ministers accountable and putting information in the public domain, had led them to doubt the value of measuring report outcomes.[12] For Aldons, however, the nature of these 'non-decisional' functions, and the fact that they could be performed elsewhere in the legislature, made it 'virtually impossible to measure the impact of committees in discharging them'.[13]

Aldons' research therefore focused on committees' 'decisional' functions, which related to the executive's—rather than the parliament's—response to committee reports. He proposed a ratings system for measuring the influence of committee reports according to whether they were 'effective, ineffective or somewhere in between'. He considered only recommendations that were relevant to the federal government's decision making; 'soft' recommendations were not included given that they were 'almost

worthless in influencing government decision-making'. This idea was incorporated into the survey.

Aldons argued that at least half the recommendations of an effective report would be accepted and implemented, whereas at least half those of an ineffective report would be rejected or ignored. A report's rating might be upgraded over time given 'the tendency for committee recommendations to be rejected or ignored only to appear some time in the future as government action or policy'.[14] In this context, Aldons insisted that committees had to be more rigorous in monitoring the implementation of the recommendations they made.

The 2001 annual report of the New South Wales Legislative Council tried to employ Aldons' methodology to rate the effectiveness of two reports by the Standing Committee on Law and Justice. It found that the methodology was useful in identifying those recommendations with 'no potential to influence government action', and in highlighting the need, when assessing a report's influence, to take account of action beyond the initial government response. The annual report also emphasised the limitations of Aldons' methodology:

> It uses one (easily measurable) indicator of performance as its sole criteria. It assumes that effectiveness of an inquiry is a function of how positively the executive government responds to the recommendations made … [T]he value of parliamentary committee work is reduced to only that aspect of it which can be easily quantified. This is a consistent problem in most forms of evaluation.[15]

Aldons himself recognised that his approach might not capture 'important qualitative considerations' such as the 'slow infiltration of committee ideas into the bureaucracy' or the 'deterrent effect of detailed scrutiny'. He also noted that a fundamental difficulty with aligning recommendations and government responses was establishing causality.[16] Nonetheless, his contribution was to highlight the need for a more rigorous assessment of an inquiry's outcomes based on a report's influence.

In a book published in 1993, Derek Hawes similarly used recommendations accepted as a basis for measuring committee performance. He examined the influence of several British select committee reports based on five categories of government response: (1) positive acceptance and action; (2) general agreement; (3) acceptance for consideration; (4) neutral comment; and (5) rejection.[17] This allowed him to derive a number representing the influence of each report on departmental policy. He observed that reports that sought to mediate between positions, or analyse and review existing practices, had a higher rate of outright acceptance and a lower rate of rejection. On the other hand, reports that 'speak of confrontation, or of attempting to establish a new agenda or advocacy', generally had a lower rate of acceptance and a higher rate of outright rejection. Based on his system for rating government responses, Hawes noted that the most successful reports were those that relied on constructive dialogue or on widening or informing the debate on complex policy issues.[18]

Significantly, Hawes argued that quantitative analysis of government responses to committee recommendations was an incomplete way to assess committee effectiveness; qualitative analysis was also necessary. He based this analysis in part on interviews with committee members, inquiry witnesses and three specialist advisers with a long-term interest in the subject matter of the inquiry. Many of the interviewees noted the tendency for recommendations to be rejected or ignored by departments 'only to appear at some time in the future as policy or action'.[19] Some noted that the department and ministers sometimes introduced a new policy to preempt a committee report. There were also instances where a department rejected a recommendation that nevertheless had a significant influence on those responsible for implementing policy. Hawes was led to conclude that:

> … an understanding of the effectiveness of select committee activity relies both on precise numerical data and on intuitive and interpretive insights of those involved. It has been possible to demonstrate … that even in those investigations … in which the apparent level of success is lowest, subsequent actions and later policy changes … seem to demonstrate that committee influence is a far more subtle phenomenon than any quantitative account of recommendations would imply.[20]

Inputs and influence: a qualitative view of committee performance/effectiveness

The literature places considerable emphasis on the need to consider inquiries' inputs and influence as part of any evaluation of inquiry effectiveness. It identifies a wide range of factors that may either contribute to or constitute an effective inquiry.

Political scientist Ian Marsh considered the effectiveness of British select committees based on the relevance of their activities to both the executive and the community. He posed the following questions:

> Have committees been willing to tackle vexed issues? What are the phases of policy making in which they have intervened? Have they sought to engage interest groups in their inquiries? Have committees adopted a sufficiently comprehensive approach? Have they reached conclusions contrary to those of the government? Has partisan allegiance influenced the judgements or constrained the action of committee members?[21]

Marsh found that departmental committees had undertaken a wide range of inquiries into both existing programs and emerging issues.[22] They had been involved in all phases of policy development, from pre-legislative and pre-policy scrutiny and appraisal to post-implementation reviews.[23] They had been able to engage influential interest groups and widen the access of all interest groups to the political process. These interest groups had often been able to provide new information that in some cases had decisively influenced a committee's thinking. But committees were not beholden to the demands of these groups and 'generally adhered to the common strategy of expenditure restraint'.[24] Indeed, committees often exposed the interest groups to new information.[25] The committees were able to deal with 'complex and contentious issues in a systematic fashion' through the analysis of 'an impressive volume of evidence'.[26] And, importantly for Marsh, they demonstrated a capacity for independent, timely, bipartisan judgement.[27]

Marsh argued that these attributes had equipped the select committees to have a direct impact on government policy, on bureaucratic thinking and on a minister's influence over departmental officials.[28] He conceded that the committees had had little direct effect on policy, but pointed to the influence that their formal evidence and their reports' reasoning and judgements could have on both ministers and departments. He also cited the contribution that committee inquiries could make to developing a parliamentary view as a complement to effective policy making.[29] Through the information they marshalled, and the timing and unanimity of their reports, inquiries were able to influence the development of policy. Their main limitation, according to Marsh, was a failure to follow up on their findings. Although committees were able to hold further hearings to review government responses to reports, 'this has proved a relatively ineffectual means of advancing an issue'.[30]

A 1989 book edited by Gavin Drewry evaluated each of the 14 departmental House of Commons select committees following the reform of the British select committee system in 1979.[31] Drewry identified several possible indicators of committee effectiveness but cautioned that their use as measures of effectiveness could be misleading. First, he noted that committees had different goals, strategies and targets that had to be borne in mind when assessing the impact of committees on government policy. Second, it was difficult to equate a high level of policy impact with 'success' in the absence of an assessment of the quality of the departmental decisions that resulted. Third, it was difficult to determine causality and isolate a committee as the variable that had effected change.[32] Fourth, a committee's impact in terms of government uptake of recommendations might be both short *and* long term. Fifth, the information made available by committees might make an important contribution to 'the general stream of thought on the subject',[33] whether or not this was reflected in departmental acceptance of a committee's recommendations. Sixth, measuring committees' influence on parliamentary debate was an imprecise exercise: 'an MP may make a better speech as a result of reading a report, but we will not know unless he acknowledges his debt'. Seventh, an inquiry that achieved media coverage might be neglecting 'important but un-newsworthy' aspects of its responsibilities. And finally, while most committees strove to achieve consensus, in doing so they might compromise the need to address divisive but important subjects of inquiry.[34]

