

Unit 6: Opening up the parliamentary process

Learning objectives

How do public meetings influence the budget process?

After studying this unit you should be able to:

- Discuss the pros and cons of opening committee proceedings to the public
- Assess practices for media access to parliament in your country
- Understand the steps involved in organizing public hearings on the budget

Introduction

The legislative stage offers an opportunity to enhance transparency and broaden public debate about budget choices. Participation in the budget process through public hearings also allows parliament to benefit from access to independent expertise on the budget. But the benefits of openness are not uncontested. This unit considers the pros and cons of opening proceedings to the public and the media and the role of public hearings by parliamentary committees.

The pros and cons of open committees

A substantial number of legislatures open their proceedings and committee meetings to the media and the general public. Half of the legislatures recently surveyed by the OECD report that committee proceedings related to the consideration of the budget are open to the public. With regard to the audit process, more than half of the public accounts committees surveyed by the Commonwealth Parliamentary Association reported open access.

Open committees provide a number of opportunities. Increased transparency can help to build trust in government, in particular in systems where secrecy in budgeting in the past allowed the diversion of funds for corrupt purposes. Open proceedings also allow the media to report on parliamentary debates and the legislative process. This gives individual parliamentarians and parliamentary committees a channel for making their views heard. The media is likely to give more attention to budgetary debates when it has access to parliamentary deliberations on the budget in both the chamber and committees. By transforming into a platform for open discussion on the contents of the budget, legislatures can help to broaden and deepen public debate. The general public is likely to be better informed on the constraints facing budget makers, which can help to build greater consensus around difficult tradeoffs.

But the benefits of open committees are not automatic. An unintended effect might be to simply shift decision making from parliamentary committees to other forums such as working groups and party caucuses that are closed to the public eye. If this is the case, the gain in transparency from opening up committee meetings to the public is an illusion. Moreover, some critics warn that there are risks involved in ending secrecy in legislative deliberations. The apprehension is that opening the doors of committees to the media and the public might politicize committee debates and undermine effectiveness (Messick 2002):

Industrial countries show that partisanship and committee effectiveness are inversely related: the less partisan the committee, the more effective it is likely to be. Partisanship is greater when committee meetings are open to the public. While there are risks to conducting public business in private, there are tradeoffs between the benefits of open meetings and the need for more effective legislative committees.

Reformers should be sensitive to these issues. However, there appears to be no example of a legislature that implemented reforms to open committee proceedings related to the budget, and subsequently felt the need to reverse this decision and return to secrecy. It is true that there might be grounds for barring the public in exceptional

circumstances, for instance for discussions that relate to a central intelligence agency or highly sensitive defense matters. But generally there are few good reasons to prevent open access of the media and the general public. The following years are likely to see the reorientation of more legislative bodies towards greater openness and accessibility. A recent study group of the Commonwealth Parliamentary Association on 'Parliament and the Media' came out strongly in favor of opening up committee proceedings to the media.

Table 8: Are committee meetings generally open to the public?		
Country	Yes	No
Argentina	X	
Australia	X	
Austria		X
Belgium	X	
Bolivia	X	
Cambodia		X
Canada	X	
Chile	X	
Colombia	X	
Czech Republic	X	
Denmark		X
Finland		X
France		X
Germany		X
Greece		X
Hungary	X	
Iceland		X
Indonesia	X	
Ireland	X	
Israel	X	
Italy		X
Japan	X	
Jordan		X
Kenya		X
Korea		X
Mexico		X
Morocco		X
Netherlands	X	
New Zealand	X	

Norway		X
Portugal	X	
Slovak Republic	X	
Slovenia	X	
South Africa	X	
Spain		X
Suriname		X
Sweden		X
Turkey		X
United States	X	
Uruguay		X
Number of countries	20	20
Percentage of total	50%	50%

Source: OECD (2003), <http://ocde.dyndns.org/>

Box 3: Recommendations for media access to parliament

A Study Group of the Commonwealth Parliamentary Association on 'Parliament and the Media' has published 'Recommendations for an Informed Democracy.' The following are excerpts from the recommendations dealing with access of the media to parliament:

- Parliaments should provide as a matter of administrative routine all necessary access and services to the media to facilitate their coverage of proceedings. Parliament should not use lack of resources as an excuse to limit media access and should use its best endeavors to provide the best facilities possible.
- Questions of eligibility for media access should be determined by the media itself. Parliaments should retain the right to suspend access for media representatives who violate Standing Orders or otherwise disrupt parliamentary proceedings.
- Parliaments should employ public relations officers to publicize their activities, especially to the media which do not cover Parliament, and education staff to run outreach programs to stimulate interest in parliamentary democracy. Both services should operate in an apolitical way under guidelines set by the House.
- Parliaments should provide the media with as much information as possible. Attendance and voting records, registers of Members' interests and other similar documents should be made readily available. Members have an obligation to update their entries in the register of interests and registers should be kept in such a way as to give a clear and current picture of both a Member's full interests and changes to those interests.
- Parliaments should consider the extent to which disclosure of Members' interests should be applied to their families and, if so, how this should be done while protecting their families' individual rights to privacy.
- The development of professional and ethical standards for journalists is a matter for the media. Integral to this is the media's responsibility to ensure that a journalist's private interests do not influence reporting.
- To assist in the information flow, Parliaments should publish as much of their material as possible on online.

