Performance and Reform in the National Parliament of Solomon Islands

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Abstract:

In the past decade the Solomon Islands National Parliament has benefited from a range of institutional strengthening programmes. This paper will review the outcomes of these programmes as well as assess parliamentary activities in order to determine the ways in which aid to the parliament has – and has not – resulted in improved performance.

Introduction

Little scholarship exists on some twenty legislatures that operate in the sovereign and dependant states of the Pacific Islands.[1] This includes Solomon Islands, about which there are studies of politics and state-building which mostly consider the political rather than legislative dynamics of parliament.[2]

This paper focuses on the National Parliament of the Solomon Islands, a 50-member Westminster-style parliament that has benefited from development assistance as well as from the dedicated efforts of its key offices and professional staff – often in the context of challenging social-political circumstances.

Solomon Islands

Solomon Islands, an archipelago of about one thousand islands (six main islands) in the South West Pacific, and with a population of approximately 500,000 who speak more than a hundred indigenous languages, gained independence from Great Britain in 1978. Over 90 per cent of the population are Melanesian, with Polynesians, Micronesians, Asians and Europeans also present. 80 per cent of this multi-lingual, multi-ethnic population live in rural areas or villages throughout the country's nine provinces, and continue to rely on a subsistence style of living. English is the official language of instruction at school, although the Pidgin (lingua franca) is the commonly used medium of communication.

The constitution

The 1978 Constitution established a Constitutional Monarchy with the Queen as the Head of State, represented by the Governor-General. It declares that all power in Solomon Islands belongs to the people and is exercised on their behalf by the legislature, the executive and the judiciary[3]. The constitution upholds and protects the principle of universal suffrage and is the supreme law.

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[1] Hassall, G. (2012). "Pacific Island Parliaments: developmental aspirations and political realities." Australasian Parliamentary Review **27**(1): 213-237.
[2] Braithwaite, J., S. DInnen, M. Allen, V. Braithwaite and H. Charlesworth (2010). Pillars and Shadows: Statebuilding as Peacebuilding in Solomon Islands, ANU E Press.
[3] The Preamble, Constitution of Solomon Islands 1978

The parliament

The National Parliament and its practices have emerged from those of a Legislative Assembly which operated during the years of the Protectorate. When Solomon Islands achieved internal self-government on 2 January 1976 the Legislative Assembly had 38 members who were elected by Solomon Islanders. On the attainment of Independence on 7 July 1978, the Legislative Assembly was renamed the National Parliament of Solomon Islands. In 1994 the number of seats increased from 38 to 47, and in 1997 increased again from 47 to 50.

The Parliamentary building is a gift from the United States and the first meeting was held in August 1994. However, although the complex included the unicameral chamber, and offices for the speaker, the clerk, the library, and for committees, it did not provide offices for the 50 MPs and their staff, nor for large events.

In 2010 through the UNDP Parliamentary Project and with the support of the Republic of China (Taiwan) the Paul Tuvua Complex was built to provide office space for MPs.

Elections

The country is divided into 50 single-member constituencies and 'first-past-the-post' (simple plurality) general elections are held every four years on the basis of universal adult suffrage, i.e. anyone over the age of 18 who is not a convicted criminal can vote. Anyone over the age of 21 who is a citizen of Solomon Islands can be a candidate for the elections, either as a member of a Political Party or as an Independent candidate. The most recent election, on 19 November 2014, elected the 10th Parliament since Independence.

Current practices

The parliament of Solomon Islands borrowed practices such as parliamentary privileges and freedom of speech from the parliaments of Great Britain and the Northern Ireland. It meets at least three times a year, usually for 3-4 weeks. Members' questions to Ministers are asked each morning or at the being of proceedings before other business.

The public is free to attend and listen to the debates and the proceedings, which are in the English language or in Pidgin. All the Parliamentary documents, such as Bills, motions, questions, reports are in the English language. On average, Parliament considers approximately thirteen (13) Bills. So far all Bills brought to Parliament are government sponsored bills (although there are provisions for private members bills). Fridays are set aside for private members day.

Development Projects

UNDP undertook a Legislative Needs Assessment in 2001. This led to a USD 4 million institutional strengthening project between 2005 and 2015 coordinated by UNDP with assistance from AusAID and RAMSI. The project's progress is reported on the Parliament's website.[4]

Other development project that also runs parallel with the project includes the twining arrangement project with the NSW State Parliament from June 2007.[5] The other funding support is through CPA Australia Branch. These are the major development project that have been assisting the National Parliament of Solomon Islands.

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[4] http://www.parliament.gov.sb/index.php?q=node/177. The project started with phase one (2004-2006, USD 800, 000.00), then phase two (2008-2012, USD 1, 909,434.00), and a final phase three (2012 to March 2015, USD 1, 110,000.00) – the total cost of the project was USD $3,819,434.00 over a period of ten years.

[5] https://www.parliament.nsw.gov.au/prod/web/common.nsf/key/Twinning?OpenDocument&ExpandSection=2.2

Performance assessments

The Institutional Strengthening project has been widely accepted as successful by development agencies,[6] and MPs.[7] However, other dimensions to the "success" of the project require further investigation.