In this vein, several of the volume's contributors doubted the reliability of a balance sheet of accepted and rejected recommendations as a register of an inquiry's influence. T. St John N. Bates, for example, argued that this approach ignored the influence that initiating an inquiry might have on a department; nor did it capture the influence that an apolitical, well-researched report might have in confirming or developing a department's thinking, or raising political and public awareness of a subject.[35] R.L. Borthwick described the balance sheet approach as 'misleading' given that 'clear cut acceptance' and 'outright rejection' of recommendations were infrequent, and that the problem of determining causality remained. He suggested that the Defence Committee's main achievement had been 'to improve the level of information about Defence matters available to the House as a whole'.[36] Michael Rush similarly emphasised the role that the Education Committee and the Social Services Committee had played in the wider policy process by making previously unavailable information publicly available.[37] Philip Giddings reflected that the main achievement of the Agriculture Committee had been to establish an 'additional and public forum for debate, with the department's policy and administration subject to informed and critical assessment'.[38] He conceded that while the committees had in general focused on indirect influence, information and accountability, measuring their effectiveness on this basis was impossible given the imprecise nature of these objectives.[39]

A 2007 text on the Australian parliament similarly expressed strong doubt about the reliability of a simple 'strike rate' measure of recommendations accepted and implemented. Halligan, Miller and Power cited evidence from a committee secretary that some committees had declined to propose recommendations given these were 'unlikely to gain ready acceptance'. Others had pursued recom-

mendations that had little prospect of government acceptance. Some inquiries had achieved departmental change or legislative amendment as a result of their deliberations, but the changes were made prior to the tabling of the report in order to avoid being seen as a response to the committee's recommendations.[40] For the same reason, an inquiry's recommendations might be rejected in the short term, only to be picked up in whole or in part further down the track. Accordingly, Halligan et al. argued that 'a reliance on the systematic aggregation of "strike rate" statistics was not a fruitful exercise'.[41] An alternative, they suggested, was to poll committee members on the reports for which they had the highest regard. A similar idea is considered in the survey of committee secretaries (see below).

Various British and Canadian committee reports corroborate the academic literature's scepticism that the rate of uptake of recommendations is an adequate measure of an inquiry's effectiveness. In October 1990, for example, the British House of Commons Select Committee on Procedure tabled a report on the working of the select committee system.[42] The committee expressed strong doubt that the most reliable measure of committee effectiveness was the number of recommendations adopted. Accordingly, it asked each House of Commons committee to analyse its effectiveness based on its success in (1) holding ministers and officials to account; (2) putting valuable information in the public domain and thereby contributing to greater public understanding; (3) contributing to more informed consideration of important matters in the House; and (4) influencing, directly or indirectly, the government's actions. The committees gave themselves a favourable self-assessment on these four criteria, an opinion that was supported by a survey of other interested groups. The report placed particular emphasis on the committees' ability to hold ministers to account, and less importance on their role in shaping policy recommendations.

The UK report was influential for a March 1993 report of the Liaison Committee of the Canadian House of Commons on the overall effectiveness of parliamentary committees.[43] It highlighted the difficulty of developing a common standard for judging committee effectiveness given 'the variety of situations facing committees and the range of responses they have adopted'. It concluded that, 'in the broadest terms … the measure of a committee's effectiveness is the extent of its influence on the actions or behaviour of the Government'. The report noted that the 'popular method' of comparing recommendations made with recommendations adopted only worked when a committee examined a concrete set of problems. The method failed to measure the long-term impact a committee might have on the way an issue was perceived in parliament or when recommendations were pursued without the committee being credited.[44] Canadian political scientist Paul Thomas responded that while 'committees can serve as policy incubators to keep fledgling ideas alive … documenting instances of this is almost impossible'.[45]

The Canadian report also highlighted the disappointment of a number of members that committees had not delivered on their potential to hold the government to account, bring about legislative change or advise on new policy directions. It attributed some of this disappointment to unrealistic expectations about the role of committees, based on perceptions of the power of the US committee system. The report argued that a realistic assessment of the Canadian committees' effectiveness would require them to 'identify their objectives and prepare a work plan' for each inquiry, on an annual basis.[46] Others have disputed this approach. Stéphane Dion, for example, argued that these objectives would 'always be vaguely worded' and that costing new proposals was a more practical way for committees to gain credibility.[47]

The issue of identifying committees' objectives as a basis for improving their effectiveness was examined in a February 2002 report by the newly established Modernisation Committee in the United Kingdom. One of the report's 22 recommendations was 'that there should be an agreed statement of the core tasks of the departmental select committees'.[48] The report provided an illustrative list of objectives. A March 2002 report by the Liaison Committee supported the Modernisation Committee's list of core tasks as 'a serious aspiration for committees'. It added:

> Although not mentioned in the Modernisation Committee's list of 'principal objectives', we continue to believe that reviewing their earlier work is something which the House has a right to expect its committees to do on a regular basis …[49]

Ian Gibson, then chair of the British House of Commons Science and Technology Committee, also wrote in support of the proposals to strengthen the select committees. He argued that 'wisely chosen and efficiently conducted enquiries into controversial topics can be an effective intervention into political and scientific decision-making'.[50] He argued that his own committee was 'uniquely placed' to do two things: raise awareness of scientific issues in political and governmental circles, and engage with scientific communities to raise their awareness of political processes and procedures. Gibson also emphasised the need for his committee to develop 'a more proactive relationship with the media [which] can increase public awareness of our work and can also

raise the stakes for government in their response to our work'.[51] For this, he argued, committees needed more resources.

Community participation in committee inquiries

Australian commentaries also make a strong connection between the effectiveness of committee inquiries and broad-based public participation in those inquiries. Notably, in 1999 a report by the House of Representatives Standing Committee on Procedure argued that for committees to be effective, they needed more effective input from the community into the inquiry process. To this end, the report presented 'a checklist of ideas which committees might consider using to enhance the effectiveness of particular inquiries'.[52] These included holding press conferences to provide reports on an inquiry's progress; establishing a customised feedback form on a committee's webpage; holding metropolitan hearings in suburban centres rather than the central business district; arranging an information session on the work of committees before or after a regional hearing; using alternatives to formal hearings, such as roundtables; and producing a short version of the report tailored to a targeted audience.[53]

Robyn Webber, currently clerk assistant (committees) in the House of Representatives, observed in a 2001 article on the findings of this report that members felt strongly about the need to increase the involvement of the community in committees, in part because they desired 'to produce better inquiries and reports'.[54] An important part of this objective would be achieved through a change to the standing orders to allow committees to conduct their business in ways other than formal hearings: 'Inquiry processes should not be "one size fits all"'. Webber concluded by asking whether the success of committees' innovations should be judged 'by simple measures … such as number of submissions or publicity gained by an inquiry or report', or 'more sophisticated measures of raised awareness of … Parliament's place in society'.[55]

The intent, and the outcome, of innovations to improve the mobility and accessibility of committees is to promote more diverse witness participation. With better outreach, it should be possible to avoid domination of inquiries by 'witness cliques', and the cynicism that results from this.[56] Moreover, as *Odgers* has noted, 'a forum for all views' can result in a more congenial environment for developing recommendations that are 'acceptable to all sides'.[57] A 2006 article by three Senate committee secretaries supported this observation:

> Senate committee inquiries in the last few years have proved powerful vehicles for marginalised and often very fragile and vulnerable people to have their stories told … The inquiries … operated in a cooperative and bipartisan manner leading to unanimous recommendations … Inquiries that give marginalised people and issues a voice are generally inundated with far more submissions than a typical committee investigation.[58]

The article suggested that the participation of 'one-off' marginalised witnesses could enhance the performance of inquiries.

