



**PARLIAMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO**

**Fifth Session (2014/2015)**

**Tenth Parliament**

***Pre-policy towards an Independent Parliament –***

***Ensuring Parliament's functional autonomy***

**of the**

**Joint Select Committee appointed to consider and report**

**on the**

**Legislative Proposal entitled, "The Draft Houses of Parliament Service**

**Authority Bill, 2014."**

## **Parliamentary Reform**

1. Reform in the Parliament of Trinidad and Tobago is long overdue.

2. Since independence, over half a century ago, parliament has effectively been an adjunct of the executive government unable to freely appoint its own staff or with powers to raise the financial resources it requires. Nor is it free to determine its own internal governance arrangements. For such matters, it depends on the government, just as a government ministry does.

3. But parliament is not a ministry of government. According to our constitution parliament is a completely separate arm of the state fully equal to the judiciary and the executive. Democracy itself depends upon the efficiency and effectiveness of a well-resourced and vibrant parliament.

4. Parliament is the unique forum in which the voice of the people can be heard and its will done. It is the focus of national debate and the democratic centre of our country. Its purpose is to further our peaceful development and promote our economic prosperity.

5. From day to day, parliament exists to ensure that sound and well-considered laws are passed; that there is rigorous and informed oversight of government; and that citizens are well represented by their members of parliament.

6. Every citizen of our country has a direct stake in the functioning of parliament.

### **A Strategic Approach**

7. In 2013 parliament took a major step forward by adopting for the first time a Strategic Plan that set forth an exciting and comprehensive change programme for the period to 2018. The purpose of this programme is to revitalize the parliament for the 21<sup>st</sup> century and beyond so that it is fully able to fulfill its constitutional mandate.

8. The strategy of parliament is in effect a commitment on its part to the people to test every aspect of its work including, oversight of government, legislative processes, representation of the people, and its capacity to run itself and, where found wanting, to initiate reform.

9. A start to reform has been made. Last year important new Committees were set up, the election of the Speaker streamlined, Prime Minister's Question Time established, and provision for urgent questions created.

10. But much, much more needs to be done including provisions for making parliament functionally independent of the government.

### **Independence for parliament**

**11. Independence or autonomy includes the parliament's ability, independent of government, to:**

- **Appoint its staff**
- **Determine the financial resources it requires, and**
- **Decide on its internal governance.**

12. Autonomy for parliament is a central objective of the Strategic Plan adopted last year. Why does this matter?

13. The reason it matters is that without these 'core' freedoms parliament is too much within the control of government which, under our constitution, parliament was set up to oversee and to hold accountable. This means parliament cannot perform its constitutional functions fully, nor keep pace with the increasing demands made of it, or independently seek administrative efficiencies. It is therefore unable to serve the people as well as we would like.

14. In 2003, the heads of government of the Commonwealth, including Trinidad and Tobago, endorsed the vital importance of parliaments having the freedom to fulfill their legislative and constitutional functions ('Latimer House Guidelines').

15. Subsequent work by the Commonwealth Parliamentary Association, based on these Guidelines, has stressed the importance of the 'core' freedoms above to fulfilling those basic legislative and oversight functions. Such arrangements are now in place in many parliaments worldwide and have become a normal feature of parliamentary administration. The time is long

overdue, in our opinion, for their implementation in the Parliament of Trinidad and Tobago.

**16. It is our aspiration that the parliament which assembles after the forthcoming general election in 2015 should mark a new beginning for the institution, one that is well on the road to implementing positive cultural, procedural and administrative changes designed to improve radically its capacity to fulfill its constitutional mandate.**

### **Consultation**

17. This Committee (Joint Select Committee – Legislative Proposal) was established earlier this year. It made a call for evidence earlier concerning the the ‘core’ freedoms as outlined above on the basis of a Legislative Proposal ("The Draft Houses of Parliament Service Authority Bill, 2014" available on the parliament website [www. ttparliament.org](http://www.ttparliament.org)) laid in the House of Representatives and the Senate.

18. The Legislative Proposal (which takes account of the recommendations of the CPA on appropriate parliamentary administration) is one model for seeking to achieve efficient and autonomous management and administration of the Parliament. It does so by dismantling and replacing the existing public service model with an independent non-partisan Houses of Parliament Service Authority, a body corporate, to be managed by a Board comprising Members of Parliament representative of the Government, the Opposition and the Independent Senate bench, and chaired by the Speaker.

19. A number of submissions in response to the call earlier in the year were received but **the Committee wishes to extend the period for consultation to ensure that all those who wish to comment on this to us are able to do so. The Committee encourages all interested parties to comment.**

**How to make your submission**

20. **Comments should be submitted by midnight on Tuesday 20 January 2015.**

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