

# **RESEARCH PAPER**

# **Parliamentary Committees are Important in Developing Policy: Evidence from a Queensland Case Study**

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Parliamentary committees fulfil an important role within the parliamentary process. They provide a mechanism that enables matters of public importance to be investigated. Committees have a role in making the policy and administrative functions of government more open and accountable, involving Members of Parliament more strongly in decision making and oversight as well as providing the community with greater access to the Parliament (Alvey, 2008). Additionally, the cross-party nature of committees provides an environment that encourages members to engage in debate and make recommendations without an overt focus on political considerations (Bates and Hansen, 2008). The parliamentary protections and transparency of parliamentary committee work is one of its strengths (Rodrigues, 2008).

Depending on the function of an individual committee, committees can enable research to be turned into policy and practice (Bates and Hansen, 2008). Committees can impact on each stage of the policy cycle including agenda-setting, developing policy, decision making (indirectly), implementation of decisions, evaluation and consultation (Halligan, Miller and Power, 2007). A summary of the contribution parliamentary committees can make to policy is in Table 1.

## ***Evaluating the policy impact of parliamentary committees***

A periodic review of committees is necessary in order to assess how well they are fulfilling their functions. Decision-makers can use these reviews to enhance committee performance (Aldons, 2003). However, it is difficult to demonstrate a direct link between parliamentary committee recommendations and the subsequent enactment of laws and policies by governments, particularly as the outcomes can occur years after the committee's original work (Hansen and Bates, 2004).

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Halligan, Miller and Power (2007) suggest that an evaluation of the 3,220 reports produced by committees of the Australian Parliament over 30 years would provide a result that was ambiguous and inconclusive. This is due to the political environment in which committees operate, the scope and range of broad to technical recommendations made by committees, the idea that governments anticipate the work of committees and adjust their agenda before a committee reports and the more intangible influence of reports on experts and policy debates. It is therefore difficult to consider the impact of parliamentary committees on public policies except on a limited case study basis (Halligan, 2008).

**Table 1: Parliamentary committees and the policy process**

Policy stage	Contribution	Roles
Agenda-setting	Committee inquiries and reviews can influence the government policy agenda	Review Strategic investigation
Developing policy	No formalised role, but possible on behalf of executive Exposure draft bills	Review Strategic investigation Legislative appraisal
Decision making	No direct role	
Implementation of legislation	Examine bills, recommend amendments Delegated legislation	Legislative appraisal Scrutiny
Evaluation of policy implementation	Committees review performance of public agencies and administration of policy	Review Scrutiny
Consultation	Major role for committees at several stages	Public communication

Source: Halligan, Miller and Power, 2007

Although there are limits to the use of quantitative analysis to assess the impact of parliamentary committees on policy (Lindell, 2004), the outline provided by the results of such analysis acts as a starting point (Dalla-Pozza, 2008). There is also a need to use qualitative analysis to complement the statistics as committee influence is a subtle phenomenon that can not be fully captured using quantitative techniques such as a count of recommendations that are supported or not supported (Hawes cited in Aldons, 2003).

While the policy work of committees may appear in other ways apart from legislative change, it is easier to identify committee influences on legislation. This is because legislative changes can be compared to the recommendations of a parliamentary committee. Therefore, this paper will use a case study to focus on the changes to the graduated driver licensing system made possible by the passage of the Transport Legislation and Another Act Amendment Bill (the Transport Bill) in late 2006 and early 2007, and the references made, during the second reading debate, to the work completed by the Travelsafe Committee on young driver and rider issues in 2003.

Although a case study should not be used to illustrate trends, examining the impact of one committee inquiry on legislation within the House provides exploratory data for assessing the impact of committee work on policy. This is particularly important in Queensland given the recent changes to the parliamentary committee system which expanded the role of committees in policy development.