- Given the importance of broadcast and other electronic access to the proceedings of Parliament both in Chambers and committees, Parliament should either provide an uninterrupted feed or access for broadcasters to originate their own feed, if appropriate on a pool basis. Guidelines for electronic coverage should be as flexible as possible.
- Guidelines for electronic coverage should ordinarily be put in place in consultation with broadcasters. Terms of availability should not be discriminatory between different media outlets and access to such feeds should not be used for censorship or sanctioning.
- Parliaments should be encouraged to provide live coverage of their proceedings on a dedicated channel and/or online.
- Committee meetings should be open to the public except in cases where it is determined in public that it is necessary to hold parts of a committee's proceedings in private. The Group notes that this is the practice, for example, in South Africa and commends this to other Parliaments.

Source: CPA (2003), http://www.worldbank.org/wbi/governance/journalism/pdf/perth_conclusions.pdf

Public hearings on the budget

To actively stimulate participation and to access independent expertise, parliamentary committees can issue calls for written submissions on the budget and related legislation and invite outside experts to give evidence. Calls for submission can be placed in newspapers, in the broadcasting media, or on the internet. Once written submissions have been received, committees can select witnesses for public hearings. Public hearings provide a structured way to bring the perspectives of outside experts into committee deliberations on the budget. Committees can benefit from independent analysis not only when parliamentary budget research capacity is limited or nonexistent, but also to supplement the overall level of information that is available on the budget.

How widespread is the use of public hearings on the budget? A survey by the OECD covering 40 countries found that budget committees and other committees involved in the budget approval process draw on a broad mix of expertise, many of them supplementing evidence from politicians and government officials with inputs from private sector institutions such as banks or large consulting companies, think tanks, academics and civil society organizations. With regard to the audit stage, a survey by the Commonwealth Parliamentary Association covering 70 of its branches found that hearings in public accounts committees focus on the auditor general and departmental officials, but also that about one third of audit committees summons civil society or interest groups to appear as witnesses.

**Table 9:
Who typically appears before committees to answer questions or testify?***

	Number of countries	Percentage of total
Ministers	34	85%
Heads of departments	30	75%
Civil Servants	24	60%
Other parliamentarians	5	12,5%
Experts employed by legislature	8	20%
Outside experts	12	30%
Interest groups**	13	32,5%
Individual citizens	1	2,5%

Source: OECD (2003), <http://ocde.dyndns.org/>

Notes: * Question refers to the budget approval process. ** Nongovernmental organizations, labor associations etc.

Table: Who is normally summoned as witness to the public accounts committee?

	Number of committees	Percentage of total
Ministers	22	31%
Departmental officials	68	97%
Auditor-General	55	79%
Civil society and interest groups	20	29%

Source: McGee (2002); based on a survey of 70 branches of the Commonwealth Parliamentary Association.

In contexts where public hearings are a new development opening up the proceedings of parliament to broader participation will involve a learning experience. To maximize the benefits from public hearings outside participants need to respect parliamentary procedures and be aware of the information needs of committees. They should arrive punctually, behave appropriately and be fully prepared. Parliament, in turn, should publicize all relevant information to allow thorough preparation for hearings and the drafting of written submissions in accordance with its rules and procedures. All information before parliament should be publicly available, including committee evidence and reports on public hearings. Means of dissemination typically include parliamentary websites and public information offices.

Box 4: Process for committee hearings in the Australian Parliament

The process may vary from inquiry to inquiry as circumstances demand but usually consists of the following steps:

- Reference received by the committee.
- Reference advertised through various media, and submissions sought from individuals and organizations.

- Submissions received and authorized for publication.
- Committee conducts on-site inspections, background briefing and seminars (where appropriate).
- Committee conducts public hearings with selected individuals and organizations requested to give oral evidence.
- Committee considers evidence and prepares report.
- The report is tabled in the Parliament and may be debated.
- Copies of the report are made available through various means including the Internet.
- Government considers report.
- Government responds to report by presenting response in the Parliament.

Source: Parliament of Australia, <http://www.aph.gov.au/house/committee/documnts/Howsub.htm>

Conclusion

Parliaments increasingly decide to open their proceedings to the media and the public. This practice increases the transparency of the parliamentary process. Good media coverage provides a platform to publicize the work of budget committees and offers an opportunity to deepen public debate on the budget. In addition, the legislature can use public hearings to complement the budgetary information produced by the executive and to subject it to independent interrogation. A number of parliamentary committees regularly invite outside experts to public hearings to supplement evidence by politicians and government officials. The process of moving from a closed parliament to one that is open to the media and the public will involve a learning experience for all participants. To manage access and participation effectively, parliaments need to devise and publicize clear guidelines and procedures.

Questions for discussion

Please answer each of the following questions. If you are taking this course in a group you may then meet to discuss your answers.

- Given the context of your country, how would you describe the pros and cons of a parliamentary budget process that is open to the media and the public?
- How does media access to parliament in your country compare against the recommendations of the Commonwealth Parliamentary Association?
- Does parliament in your country hold hearings on the budget? Who participates in these?
- In your opinion, what is the quality of media reporting on the budget in your country? What can be done to strengthen reporting on the budget?

Relevant internet resources

International Budget Project
<http://www.internationalbudget.org>

Parliament of Australia:
Appearing as a Witness at a Parliamentary Committee Hearing
<http://www.aph.gov.au/house/committee/documnts/Witadv.htm>

Parliament of Australia:
Preparing a Submission to a Parliamentary Committee Inquiry
<http://www.aph.gov.au/house/committee/documnts/Howsub.htm>

World Bank Institute:
Journalism and Media Program
<http://www.worldbank.org/wbi/governance/journalism/>

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