Similarly, Jaqi Nixon argued that an important aspect of the effectiveness of British committee inquiries was their ability to consult with and inform those 'at the outer reaches of the public policy environment whose work might be affected by a Select Committee report …'.[59] She emphasised that these efforts must be direct, not conducted through the media or key interest groups. In the first instance, stakeholders had to be given the opportunity to learn about the scope and direction of the inquiry and to present oral evidence. Thereafter, a qualitative survey of these stakeholders should be conducted to gauge their perception of the inquiry's processes, its recommendations and their knowledge of the potential impact of the committee's work.[60] Nixon claimed that this type of survey would elucidate some of the more practical effects of the inquiry, such as 'clarifying their [local stakeholders'] own thinking and [prompting them] to reflect on their … practice at local level'.[61]

This is what Ian Marsh has called 'social learning'. In a survey of interest groups involved in Australian Senate committees in the 2000/01 parliamentary year, Marsh found that 82 per cent 'experienced positive learning and/or formed new linkages with other groups'.[62] However, Senate committees themselves did not view their effect on interest groups as a significant aspect of their activities, with their outreach mostly 'ad hoc and unsystematic'.[63] But although parliamentary committee inquiries continued to rely on the 'usual suspects', there was evidence that they also heard from many local stakeholders and marginalised individuals.[64]

The contribution of members to committee inquiries

There is, of course, another important dimension to the question of participation—namely the involvement of, and interaction between, committee members themselves. Surprisingly little has been written about how the composition and dynamics of Australia's federal parliamentary committees contribute to the focus, deliberations and outcomes of their inquiries.[65] These dynamics are most obvious when things go wrong. As former senator Bruce Childs reflected, 'When you have somebody verging on a personality disorder, or others that I would catego-

rise as primitive personalities, you can end up with tension and conflict'.[66] And yet much of the evidence, albeit anecdotal, is positive. Tabled speeches frequently congratulate committee members for pursuing a line of inquiry, giving the findings that are needed and delivering them unanimously.

In a July 1992 article, Peter O'Keeffe, then clerk assistant (committees) in the Senate, examined what committees could 'best inquire into and best avoid'. With respect to the first category, O'Keeffe argued that the best inquiries depended on bipartisanship and the initiative of committee members:

> Committees perform at their very best with issues which have not yet become bogged down in party political entrenchment, where the willing collection and synthesis of evidence can in fact lead to real and objective recommendations for change, reform or improvement. … In many committee systems this anticipatory power of committees is gravely under-utilized, perhaps because of a lack of political vision and independence among Chairmen and Members.[67]

For O'Keeffe, the careful timing and selection of inquiries not only facilitated a more consensual and constructive inquiry process, but also maximised committees' political impact. He argued that, to be effective, committees' inquiries should always deal with matters of political sensitivity. To achieve this, committees should 'seek out live issues of public policy' and hear 'those who have been unheard by government'.[68] According to O'Keeffe, the information gained from effective committee processes would either 'mobilize genuine consent or call for a fast and decent burial of the policy'.[69]

Among things to avoid, the article listed inquiries on matters that were already being investigated; on matters of no interest to committee members; where the subject matter was overly technical; where the committee did not have the power to influence the implementation of recommendations; and where the power to summon evidence and protect witnesses might be 'provocatively challenged'. O'Keeffe added that 'anyone who has ever worked with politicians will know that an inquiry where fairly strict timeliness in reporting is not important, should be avoided'.[70] These observations might seem incidental but they should not be dismissed. In proposing the terms of an inquiry, committee members were often in control of these factors and should be aware of how they could diminish the overall effectiveness of their work.

In terms of the determinants of performance and underperformance, O'Keeffe argued that 'the success or failure of any committee hinges on … [the] character, principle, honesty and humanity' of the chair. Included among the failings of committees were: personality differences that 'blur the focus of investigation'; favouritism by government members towards certain witnesses; abuse of majority committee power, reflected in the manipulation of evidence and findings; leaking of 'likely, but still private, recommendations' to the minister and the media; granting of time extensions to report, which 'can result in the virtual obsolescence of the evidence collected at earlier stages'; and monopolisation of hearing time by chairs, and of questioning by others.[71]

In similar vein, former Senate committee secretary John Uhr has argued as follows:

> My own hunch is that committee success has most to do with … the directness and simplicity of the task before the committee; the temperament of the chair as the leader of the work unit; and the tenacity of the committee as a corporate group to see their standards of quality enforced.[72]

The role of a committee was to monitor the quality of the processes of policy determination and implementation, and to develop the capacity for 'consensual' review of those processes.

As flagged earlier, the tabling of a unanimous report is a potential gauge of an inquiry's performance. Both theorists and practitioners have argued that committees are most productive when they act with bipartisanship, and that dissent injures their objectives.[73] The vast majority (87 per cent) of Australian federal parliamentary committee reports between 1970 and 1999 were unanimous. Halligan et al. speculated that this high percentage may have been due to the perception that a unanimous report was more likely to be influential than a non-unanimous one. They also identified a sense of satisfaction among committee members of a bipartisan inquiry producing a unanimous report.[74] However, in the 1990s the number of minority reports increased markedly. Halligan et al. calculated that in the period 1980–89 there were 77 minority reports, of which six (8 per cent) were from non-bill inquiries. In contrast, in the period 1990–99 there were 302 minority reports, of which 149 (49 per cent) were from bill inquiries.

Senate committees accounted for 228 of the dissenting reports in the 1990s. Writing in 1999, the former deputy clerk of the Senate, Anne Lynch, wrote ruefully of Senate committees' 'confrontationist inquiries and fragmented reports' where the parties deliberately avoided finding common ground. She apportioned blame to 'those members of committees who have intentionally dealt themselves out of the constructive committee process'. Some senators played to the media gallery to gain attention for their party position rather than working towards a long-term solution.[75] For Lynch, this was the easy option, as it required no thought and posed

no threat of recrimination from the party. But it also meant that the most productive and rewarding aspects of committee work were forgone.[76]

Senate committees' bill inquiries

Since 1990, the Australian Senate has had procedures in place for the systematic referral of bills to committee, with a similar capacity to take written and oral evidence.[77] John Vander Wyk (a former clerk assistant (committees) in the Senate) and Angie Lilley noted that 91 per cent of bill inquiries in the period 1990–2002 involved public hearings. Of these inquiries, a Senate minister or a parliamentary secretary representing a minister attended a public hearing 34 per cent of the time. However, this figure was inflated by the frequent attendance of ministers in the early 1990s; in 2001 no minister gave evidence at a public hearing on a bill.[78]

Vander Wyk and Lilley cited several 'positives' to the bill referral process, including the considerable number of bills that were referred to committee; better informed debate in the chamber; the involvement of government agencies in justifying legislation; and more thorough scrutiny of bills through the involvement of interest groups and others outside parliament.[79] The authors also praised the rigour of bipartisan bill inquiries, writing that:

> … committee members continue to expect a balanced review of the evidence in a report even if that report reflects the government's position in its conclusions and recommendations and is accompanied by minority/dissenting reports, and committee members have expressed concern where this has not occurred.[80]

A 1998 paper by Kelly Paxman, a former Senate committee secretary, identified four areas of performance—and underperformance—of Senate bill inquiries. First, through public submissions and public hearings, the bill referral process 'opens up government policy making to public scrutiny' and has improved many pieces of legislation.[81] Public input not only from favoured, but also less favoured, groups had had a positive effect on legislation. Second, 'the overall educative effect for senators of committee consideration of bills has been a great side-benefit of the system'. In particular, she noted that senators from minor parties had benefited from their involvement in bill inquiries. Third, the bill inquiry process often affected the time spent in chamber debate, although it was unclear whether more or less time was spent in debate than would otherwise have been the case. On the one hand, it seemed likely that the bill inquiry process would reduce the time spent on debate; on the other hand, it typically informed and interested senators and might therefore prolong chamber debate. Finally, Paxman highlighted the capacity of committees to 'take the Senate to the people', which, as one committee secretary noted, was 'good PR' for senators and the parliament.[82]

Halligan et al. reinforce Paxman's observations in their 2007 book. According to them, 'the most important of all consequences' of a committee bill inquiry was that it allowed, 'for the first time, open public involvement in matters of high policy'. Further, it was this public involvement that gave bill inquiries the legitimacy needed for an appropriate compromise to be reached:

> Had the Senate and its committees not succeeded in attracting such wide public interest, it is extremely doubtful that it could have gained government acquiescence in the next step—the by now routine expectation that partisan differences on major legislation will be handled, and compromises eventually reached, through committee inquiries open to public involvement.[83]

This emphasis on the importance of the bill inquiry process does not detract from an interest in bill inquiries' capacity to change legislation. Research by Marcus Ganley on New Zealand select committees compared 1997 data on the proportion of changes to bills at committee stage relative to the number of bills examined, with the corresponding 1989 and 1977 figures.[84] The highest average number of changes per bill was recorded in 1997; the number was slightly higher than in 1989 and significantly higher than in 1977. Ganley provided examples of significant changes made by select committees to controversial legislation, over and above their role in tidying up bills.[85] Other authors of papers in this series have also looked at the issue of Senate bill inquiries' influence on legislation.[86]

THE SURVEY AND ITS FINDINGS

The international and Australian literature canvassed above gives a good sense of the multifarious inputs, outputs, impacts and outcomes of committee inquiries, and how they may enhance or detract from an inquiry's performance. The survey was based on these factors.[87]

The survey was of federal committee secretaries, chosen because of their political independence, professionalism and proximity to the day-to-day working of the inquiry process and committee deliberations. They are best placed to consider the full range of factors presented in the survey. It can also be argued that committee secretaries have less of a vested interest in inquiry outcomes, and more in administrative processes and efficiency, than committee members and witnesses. Whether or not this is the case, the survey results clearly give some

insight into how secretaries as a group perceive the role and achievements of parliamentary committees.

The survey was distributed electronically to 10 Senate and eight House of Representatives committee secretaries, including the secretaries of joint standing committees. The first part was sent on 15 October 2007 with a request that it be returned by 24 October. The second part was sent on 24 October 2007, to be returned by 2 November. Although participation in the survey was optional, 15 responses were received for Part 1, and 13 of those 15 for Part 2.

The survey covered 40 potential indicators that might constitute, or contribute to, the performance or effectiveness of a parliamentary committee inquiry. These indicators were presented in the survey under seven categories:

1 policy outcomes (1–4);
2 inquiry impact (5–15);
3 inquiry output (16–19);
4 inquiry input (20–28);
5 participation (29–33);
6 efficiency (34–37); and
7 attitudes towards inquiry (38–40).

The indicators and the corresponding categories are listed in Table 1.

Part 1 of the survey asked whether the indicator was 'important to an inquiry's overall performance or effectiveness'. Respondents were given the following options:

1 highly and routinely important as a measure of an inquiry's performance/effectiveness;
2 occasionally important for certain inquiries as a measure of performance/effectiveness;
3 important procedurally but not relevant as a measure of performance;
4 a factor contributing to performance but not a measure of performance;
5 outside committees' control and therefore not applicable as a measure of performance;
6 not important as a measure of performance;
7 not relevant; and
8 can't comment.

These were the 'performance categories'.

Part 2 of the survey asked whether the indicator could be 'systematically measured as a meaningful basis for determining a given inquiry's performance/effectiveness'. Here, the options were:

1 systematically measurable for all inquiries across all committees;
2 measurable only for certain inquiries or certain types of committees;
3 not measurable for any committee; and
4 not relevant or worth measuring as a performance indicator.[88]

While these options were devised judiciously, they could not be exhaustive. Fewer rather than more rating categories were used in the survey, and it is acknowledged that some respondents may on occasion have had difficulty giving an accurate response based on the rating scale. Two comments to this effect are noted later in the paper. It was important that the rating scales for both parts of the survey reflected the initial observation that committee inquiries varied greatly in their subject matter, scope, timing, context and, therefore, potential to influence. Accordingly, the survey was structured so that respondents could distinguish between indicators they considered highly important and systematically measurable for all inquiries, and those that might be important and measurable only for certain inquiries. The survey was also structured to ensure that respondents could dismiss the importance and measurability of an indicator without qualification, by selecting 'not important' (Part 1) or 'not measurable' (Part 2). Alternatively, they could note that an indicator was 'not relevant' to performance (Part 1) or 'not relevant or worth measuring' (Part 2). Part 1 also allowed for the possibility that an indicator was important procedurally or as a factor contributing to performance, but not in itself an important measure. There was also an option to dismiss an indicator because it was outside a committee's control.

Aggregated responses to the indicators

Table 2 responds to this paper's key questions: which factors are considered highly and routinely important to the performance and effectiveness of committee inquiries (Part 1); which are occasionally important (Part 1); and which of these can be measured systematically (Part 2). Column (1) of the table ranks and numbers each indicator according to the percentage of respondents (from highest to lowest) that chose the option 'highly and routinely important'. Column (2) shows the percentage of respondents that nominated the option 'occasionally important for certain inquiries'. Column (3) shows the most common response to the measurability question.