### *Queensland Context*

The Queensland Parliament has only one House, the Legislative Assembly. As a result, it is important to develop and maintain a strong committee system (Alvey, 2008). However, very few parliamentary committees (apart from domestic committees) were established in Queensland from the early 20<sup>th</sup> century until after the Fitzgerald Inquiry and the reform era that accompanied it (Laurie, 2010; Electoral and Administrative Review Commission, 1992). The Fitzgerald Report was published in 1989 and recommended that Queensland introduce a comprehensive system of parliamentary committees (Fitzgerald, 1989).

Prior to the 2009 changes to the committee system in Queensland, the *Parliament of Queensland Act 2001* provided for six permanent statutory committees:

- Legal, Constitutional and Administrative Review Committee;
- Members' Ethics and Parliamentary Privileges Committee;
- Public Accounts Committee;
- Public Works Committee;
- Scrutiny of Legislation Committee; and
- Standing Orders Committee.

The statutory Parliamentary Crime and Misconduct Committee was established under the *Crime and Misconduct Act 2001*. It was also the practice to establish a select Travelsafe Committee by resolution of the House at the commencement of successive parliaments to examine road safety and public transport issues (Finnimore, 2009). Of the committees that existed prior to 2009, most focused on accountability matters with the exception of the Travelsafe Committee which tended to have a stronger policy focus.

The changes made to the committee system in April 2009 were made partly by resolution of the House and partly by changes to legislation (Finnimore, 2009). The House established three new committees by resolution: Economic Development Committee, Environment and Resources Committee and Social Development Committee. Each committee is given responsibility to monitor and report on issues in specified policy areas (Finnimore, 2009). They are unable to investigate 'events, incidents or operational issues'. The Travelsafe Committee was not re-established and its responsibilities now fall within the role of the Economic Development Committee.

Additionally, the *Parliament of Queensland Act* was amended to merge the Public Accounts Committee and the Public Works Committee to form the Public Accounts and Public Works Committee. The Legal, Constitutional and Administrative Review Committee had its name changed to the Law, Justice and Safety Committee. There was also a select Law, Justice and Safety Committee created by resolution of the House with the same membership but slight differences in jurisdiction (Finnimore, 2009).

The changes made to the committee system in April 2009 suggest a move toward a more policy based committee system rather than a focus on the accountability role of the parliamentary committees (Laurie, 2010). However, the accountability role has not been reduced but rather extended. No parliamentary oversight roles were removed and one select committee was given an oversight role for three commissions in addition to its policy jurisdiction. These three commissions were not previously subject to parliamentary oversight (Finnimore, 2009).

At the end of 2009, the oversight role of Queensland parliamentary committees was expanded further. The Law, Justice and Safety Committee was given responsibility to monitor and review the performance of the criminal organisation public interest monitor. The name of the Members' Ethics and Parliamentary Privileges Committee was changed to the Integrity, Ethics and Parliamentary Privileges Committee and provided authority to monitor and review the integrity commissioner. Given the April 2009 changes provide a greater policy role for parliamentary committees in Queensland, it is important to assess the impact of a Queensland parliamentary committee on a policy inquiry.

### *Travelsafe Committee and Young Driver Licensing Issues*

On 9 May 1990 Mr Len Ardill, the then Member for Salisbury, gave notice of a motion to establish a Travelsafe Committee that would consider road safety related issues (Queensland Legislative Assembly, 1990a). During the debate on the Traffic Act Amendment Bill that occurred on the same day, members of both the government and the opposition indicated that they would support this motion (Goss, 1990; Hamill, 1990; Lester, 1990; Stephen, 1990). The basis of the support provided by both government and non-government members was that road safety is an issue that transcends party politics and that the committee would play an important role in putting forward road safety ideas to the parliament and educating Members of Parliament and the public about road safety (Hamill, 1990; Lester, 1990). The motion to create the Travelsafe Committee was passed by the House on 10 May 1990 (Queensland Legislative Assembly, 1990b). The initial Travelsafe Committee was responsible for monitoring, investigating and reporting on all aspects of road safety in Queensland. On 18 April 1996, the House passed a motion that extended the role of the Travelsafe Committee by making it responsible for monitoring public transport as well as road safety in Queensland (Travelsafe Committee, 1997).