(a) Profile and performance of MPs

There has not been any formal established mechanism through which MPs performance can be measured. A survey of MP attendance and interventions on bills from 2010-2014 by Transparency International Solomon Islands[8] revealed that very few Members of Parliament regularly contribute to debate on bills, and that a majority MPs have good attendance records but do not contribute to debates. Only 7 MPs have spoken on more than half of the bills debated in the 9th Parliament.

The survey does not cover the recent 7th meeting. In the period of the 1st - 6th meetings, a total of 37 bills were debated. It is important to note that this research only looks at the number of

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[6] The World Bank (2008). Building post-crisis capacity : cases from the Solomon Islands - Parliamentary Strengthening Project. Washington, DC: , The World Bank. United Nations Development Programme (2012). Third Report of 2011 and Final Report of Project Phase 2. Honiara, UNDP**:** online at http://www.parliament.gov.sb/files/project/phase2/PSP%20SI%203nd%220Triannual%220Report%202011%2020-202012%202020CLEARED.pdf.

[7] (2015). MPs pay tribute to UNDP Parliamentary Strengthening Project Solomon Star.

[8] The study looks at MPs' contribution from the 1st Meeting, beginning on 1st October 2010, until 28th of May 2014, the closing date of the 6th meeting: http://transparencysi.org/members-of-parliament-attendance/

contributions made by MPs on Bills debated in the floor of parliament and does not take into account MPs contributions on motions, questions and answers.

(b) work accomplished : bills; laws; reports reviewed, etc

During the institutional strengthening project there was a marked increase in the number of reports produced by parliamentary committees, notably the Bills and Legislation Committee and reports on bills appropriation bills by the Public Accounts Committee. From 2006 to the end of March 2015 there were 100 laws enacted by Parliament, of which 99 were reported on. This is a marked improvement as a result of the project.

The question of whether the increase in the number of laws enacted during the project period is related to the project is hard to tell. This is because parliament is not responsible for the formulation of bills it mainly deals mainly with the later process of the law making.

Debating of reports tabled in parliament has been poor. For instance none of the 15 reports tabled in parliament in 2010 were debated in that year. The reasons why parliament was unable to debate these reports is not clear. It may have been due to lack of proper procedural advice to members or maybe members total ignorance of the importance of debating the reports. In terms of private members motions, there were only 4 private members motion throughout 2008, and this number has decreased to an average of 2 per year in subsequent years.

Current Issues

a. Budget

Budgetary provisions to cover costs on completion of the institutional strengthening project has been an ongoing challenge to parliament and one that will stay for a while. Unlike other Pacific Island parliaments, Solomon Islands does not have an autonomous budget or a separate appropriation bill. Parliament's budget comes under the Prime Minister's Office and like other departments it has to submit a budget bid to the Ministry of Finance. The project has been successful in getting its entire staff transferred to the public services and related cost of employment been transferred to the government, but the government has not yet taken on the cost of activities carryout by these personnel, and this has had an impact on their ability to fulfil their constitutional responsibilities as officers to the parliament.

b. Standing orders

Modernising Standing Orders was a critical goal. In the first phase of the project a comprehensive review conducted by a TA from NSW Parliament resulted in new draft standing orders, but unfortunately the House Committee at that time was reluctant to adopt the draft claiming the review was too far reaching, opting instead for a piecemeal approach which adopted only those parts it felt comfortable with. Regrettably, due to changes in government and committee membership there was very little progress made in adopting the new draft revised standing order. A motion prepared for the House Committee chair to move that has been put, and the only amendments passed by the house concerned the establishment of five new committees as well as other very minor amendments.

c. *Physical development*

The UNDP project greatly assisted parliament articulate the concept that resulted in the building of a new office complex in 2010 with funding from the Republic of China Taiwan. Parliament's challenge now maintaining the building, which caters for the 50 members of parliament and for committee meetings, conferences and workshops.

d. *Support for MPs*

The Institutional Strengthening Project has created avenues for MP support, including library services, photocopy services, internet, and newspapers. Whilst there is no direct allocation of parliamentary staff, the committee secretariat department provides support to members of parliament. If there is room for improvement a proper schedule should be develop so that a staff is always ready to assist the members.

e. *Hansard*

There has been marked improvement in the production of Hansard, with the department's staff increased 6 to 10, and the introduction of new technology, including the FTR computer software system that enables effective and fast turnaround in the production of daily Hansard reports. The challenge facing the department is micromanagement. Whilst there has been marked improvement in the production of daily Hansard reports the same is not happening with the production of bound Hansard volumes. In addition, Hansard reports need to be checked properly before uploading to the website.

f. **Library**

The library has grown fast and is becoming a useful research centre for both local and international researchers. However, there were key challenges faced by the library after the completion of the project including the loss of the only researcher (who was not able to be transferred to parliamentary establishment position), and the cessation of production of library brochures, binding of gazettes and completion of the establishment of the library as a legal depository library.