The table shows that there are 12 indicators that a majority of respondents believe are 'highly and routinely important' to an inquiry's overall performance and effectiveness. Among these 12, each of the seven categories in Table 1 is represented. Three of the indicators (5, 7 and 12) are listed under the category 'inquiry input', two each under 'policy outcomes' (3 and 11), 'participation' (8 and 10) and 'attitudes'

TABLE 1 Performance indicators by category[a]

Category		Indicator
1 Policy outcomes	1	High rate of government acceptance of recommendations, regardless of whether they are implemented
	2	Government implementation of accepted recommendations, regardless of influence on policy
	3	Implementation of committee recommendations leading to substantive change in public policy
	4	Contribution to continuing process of government accountability
2 Inquiry impact	5	Covering subject matter not previously considered in the public domain—committee inquiry has brought new information to light
	6	Informing and influencing parliamentary debate
	7	Platform for government to investigate a matter and make recommendations
	8	Increased awareness of inquiry issues in the community and increased understanding among stakeholders
	9	Raising awareness and understanding of inquiry issues in the media
	10	Receiving information from government departments that would not otherwise be on the public record
	11	Acknowledgement of need for remedial action by government agencies
	12	Abandonment of proposed legislation as a result of committee inquiry
	13	Political pressure on government as a result of inquiry findings
	14	Pressuring of a minister before a committee hearing
	15	Media publicity based on inquiry generating pressure on government
3 Inquiry output	16	Proposing recommendations that are able to be adopted by government, regardless of whether or not they are endorsed (not 'soft' recommendations)
	17	Full costing of relevant recommendations
	18	Presenting a balanced account of submitters' views
	19	Reaching a unanimous committee report
4 Inquiry input	20	Committee selection of a politically relevant and timely inquiry subject
	21	Number of submissions received, witnesses heard
	22	Quality (accuracy, analysis) of submissions and aural evidence
	23	Holding of public hearing(s)
	24	Appearance of a minister, parliamentary secretary at public hearing
	25	Diversity of submitters and witnesses—not just the 'usual suspects'
	26	Leadership and enthusiasm of chair and interest of committee members
	27	Relevant, rigorous questioning by committee members of witnesses
	28	Proficiency and resources of Committee Office staff
5 Participation	29	Development of members/senators knowledge about subject matter
	30	Long-term monitoring of inquiry issues by committee members
	31	Opportunity for non-government parties to test amendments/shape recommendations
	32	Taking parliament to the people—interstate public hearings
	33	Bringing interested parties together (for example, roundtables)
6 Efficiency	34	Low overall financial cost
	35	Reducing time spent on parliamentary debate
	36	Efficient use of committee and Committee Office time and resources
	37	Reporting on time (original reporting date)
7 Attitude towards inquiry	38	Opinion (post-report) of inquiry participants—witnesses, submitters and those assigned with implementing recommendations (departmental officers, drafting officials)—as to inquiry's effectiveness
	39	Opinion of committee members as to inquiry's effectiveness
	40	Opinion of committee secretariat and clerk of the relevant chamber as to inquiry's effectiveness

a The table lists the categories and indicators in the order in which they were presented in the survey.

TABLE 2 Percentage of respondents rating indicator as 'highly and routinely important' and 'occasionally important', and their assessment of indicator's measurability[a]

	Indicator	Highly & routinely important (1)	Occasionally important for certain inquiries (2)	Rating scale for measurability of indicator with highest percentage of responses (% in brackets) (3)
1	Presenting a balanced account of submitters' views	87	7	Systematically measurable for all inquiries across all committees (38) Measurable only for certain inquiries or certain types of committees (38)
2	Opinion of committee members as to inquiry's effectiveness	73	27	Measurable only for certain inquiries or certain types of committees (54)
3	Contribution to ongoing process of government accountability	67	33	Measurable only for certain inquiries or certain types of committees (77)
4	Informing and influencing parliamentary debate	60	40	Measurable only for certain inquiries or certain types of committees (69)
5	Proficiency and resources of Committee Office staff	60	20	Measurable only for certain inquiries or certain types of committees (38)
6	Efficient use of committee and Committee Office time and resources	60	20	Measurable only for certain inquiries or certain types of committees (46)
7	Relevant, rigorous questioning by committee members of witnesses	60	13	Measurable only for certain inquiries or certain types of committees (38)
8	Taking parliament to the people—interstate public hearings	60	7	Systematically measurable for all inquiries across all committees (38)
9	Opinion (post-report) of inquiry participants—witnesses, submitters and those assigned with implementing recommendations—as to inquiry's effectiveness	53	33	Measurable only for certain inquiries or certain types of committees (54)
10	Development of Members/Senators knowledge about subject matter	53	27	Measurable only for certain inquiries or certain types of committees (54)
11	Implementation of committee recommendations leading to substantive change in public policy	53	20	Measurable only for certain inquiries or certain types of committees (69) Systematically measurable for all inquiries across all committees (23)
12	Leadership and enthusiasm of chair and interest of committee members	53	20	Measurable only for certain inquiries or certain types of committees (54)
13	Proposing recommendations that are able to be adopted (not 'soft' recommendations)	47	40	Systematically measurable for all inquiries across all committees (38) Measurable only for certain inquiries or certain types of committees (62)
14	Increased awareness of inquiry issues in the community & increased understanding among stakeholders	47	33	Measurable only for certain inquiries or certain types of committees (77)

	Indicator	Highly & routinely important (1)	Occasionally important for certain inquiries (2)	Rating scale for measurability of indicator with highest percentage of responses (% in brackets) (3)
15	Holding of public hearing(s)	40	13	Systematically measurable for all inquiries across all committees (62)
16	Quality (accuracy, analysis) of submissions and aural evidence	40	0	Measurable only for certain inquiries or certain types of committees (38) Not measurable for any inquiries (38)
17	Government implementation of accepted committee recommendations, regardless of influence on policy	27	33	Measurable only for certain inquiries or certain types of committees (62)
18	Receiving information from government departments that would not otherwise have been on the public record	27	33	Measurable only for certain inquiries or certain types of committees (54)
19	Long-term monitoring of inquiry issues by members	20	53	Measurable only for certain inquiries or certain types of committees (38)
20	Reporting on time (original reporting date)	20	53	Systematically measurable for all inquiries across all committees (38)
21	Reaching a unanimous committee report	20	40	Systematically measurable for all inquiries across all committees (38)
22	Acknowledgement of need for remedial action by government agencies	20	33	Measurable only for certain inquiries or certain types of committees (69)
23	Diversity of witnesses — not just the 'usual suspects'	20	33	Measurable only for certain inquiries or certain types of committees (69)
24	Bringing interested parties together (e.g.: roundtables)	20	33	Systematically measurable for all inquiries across all committees (38) Measurable only for certain inquiries or certain types of committees (38)
25	Opinion of committee secretary and clerk as to inquiry's effectiveness	20	33	Systematically measurable for all inquiries across all committees (38)
26	Raising awareness and understanding of inquiry issues in the media	20	20	Measurable only for certain inquiries or certain types of committees (54)
27	Covering subject matter not previously considered in the public domain	13	73	Measurable only for certain inquiries or certain types of committees (38)
28	Abandonment of proposed legislation as a result of committee inquiry	13	60	Measurable only for certain inquiries or certain types of committees (77)
29	Platform for government to investigate a matter and make recommendations	13	47	Measurable only for certain inquiries or certain types of committees (38)

	Indicator	Highly & routinely important (1)	Occasionally important for certain inquiries (2)	Rating scale for measurability of indicator with highest percentage of responses (% in brackets) (3)
30	Opportunity for non-government parties to test amendments and recommendations	13	33	Measurable only for certain inquiries or certain types of committees (54)
31	High rate of government acceptance of committee recommendations regardless of implementation	13	27	Systematically measurable for all inquiries across all committees (46)
32	Committee selection of a politically relevant and timely inquiry subject	13	20	Measurable only for certain inquiries or certain types of committees (62)
33	Political pressure on government as a result of inquiry findings	7	47	Not relevant or worth measuring as a performance indicator (46)
34	Pressuring of a minister before a committee inquiry	7	40	Not relevant or worth measuring as a performance indicator (46)
35	Media publicity based on inquiry generating pressure on government	7	40	Measurable only for certain inquiries or certain types of committees (69)
36	Reducing time spent on parliamentary debate	7	33	Not relevant or worth measuring as a performance indicator (31)
37	Appearance of a minister, parliamentary secretary at public hearing	7	7	Not relevant or worth measuring as a performance indicator (62)
38	Full costing of relevant recommendations	0	47	Not relevant or worth measuring as a performance indicator (62)
39	Low overall financial cost	0	13	Not relevant or worth measuring as a performance indicator (62)
40	Number of submissions received, witnesses heard	0	7	Systematically measurable for all inquiries across all committees (46)

a The data given in columns (1) and (2) relate to Part 1 of the survey; those given in column (3) relate to Part 2.