In 2003, the committee focused on young and novice driver and rider issues. The committee completed two inquiries into these issues examining education and licensing concerns. The committee's consultation process for the inquiries included the publication of an issues paper to promote and encourage submissions, 11 young driver forums, a public hearing and a study tour. The reports from both inquiries were tabled simultaneously in December 2003 (Travelsafe Committee, 2003a).

Report No. 40, *Reducing the road toll for young Queenslanders — is education enough?*, made 12 recommendations. The key recommendations relating to driver licensing included encouraging learner drivers and riders to achieve 120 hours of supervised driving practice while on their learner licence, reducing the minimum age an individual is eligible for a learner licence from 16 and half years to 16 years, increasing the period a learner licence is valid to three years and requiring the display of L-plates on all vehicles driven or ridden by holders of learner licences (Travelsafe Committee, 2003b).

Report No. 41, *Provisional driver and rider licence restrictions*, made a further 21 recommendations. The key recommendations included the introduction of a two-stage provisional licensing system, a late night driving/riding restriction for provisionally licensed drivers and riders aged under 25 years, a peer passenger restriction for provisionally licensed drivers under the age of 25 years that lose their provisional licence for serious traffic offences and the accumulation of demerit points, a requirement for all provisionally licensed drivers and riders to display a P-plate and the introduction of a hazard perception test (Travelsafe Committee, 2003a).

### *Queensland Government Response*

The Queensland Government's response to the committee's reports was tabled in the Parliament on 22 March 2004. The Queensland Government supported the Travelsafe Committee's recommendation to encourage learner drivers and riders to achieve 120 hours of supervised driving/riding experience during the learner stage and the re-introduction of L-plates. The Queensland Government partially supported the committee's recommendation to reduce the minimum age an individual was eligible for a learner licence to 16 years and increasing the period a learner licence is valid to three years (Queensland Government, 2004a).

The Queensland Government partially supported the committee's recommendations relating to the introduction of a two-stage provisional licensing system, the requirement for provisionally licensed drivers and riders to display a P-plate and the introduction of a hazard perception test. They did not support the recommendations relating to the introduction of a late night driving restriction or a peer passenger restriction (Queensland Government, 2004b).

After responding formally to the committee's reports, the Queensland Government undertook a number of activities to ascertain community views on young driver

crash risk. This included publishing a discussion paper, convening forums with expert panel members in 10 communities around Queensland, conducting market research with the community and holding an online e-forum for driver trainers using expert panel members. The Minister for Transport and Main Roads reported that there had been 13,000 downloads of the discussion paper, 2,000 submissions received, 550 people attending forums and more than 20,000 hits to the dedicated website (Lucas, 2006a). There was also a Queensland Road Safety Summit held in 2006 that discussed many road safety initiatives, some of which were later included in the Transport Bill.

On 5 June 2006, the Minister then tabled a progress report regarding the implementation of recommendations made in the Travelsafe Committee's young driver and rider reports. The progress report identified that all of the key recommendations outlined above, with the exception of the requirement to display L-plates, were under consideration as part of the Queensland Government's discussion paper on young driver safety, *Queensland youth — on the road and in control*. The Queensland Government had already commenced the reintroduction of L-plates within Queensland on a trial basis on 31 January 2005 (Lucas, 2006b).

On 29 November 2006, the Minister introduced the Transport Legislation and Another Act Amendment Bill. This bill made a number of changes to transport legislation. The most significant changes included the introduction of random roadside drug testing and the provision of a power that enabled regulations to be made regarding changes to the driver licensing system in Queensland (Lucas, 2006a).

I will now assess whether the work of the Travelsafe Committee undertaken in 2003 impacted on the legislative changes made by the Queensland Government to driver licensing in 2007. To do this, I will identify if the role of the Travelsafe Committee was acknowledged during the second reading debate for the Transport Bill.