g. *Speaker's office*

The position of procedures officer created under the project has indeed helped the speaker and the clerk's office in terms of procedural advice and legal advice, but unfortunately the director and the first and the second Constitutional Law and Parliamentary Practice Specialists left their positions and have not yet been replaced, leaving just one person to look after the office. The challenge is to recruit new officers to the office and to provide them with appropriate trainings.

h. *Committee system and support*

The committee secretariat office, one of the largest of the project's initiatives, has been the main supporting office for all parliament activities. However since the end of the first phase of the project, it too has been severely affected by high rate of staff turnover - staff tending to gain

experience and then take higher posts in other government departments or with other international bodies like UNDP and Ausaid. The challenge is to maintain strong institutional and corporate memory.

i. ICTs

The main challenge with ICT is maintaining the ICT network and equipment that were procured by the project. The computers have now outlived their expected useful life and are starting to have problems. Again in the absence of a proper ICT policy by the parliament it will be difficult for parliament to maintain its records and other useful information that has been stored since 2006. Parliament is trying to procure new servers but has been hampered by inadequate budgetary provisions.

j. Civic education

In regards to civic education, the department have been severely affected after the completion of the project by financial constraints.

(c) Discussion and Findings

This development project has indeed strengthened and built the capacity of the National Parliament of Solomon. This is evidenced in the increased in the number supporting staff in parliament, the use of modern technology, the provision of library and research services, the creation of the civic and the media departments and the procedure office. The Civic and Media Departments have actively engaged in educating the public about parliament, and the procedure office has helped the office of the Clerk and the Speaker provide advice and parliament programs during parliament sittings.

Other positive outputs of the project include the increase activities of parliamentary committees and the increased number of parliamentary committee reports.[9] The project has also assisted parliament develop its first four year strategic plan[10] and has created a strategic unit within parliament to oversee the implementation of the strategy.

Whilst the project has delivered on the majority of its outputs it was not able to do so with other important outcomes that were expected. These include adoption of the revised standing orders that as revised with the assistance of the NSW Parliament. The failure to implement this important outcome may be the result of a flaw in the consultation process, as members of the House Committee did not feel fully engaged in the review.

Any such major review should be properly thought out before implementation. The right approach would have been for parliament to sanction the review and then allow the TA to work with the House Committee on the new standing orders, to ensure that the House Committee was part of the review, not merely informed of the final product.

The other outcome not fully achieved was establishment of a research facility in the parliamentary library. The project had recruited a researcher who for six months had worked with the help of a volunteer from the Tasmanian Parliament to establish this research facility in the library, but unfortunately when the project ended in March 2015 parliament was not able to fulfil its assurance that the officer would be given an establishment position – such a position had not been identified in the parliament recruitment plan for the year.

Other outcomes that were achieved but with activities severely affected are the Procedures office, the Civic department and the Media department. As highlighted earlier, the procedure office has been reduced to only one person at the moment after two of its officers left the office. This has affected the efficiency of the office. As in the case of the civic and the media departments their activities have not been executed because parliament has no funds to allow them to conduct their activities. Here we have a situation where officers are paid but are not doing anything tangible for parliament. The story is similar to that of the committee secretariat department whose activities have also been affected by budgetary constraints and lack of ICTs.

The major challenge is facing parliament on completion of the project is that of sustaining the costs of the initiatives it established. Whilst parliament was able to absorb some of the major costs, such as recruiting of project staff, it has not been able to do the same for other activities. It is therefore important that in the initial setting up of such project, proper agreed arrangements be included in the project document regarding sustainability.

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[9] See "Select Committees" online at http://www.parliament.gov.sb/index.php?q=node/92

[10] Solomon Islands. National Parliament National Parliament of Solomon Islands Strategic Plan 2012-2016. Honiara, National Parliament of Solomon Islands: Online at http://www.parliament.gov.sb/files/Parliament%20Strategy/National%20Parliament%20Strategic%20Plan%202012-202016.pdf.

Bibliography

(2015). MPs pay tribute to UNDP Parliamentary Strengthening Project Solomon Star.

Braithwaite, J., S. DInnen, M. Allen, V. Braithwaite and H. Charlesworth (2010). Pillars and Shadows: Statebuilding as Peacebuilding in Solomon Islands, ANU E Press.

Hassall, G. (2012). "Pacific Island Parliaments: developmental aspirations and political realities." Australasian Parliamentary Review **27**(1): 213-237.

Solomon Islands. National Parliament National Parliament of Solomon Islands Strategic Plan 2012-2016. Honiara, National Parliament of Solomon Islands**:** Online at http://www.parliament.gov.sb/files/Parliament%20Strategy/National%20Parliament%20Strategic%20Plan%202012-202016.pdf.

The World Bank (2008). Building post-crisis capacity : cases from the Solomon Islands - Parliamentary Strengthening Project. Washington, DC: , The World Bank.

United Nations Development Programme (2012). Third Report of 2011 and Final Report of Project Phase 2. Honiara, UNDP**:** online at http://www.parliament.gov.sb/files/project/phase2/PSP%20SI%203nd%220Triannual%220Report%202011%202020-202012%202020CLEARED.pdf.