(2 and 9), and one each under 'inquiry output' (1), 'efficiency' (6) and 'inquiry impact' (4). This spread is consistent with the literature's emphasis on factors other than the executive's response to an inquiry report. It suggests that most committee secretaries view the definition and assessment of an inquiry's performance in terms of a combination of quantitative and qualitative measures. The following analysis of Table 2 confirms this point, highlighting and contrasting those indicators that rank highly and those that do not.

The survey results indicate that committee secretaries strongly associate high performance with inquiries whose recommendations are able to be adopted. Many also value inquiries whose recommendations are actually implemented, particularly where this leads to substantive policy change. Eighty-seven per cent of respondents thought that proposing recommendations that were able to be adopted was either 'highly and routinely' or 'occasionally' important as a gauge of an inquiry's performance (indicator 13, Table 2). Seventy-three per cent of respondents saw it as either 'highly and routinely' or 'occasionally' important that recommendations led to substantive policy change (indicator 11). The same proportion noted that the abandonment of proposed legislation as a result of an inquiry was at least 'occasionally' important as a measure of performance (indicator 28).[89] The corresponding figure for the implementation of recommendations regardless of their influence on policy was 60 per cent (indicator 17). Only 13 per cent of respondents

identified a high rate of accepted recommendations, regardless of subsequent implementation, as a 'highly and routinely' important gauge of an inquiry's performance (indicator 31). In suggesting a strong association between inquiry performance and both adoptable and implemented recommendations, the survey data do provide some support for Aldons' methodology (see pages 2–3).

It is significant, however, that none of the top 10 indicators in Table 2 relate to inquiries' recommendations or the executive's response to those recommendations. Committee secretaries associated an inquiry's performance most strongly with a committee's balanced assessment of submitters' views (87 per cent). The observations of John Vander Wyk and Angie Lilley (page 8) as well as Anne Lynch (page 7) are therefore well made. On the other hand, only 40 per cent of respondents emphasised the quality of submitters' evidence (indicator 16) and no one emphasised the quantity of evidence (indicator 40). It is also significant that only 20 per cent of respondents believed that a unanimous report was 'highly and routinely' important to inquiry performance (indicator 21). This suggests that committee secretaries consider an effective inquiry to be one that considers and assesses all the information that is presented to it, whether or not this leads to a unanimous report.

All respondents indicated that an inquiry's contribution to government accountability (indicator 3) and role in informing and influencing parliamentary debate (indicator 4) was either 'highly and routinely' or 'occasionally' important to its overall performance. This finding is one of the most striking of the survey. Also, most respondents differentiated between these indicators and those relating to the political pressure that an inquiry might place on the executive (indicator 33). While 40 per cent of respondents identified the latter as being 'occasionally' important to an inquiry's performance, a far higher proportion emphasised the importance of other, apolitical, accountability measures.

Three cases illustrate this point. First, secretaries seemed to understand 'the ongoing process of accountability' to mean raising community awareness of the issues (indicator 14) and monitoring those issues over the long term (indicator 19), rather than measures to exert political pressure (indicators 33, 34, 35, 37). Second, only 33 per cent of respondents saw it as either 'highly and routinely' or 'occasionally' important to an inquiry's performance that a committee select a 'politically relevant and timely subject' (indicator 32).[90] However, 73 per cent of secretaries noted that it was 'occasionally important' for certain inquiries to cover 'subject matter not previously considered in the public domain' (indicator 27). Third, 80 per cent of respondents believed that it was at least 'occasionally important' for an inquiry to raise awareness of the issues in the community and among stakeholders (indicator 14). Only 40 per cent thought that raising awareness of the issues in the media was a 'highly and routinely' or 'occasionally' important achievement for a given inquiry (indicator 26).

Committee secretaries placed a high value on what committee members contributed to the inquiry process, what they learned from the subject matter and how they perceived the inquiry's performance. Sixty per cent of respondents identified 'relevant, rigorous questioning by committee members of witnesses' as 'highly and routinely' important to an inquiry's overall performance (indicator 7). The leadership and enthusiasm of the chair and the interest of committee members were also emphasised (indicator 12). Eighty per cent of respondents nominated the development of committee members' knowledge of the subject under inquiry as either a 'highly and routinely' or 'occasionally' important gauge of inquiry performance (indicator 10). Most significantly, all 15 respondents identified committee members' opinions on the effectiveness of an inquiry as either 'highly and routinely' or 'occasionally' important (indicator 2).[91] The opinions of witnesses and departmental drafters were seen as 'highly and routinely' or 'occasionally' important by 86 per cent of respondents (indicator 9). Respondents rated their own views as a far less important gauge of inquiry performance (indicator 25).

The survey produced mixed results on the importance of witnesses' participation to an inquiry's effectiveness. The most convincing response was to the indicator 'taking parliament to the people' (indicator 8); 60 per cent of those surveyed nominated this as 'highly and routinely' important to the effectiveness of an inquiry. This suggests that secretaries appreciate the importance of committees' outreach processes. The matter of 'who' and 'how many' participate in the inquiry process was considered less important: numbers of submissions received and witnesses heard ranked 40th. Table 2 also shows that only 20 per cent of respondents considered the diversity of submitters and witnesses (indicator 23) and a committee's role in bringing interested parties together (indicator 24) to be an important gauge of an inquiry's overall performance. A third of respondents rated these indicators as important for certain inquiries.