### *Quantitative Analysis*

Speeches in the second reading debate for the Transport Bill were examined to identify if references were made to the young driver licensing changes and to the Travelsafe Committee. A note of whether the speaker was a government or non-government member as well as if they had been a member of the committee at anytime prior to or during the debate of the bill in the House was made.

The Transport Bill was introduced into the House on 29 November 2006 with the second reading debate occurring on 20 and 21 February 2007. The bill was supported by both sides of the House and was passed on 21 February 2007. The total time spent by the Queensland Legislative Assembly debating the bill was seven hours and 11 minutes.

Of the 89 members of the Queensland Legislative Assembly, 38 members (43 per cent) made 39 speeches during the second reading debate of the Transport Bill (the Minister for Transport and Main Roads, who introduced the bill, made a second reading speech and a mover-in-reply speech). Five members did not refer to the changes being made to young driver licensing in their speech. Of the members making speeches, 19 were government (50 per cent) and 19 were non-government (50 per cent).

Membership of the Travelsafe Committee was also considered. Of the members that participated in the second reading debate on the Transport Bill, three had been members during the Travelsafe Committee's young driver and rider inquiries, four were members of the committee during the Transport Bill debate and 10 had been a member of the committee at some stage prior to the debate or were current members.

As shown in Table 2, 11 speeches contained a reference to the young driver and rider work of the Travelsafe Committee. This was 28.2 per cent of all second reading speeches on this bill. One person made reference to other work of the Travelsafe Committee without referring to their young driver and rider work. This reference was not included in the count of individuals that acknowledged the work of the Travelsafe Committee.

**Table 2: Speeches made during the second reading debate for the Transport Legislation and Another Act Amendment Bill and government membership**

	Mention Travelsafe	Not mention Travelsafe	Total
Government	n = 6 (30 %)	n = 14 (70 %)	n = 20 (100 %)
Non-government	n = 5 (26.3 %)	n = 14 (73.7 %)	n = 19 (100 %)
Total	n = 11 (28.2 %)	n = 28 (71.8 %)	N = 39 (100 %)

Of the eleven speeches, six government members and five non-government members made reference to the young driver and rider work of the Travelsafe Committee. Membership of the government did not affect the likelihood that the member would mention the young driver and rider work of the Travelsafe Committee.

As shown in Table 3, half of the individuals that had been, or were currently, a member of the Travelsafe Committee mentioned the work of the committee in relation to the debate regarding young drivers and riders. Six members mentioned the work of the Travelsafe Committee despite having no previous or current membership of the committee.

**Table 3: Speeches made during the second reading debate for the Transport Legislation and Another Act Amendment Bill and Travelsafe Committee membership**

	Mention Travelsafe	Not mention Travelsafe	Total
Current member or member of Travelsafe prior to debate	n = 5 (50 %)	n = 5 (50 %)	n = 10 (100 %)
No membership of Travelsafe prior to debate	n = 6 (20.7 %)	n = 23 (79.3 %)	n = 29 (100 %)
Total	n = 11 (28.2 %)	n = 28 (71.8 %)	N = 39 (100 %)

This statistical summary indicates that the work of the Travelsafe Committee in 2003 on young drivers and riders highlights the contribution of the committee to the eventual passage of new graduated driver licensing laws. This is based on the fact that nearly 30 per cent of members making a second reading speech mentioned the committee in connection with young drivers. There does not appear to be a political influence, with no statistically significant difference between the numbers of non-government and government members making a contribution. Membership of the Travelsafe Committee also did not appear to influence the likelihood that the member would mention the committee in the second reading debate with half of the members mentioning the committee and half not mentioning the committee.

### *Qualitative Analysis*

The important contribution of the Travelsafe Committee to the development of driver licensing policy suggested by the figures above is supported by some of the comments that were made in the House during the second reading debate of the Transport Bill. The comments made regarding the Travelsafe Committee in the debate suggest three important factors in the development of policy by a parliamentary committee: strong ideas from the committee, a consistent flow of strong inquiries and reports as well as a dedicated chair.