Another important finding was that respondents strongly associated an inquiry's performance with the sound use of committee resources; 60 per cent thought that the 'proficient' (indicator 5) and 'efficient' (indicator 6) use of Committee Office resources was 'highly and routinely' important to an inquiry's performance. Unlike the performance measures for

TABLE 3 Number of indicators chosen by secretaries for each rating: Part 1 of the survey

Rating	Secretaries in the House of Representatives							Secretaries in the Senate								Ave.
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
1 Highly/routinely …	21	15	11	10	8	7	6	26	25	15	12	9	9	7	5	**12.4**
2 Occasionally …	13	15	10	15	9	8	16	7	3	6	21	20	15	15	9	**12.1**
3 Procedurally …	1	1	7	1	13	7	2	2	1	4	0	0	2	8	6	**3.0**
4 A factor …	5	2	7	9	6	9	7	3	10	3	2	0	1	2	13	**5.2**
5 Outside control …	0	1	2	0	4	8	3	2	0	7	1	9	8	4	4	**3.5**
6 Not important	0	6	3	4	0	0	4	0	0	1	3	2	5	4	3	**2.3**
7 Not relevant	0	0	0	0	0	1	2	0	0	4	1	0	0	0	0	**0.5**
8 Can't comment	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	**0.1**
Total	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**	**40**

a The full wording for the ratings is:

1 Highly and routinely important as a measure of an inquiry's performance/effectiveness;
2 Occasionally important for certain inquiries as a measure of performance/effectiveness;
3 Important procedurally but not relevant as a measure of performance;
4 A factor contributing to performance but not a measure of performance;
5 Outside committees' control and therefore not applicable as a measure of performance;
6 Not important as a measure of performance;
7 Not relevant;
8 Can't comment.

most organisations, however, quantitative consideration of cost and time was not considered important. Indeed, the 'low overall financial cost' of an inquiry ranked 39th, and only two respondents considered this criterion to be of even occasional importance to performance.[92] This is not to say that the financial cost of an inquiry was irrelevant; but rather that respondents placed more emphasis on the efficient use of the resources needed to conduct the inquiry, not its absolute cost. Similarly, 'reducing time spent on parliamentary debate' ranked 36th, well below the more constructive gauge of 'informing and influencing the parliamentary debate', which ranked fourth.

Individual responses

While Table 2 provides a useful aggregation of the survey data, it is important to note that underlying these percentages is significant variation in the number of indicators that some respondents considered 'highly and routinely' and 'occasionally' important. Table 3 shows the number of indicators that each secretary chose for each of these options in response to Part 1 of the survey. As the table shows, one secretary nominated as few as five indicators as 'highly and routinely important', whereas another nominated as many as 26. The corresponding range for 'occasionally important' was from three to 21 indicators.

Table 3 also shows that 'highly and routinely important' and 'occasionally important' were the most common responses for most respondents. On average, each respondent chose these ratings for 12 of the 40 indicators. In other words, on average, 24 of the 40 indicators were considered either 'highly and routinely' or at least 'occasionally' important to an inquiry's overall performance. On average, only two of the 40 indicators were considered 'not important'. These are significant findings and they broadly support the arguments put forward in the literature.

But a few points of caution are needed. The first is that not *all* respondents rated the highest number of indicators as either 'highly and routinely' or 'occasionally' important. As Table 3 shows, respondent 5 rated a higher number of indicators as 'procedurally important', and respondents 6 and 15 rated a higher number as 'a factor contributing to performance but not a measure of importance'. Respondents 6, 7, 12, 13, 14 and 15 rated a higher number of indicators as either 'outside committees' control' or 'not important' than 'highly and routinely important'. These findings qualify the aggregate responses to only two of the ratings in Table 2.

The second point relates to the frequency of the 'occasionally important' rating. As Table 2 shows,

TABLE 4 Outside committees' control[a]

Indicator	Respondent 1	Respondent 2	Respondent 3	Respondent 4	Respondent 5
High rate of government acceptance of committee recommendations, regardless of whether they are implemented	Outside committees' control	Highly and routinely important	Outside committees' control	Outside committees' control	Outside committees' control
Government implementation of accepted recommendations, regardless of influence on policy	Outside committees' control	Outside committees' control	Outside committees' control	Outside committees' control	Outside committees' control
Implementation of committee recommendations leading to substantive change in public policy	Occasionally important	Outside committees' control	Outside committees' control	Outside committees' control	Outside committees' control
Proposing recommendations that are able to be adopted by government (not 'soft' recommendations)	Highly and routinely important	Highly and routinely important	Highly and routinely important	Occasionally important	Highly and routinely important

a Respondents 1 and 2 are secretaries based in the House of Representatives; respondents 3, 4 and 5 are secretaries based in the Senate.

a higher number of respondents selected 'occasionally important' than 'highly and routinely important' for 22 of the 40 indicators; at least one-third of respondents considered 22 of the indicators to be 'occasionally important'. Table 3 shows that, on average, respondents chose the 'occasionally important' rating for as many indicators as they did the 'highly and routinely important' rating. These findings indicate that many secretaries hold the view that different inquiries should be judged on different performance indicators. One committee secretary commented that while s/he often chose the option 'occasionally important for certain inquiries', 'I can't escape the thought that what may be highly important as a measure of performance in one context may be irrelevant in another'. In other words, while respondents may believe that an indicator is irrelevant to performance for most inquiries, the 'irrelevant' rating is not chosen because it is sometimes important for particular inquiries. To some extent, this may explain the strong response to the option 'occasionally important for certain inquiries'.

Beyond their control

It was noted earlier that a majority of respondents associated an inquiry's effectiveness with the implementation of recommendations, particularly where this resulted in substantive policy change. This is not the full picture, however. Three of the five indicators with the highest response to the rating 'outside committees' control' concerned the acceptance, implementation and policy effects of recommendations.[93] These are the first three indicators in Table 1, under the category 'policy outcomes'. Five secretaries—a third of all respondents—identified most of these three indicators as being 'outside committees' control' (see Table 4). They were the only respondents to choose this rating for any of these indicators. Table 4 also shows that four of the same five secretaries thought that it was 'highly and routinely important' for committees to propose recommendations that are able to be adopted.

These findings must raise doubt as to the value of a strike rate measure of committee performance. Not only did many respondents rate qualitative indicators more highly, but a solid minority discounted even the government's acceptance of recommendations as a measure of committee performance because it was outside committees' control. This is also a rejoinder to the type of commentary published in the *Sydney Morning Herald* in June 2005 (see page 1). If a committee has no control over how many (and which) of its recommendations are accepted and implemented, they should not be criticised when expensive inquiries fail to produce government action. Committees include government members, but they are not an arm of government.

Measurability and methodology

What do the results to Part 2 of the survey tell us about the suitability of the indicators for measuring committee performance? The final column in

Table 2 shows that the most common rating for 27 of the 40 possible indicators was 'measurable only for certain inquiries or certain types of committees'.[94] This is a significant result and it again reflects the considerable diversity of committee inquiries. It may also indicate that respondents saw these indicators as only partially measurable. One secretary noted that several indicators that s/he saw as subjective in nature were rated as 'measurable only for certain inquiries' to denote that they were only partially measurable. This is a useful observation and it adds to the broader point that many respondents did see at least some basis for measuring many of the 40 indicators.

There were nine indicators that most (or an equally high number of) respondents identified as 'systematically measurable for all inquiries'. Some of these were predictable, such as the number of submissions, the rate of acceptance of recommendations, the unanimity of a report, whether or not it was submitted on time, and the holding of public and interstate hearings. But others were quite surprising, particularly the indicator ranked most important to an inquiry's performance: 'presenting a balanced account of submitters' views'. As one might expect, the most common response to six of the last eight indicators in Table 2 was 'not relevant or worth measuring as a performance indicator'. The rating 'not measurable for any inquiries' appears only once in Table 2, in response to the 'quality of submissions and aural evidence'.

Like Part 1, Part 2 of the survey provides only limited information, in particular because we do not know how respondents arrived at their selections. There are some significant methodological difficulties that deserve mention. Take the indicator 'opinion of committee members as to inquiry's effectiveness'. A majority (seven secretaries) responded that this indicator was 'measurable only for certain inquiries'. But we do not know for which types of inquiries a members' survey would and would not be a meaningful measure. Nor do we know respondents' views on when a survey should be distributed, what format it should take, what questions might be asked or whether the survey should be the same for each inquiry. There may be some disagreement among respondents as to whether a survey of committee members would be based on preconceived ideas of what a given inquiry should achieve, or an ex post facto analysis of what it did achieve.

This issue of whether to use pre-specified objectives to measure an inquiry's performance poses a dilemma. Given the number of respondents identifying many of the indicators as 'occasionally important' and measurable 'only for certain inquiries', there would seem to be two options. The first is to devise a pre-determined set of performance measures for different types of inquiries: longer-term, policy-oriented inquiries, inquiries into administrative matters, Senate bill inquiries, House of Representatives public accounts inquiries.[95] As the New South Wales Legislative Council concluded in 2001, 'there is a need to design a template by which a variety of evaluation methodologies can be drawn upon depending on the nature of the parliamentary inquiry'.[96] The second option is to judge an inquiry after it has run its course and then establish which performance indicators are most relevant—although the obvious question arises as to who should judge their relevance.[97] This option has the advantage of being more sensitive to the possibilities that may arise from different inquiries, and would not penalise an inquiry if did not have the opportunity to meet a pre-set performance indicator.[98] It would be a fairer basis on which to assess whether a performance indicator was irrelevant or out of the committee's control.

But both these approaches would face broader practical questions. As noted earlier, there is the complex matter of determining whether an event is the direct result of a committee inquiry's influence or the outcome of other factors. There is also the question of how, precisely, the different indicators would be measured and ranked, both individually and against each other. Should they be ranked on a scale or simply given a pass or fail mark? Should the qualitative indicators at the top of Table 2 be given more weighting than those relating to the acceptance and implementation of recommendations? Is there likely to be a delay between the assessment of qualitative indicators and the assessment of those relating to implementation and long-term monitoring? These questions are raised to highlight the complex nature of the responses to Part 2 of the survey. It is important to reiterate the caveat that the purpose of this research is not to provide a blueprint for the measurement of committee performance. Nonetheless, the results to Part 2 do suggest some possibilities for measuring certain indicators of committee performance that a qualitative survey of secretaries might usefully consider.

FINAL COMMENTS

The issue of parliamentary committee inquiries' performance and effectiveness is multifaceted and highly complex. Evaluating a deliberative body involves difficult judgements about the relative value of its various processes, inputs, outputs and outcomes, and the frequency with which these can be assessed and measured as a guide to performance. This paper opted for a quantitative approach to identify the things that committee secretaries per-

ceived as being most important to a given inquiry's overall performance. A qualitative survey would no doubt raise more subtleties and complexities.

The research produced three significant findings. The first was that a majority of respondents identified nearly 30 of the 40 possible performance indicators as either routinely or occasionally important. There were a dozen indicators that a majority of respondents viewed as highly and routinely important to an inquiry's overall performance; there were another four that a majority identified as important to some inquiries.

The second finding was that qualitative or 'non-decisional' indicators were generally seen as more important performance measures than those relating to policy outcomes or political impact. Although most secretaries saw an inquiry's influence on policy as an important measure of its effectiveness, they did not give this top priority. Instead, most associated effectiveness with balanced reporting of evidence, opportunities for public participation, rigorous questioning of witnesses, developing the knowledge of committee members, members' subsequent contribution to parliamentary debate and members' opinions on how the inquiry had performed.

The third finding, closely related to the first two, concerns the difficulty of devising a consistent set of indicators that can be used to obtain an accurate measure of a given inquiry's performance. On average, each respondent saw as many indicators as 'occasionally important' for certain inquiries as 'highly and routinely important' for inquiries (see rows 1 and 2 of Table 3). A majority of respondents considered nearly half of the 40 indicators to be measurable on a partial basis only.

All three findings are aligned with the literature's emphasis on the complexity and variability of committee inquiries and their processes. And all three are overlooked by those who limit their assessment of committees to measures of policy outcomes and financial cost.

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NOTES

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72 John Uhr, 'Parliamentary committees: what are appropriate performance standards?', revised discussion paper prepared for the Constitutional Centenary Foundation, May 1993, p. 17. These three factors may be contributors to committee performance or actual measures of it. The distinction between inquiry outputs and factors contributing to performance (inquiry process) is reflected in the survey.
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77 The Australian parliament's standing committee system was established in 1970. Between 1970 and 1990, bills were referred to committee only occasionally. The Senate's Selection of Bills Committee was established in 1989, comprising the party whips of the major and minor parties and four other senators. Senate committees were responsible

for 90 per cent of the 622 committee reports on bills between 1990 and 2004 (Halligan, Miller and Power, op. cit., p. 158).

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87 A copy of the survey is available from the author on request.

88 The survey used the words 'performance' and 'effectiveness' interchangeably in asking respondents for their opinion of each indicator as a measure of an inquiry's 'performance/effectiveness'. It is possible that some respondents may have interpreted 'performance' in terms of a committee doing its job—receiving submissions, holding a hearing, delivering a sound report—and 'effectiveness' to mean the influence and outcomes flowing from the inquiry. The survey does not make a distinction, however, because it was felt this might distract from the principal concern with the importance and measurability of the various indicators. If some respondents did make such a distinction, 'effectiveness' would be a much more difficult goal for an inquiry than 'performance'. Accordingly, the ratings scale in Part 1 included the option 'Outside committees' control and therefore not applicable as a performance measure'. This allowed respondents who viewed an indicator as being related to effectiveness (rather than basic performance) to respond that committees should not be held responsible for the outcome. If the respondent considered that the indicator was one of effectiveness (rather than basic performance) *and* that it was important that a committee inquiry should be measured against the outcome, there would be no difficulty in their selecting either of the first two ratings: that the indicator was 'highly and routinely' or 'occasionally' important as a measure of an inquiry's performance/effectiveness. After all, the intention was not to determine whether respondents perceived an indicator as being more relevant to effectiveness than performance.

89 As one would expect, a significantly lower proportion of respondents (13 per cent) identified this indicator as 'highly and routinely' important to an inquiry's performance.

90 Another third responded that this indicator was outside committees' control and therefore not applicable as a measure of performance.

91 It should be noted that senators are surveyed regularly to gauge their satisfaction with the performance of the Senate Committee Office. The Department of the Senate's 2006/07 annual report noted that '[T]he principal means of evaluating the performance of the Committee Office in supporting Senate and certain joint committees is the biennial senators' survey'; see http://www.aph.gov.au/Senate/dept/annual07/performance/output_group4.htm.

92 This may reflect the fact that committee secretaries do not have responsibility for inquiry budgets. They generally have knowledge only of travel expenses. Moreover, it is often difficult to identify the exact cost of an inquiry, because staffing costs are included in global budget figures, not in the cost of specific inquiries.

93 The other two indicators were 'Committee selection of a politically relevant and timely inquiry subject' (33 per cent) and 'Quality of submissions and aural evidence' (40 per cent).

94 For three of these 27 indicators, the same number of respondents selected 'systematically measurable' as selected 'measurable only for certain inquiries'.

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98 See the quote from Halligan, Miller and Power on page 1 of this paper.