### **Strong Ideas**

Members stated in their second reading speeches that many of the original ideas relating to the driver licensing changes contained in the Transport Bill occurred as a result of the work that the Travelsafe Committee had undertaken in 2003. This was acknowledged directly by the Minister for Transport and Main Roads when he responded to the second reading debate: *Much of this bill is as a result of the very*

*good work that the Travelsafe Committee has done* (Minister for Transport and Main Roads, mover-in-reply, 21 February 2007).

Other members, neither of whom belonged to the Travelsafe Committee at the time the committee undertook its young driver and rider inquiries or when the Transport Bill was being debated, supported this comment.

The idea of staggered licensing has come from the Travelsafe Committee, and that committee does a lot of hard work on travelling and safety issues for Queenslanders (Member for Lockyer, second reading debate, 21 February 2007).

This [Travelsafe] committee also undertook a lot of the initial work that was involved in formulating this bill (Member for Greenslopes, second reading debate, 21 February 2007).

The statements above provide evidence for the concept that parliamentary committees can have a strong role in developing policy. Parliamentary committees are clearly able to undertake much of the groundwork when formulating policy.

### **Consistency of Work**

Speakers within the second reading debate highlighted that the Travelsafe Committee consistently provided strong reports and policy ideas.

The Travelsafe Committee has brought to the table lots and lots of good suggestions which have been forwarded through to the minister. It has brought down some great reports (Member for Maryborough, second reading debate, 20 February 2007).

The reports of the Travelsafe Committee have been outstanding (Member for Surfers Paradise, second reading debate, 21 February 2007).

The comments made within this second reading debate echo others made within the House strengthening the idea that it is important for a committee to work consistently.

If members look at the very many recommendations that [the Travelsafe Committee] has made in a bipartisan and unanimous way over the years they would see that the committee deserves a lot more recognition, a lot more credence and a lot more weight than has been given to it (Member for Southern Downs, matters of public interest, 22 November 2005).

The Travelsafe Committee is another example of a committee that had a role to develop policy and legislative ideas for government to keep people safe on our roads. That committee did a very good job (Member for South Brisbane, second reading debate for the Parliament of Queensland Amendment Bill, 19 May 2009).

While parliamentary committees can assist in the development of specific policy, these comments provide evidence that the Travelsafe Committee performed consistently. This consistency is likely to have been a key factor in its successful

influence on transport safety policy. The opportunity for committees to develop a 'track record' on policy issues appears to be important.

### **Importance of the Chair**

The individual who is the chair of the committee is important. Jim Pearce MP, Chair of the Travelsafe Committee during the young driver and rider inquiries in 2003 and the debate of the Transport Bill in early 2007, was mentioned specifically during the second reading debate.

I would like to recognise the work of Jim Pearce, the Member for Fitzroy, who is the long-serving chair of the Travelsafe Committee. He is very committed to the committee and has done a lot of work while being chairman of the committee (Member for Greenslopes, second reading debate, 21 February 2007).

I want to join with other members and commend the chair of the Travelsafe Committee, Jim Pearce, and all the committee members for all the work they have done and the recommendations they have made over quite a number of chairs (Member for Kurwongbah, second reading debate, 21 February 2007).

As highlighted in the statements above, the chair has a key role in the parliamentary committee process. The willingness and ability of a chair to undertake policy inquiry work as well as make recommendations that may not be politically palatable is important for the development of evidence based policy.

### ***Implications***

This case study clearly demonstrates the way a parliamentary committee can contribute to the agenda-setting stage of the policy process. In this example, the Travelsafe Committee's strategic investigation of education and licensing for young drivers and riders influenced the government policy agenda. The Queensland Government response to the committee's reports (Queensland Government 2004a, 2004b), subsequent progress report (Lucas, 2006b) and the statement made by the Minister for Transport and Main Roads as mover-in-reply to the Transport Bill all support this statement.

The role of the Travelsafe Committee in the agenda-setting process was recognised by both government and non-government members equally. This suggests that the cross-party nature of parliamentary committee work is important. It may also reflect that both sides of the House supported the Transport Bill.

Recognition of the role of the Travelsafe Committee was not limited to individuals that were current members or had been a member of the committee at some stage prior to the debate on the Transport Bill. Individuals that had no experience working on the Travelsafe Committee prior to the debate also acknowledged the contribution of the committee in the second reading speeches. This suggests that parliamentary committees fill an important role in educating the parliament when

they table their reports and that, furthermore, committee reports are considered in the context of debate on related issues.

The qualitative analysis in this case study suggests that several factors are important in the successful completion of policy work by parliamentary committees. Firstly, committees need strong ideas as well as a clear and practical message. This case study clearly linked the original reports and ideas of the Travelsafe Committee to the subsequent enactment of legislation by the Queensland Parliament. Ideally, these strong ideas should be supported by research to ensure that the recommendations made by the committee support the development of evidence-based policy.

Secondly, parliamentary committees should ensure that their work occurs at a consistently high standard. This helps to develop the confidence of the Parliament and other stakeholders in the quality of their work. It may also help ensure that members are more likely to consider and refer to the committee work during debates in the House or at other appropriate times.

Finally, this paper demonstrates the chair of the committee plays a key role in the policy work of parliamentary committees. A chair, depending on other factors such as referrals from the House, can play an important role in developing a committee's work program and agenda. This means that a committee chair willing to undertake policy work is more likely to be part of a committee that does this type of work. Additionally, a chair that is more willing to make recommendations that may not be politically palatable but supported by research evidence can help ensure the enactment of best-practice policy.

Despite the methodological difficulties involved in assessing the contribution of parliamentary committees to policy, this case study has used quantitative and qualitative data to indicate the important role that committees can play in the policy process and provided evidence to support this. Caution should be used when generalising these findings more broadly to other Travelsafe Committee inquiries, other parliamentary committees and other parliaments. Additional research into the impact of parliamentary committees on policy and legislation will help to further develop a picture of the contribution that committees can make to this work. It may also be useful to compare this case study with a case study in a bicameral parliament in order to assess if the unicameral nature of the Queensland Parliament affects the impact of parliamentary committees on policy.

### *Conclusions*

It is important to periodically assess the impact of parliamentary committees in order for decision-makers to make any required changes to improve effectiveness and results. Given the changes to the committee system in Queensland in April 2009, that expanded the policy role of parliamentary committees, it is timely to assess the impact of a pre-2009 committee on policy. Although it is difficult to

consistently and accurately identify the impact of parliamentary committees on policy, this paper has used a case study methodology to explore the relationship.

In order to identify if the work of the Queensland Parliamentary Travelsafe Committee on young driver and rider issues in 2003 played a role on the subsequent enactment of legislation in 2007 that enabled changes to the licensing system, a quantitative and qualitative analysis of the second reading debate of the Transport Bill was undertaken. Both types of analysis suggested the importance of the Travelsafe Committee in setting the agenda for the changes that were being made to the licensing system. Nearly a third of speakers referred to the Travelsafe Committee in the context of young drivers and the Minister explicitly noted that much of the bill occurred as a result of the work of the Travelsafe Committee. This role was recognised by both government and non-government members. Both members who had and who had not been part of the Travelsafe Committee also recognised the contribution of the committee.

This paper has demonstrated that an effective agenda-setting policy committee needs to present strong ideas in its reports to Parliament and that this needs to occur consistently in order for stakeholders to develop confidence in the work of the committee. The ideas of the committee should be based on research in order to support the development of evidence-based policy. Additionally an effective parliamentary committee working on policy issues needs an effective chair. This paper has provided important evidence regarding the role of parliamentary committees in policy work, particularly in influencing the government's policy agenda. ▲

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