NSW Parliamentary Committees and Integrity Oversight: comparing public sector agency, news media and NGO perspectives[*]

Rodney Smith[**]

Abstract

Controversy surrounds the effectiveness of parliamentary committees in overseeing public sector integrity activities and agencies. This paper presents and compares different perspectives on the role of New South Wales parliamentary committees in promoting integrity and overseeing integrity agencies. The paper is based on interviews conducted in 2004 as part of a wider study of the New South Wales public integrity system with senior representatives from twenty public sector agencies, six journalists covering integrity issues and four key integrity focused NGOs. While representatives of the three sectors covered by the study take somewhat different approaches to the value of parliamentary committees in integrity oversight, they identify similar factors as enhancing and inhibiting the effective work of those committees.

Introduction

The New South Wales (NSW) Parliament has developed a unique and complex system of oversight committees. As Griffith (2005) notes, various committees in the system have five different primary oversight roles. These are scrutiny of legislation, of public finance, of government appropriations, of government policy and administration, and of public sector watchdog bodies.

This paper presents an evaluation of NSW parliamentary oversight committees. It focuses on the final two oversight roles identified by Griffith — administrative and watchdog body oversight — and assesses the work of parliamentary oversight committees as part of wider efforts to maintain and improve public sector integrity in NSW. The instruments used to evaluate the committees are the perceptions and

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[**] Dr Rodney Smith, Discipline of Government and International Relations, University of Sydney.

judgements of three key groups of committee stakeholders — public sector agencies, the news media, and non-government organisations (NGOs).

The results suggest that while parliamentary committees are not perceived to be among the leading players in NSW public sector integrity work, nor are they generally seen as unimportant or poor performers. Six factors — chance, party, aggression, power, duplication, and role — are identified as affecting stakeholder evaluations of the value and effectiveness of parliamentary committees in integrity oversight work.

Evaluating Parliamentary Committees

Over the past decade or so, a literature on evaluating Australian parliamentary committees has slowly grown. Measuring the effectiveness of committees has proved contentious. Some authors have used simple measures such as the number and length of committee reports (see, for example, Halligan *et al.* 2001). Aldons (2000; 2001) has a more sophisticated focus on government responses to committee recommendations, with committees judged effective if more than half are accepted and implemented. Others (for example, New South Wales Legislative Council 2001: 118) have criticised the government response/approach for failing to measure other benefits of committees such as exposure of issues and public participation, and failing to recognise a government response to committee recommendations is not always required for committees to be effective.

It would be difficult and misleading to evaluate NSW oversight committees by focusing solely on government responses to their recommendations. This study has therefore taken an alternative approach, drawing on Nixon's (1986: 418–23) insight that evaluation of parliamentary committees should not impose a single set of pre-ordained outcomes as its measure of success or failure. Parliamentary committees will usually have 'multiple audiences' or 'stakeholders' with different and sometimes competing interests. Evaluations of committee work should therefore take the views of these stakeholders into account. To evaluate NSW oversight committees, this study focuses on three key groups of stakeholders — the public sector agencies over whom parliamentary committees exercise oversight, the news media that report and represent committee work to the public, and NGOs that advocate on behalf of the sections of the public.

Different Stakeholders' Interests in Parliamentary Committee Oversight

New South Wales public sector agencies, news media organisations and NGOs are likely to have different interests at stake in their evaluations of parliamentary oversight committees. At the broadest level, we might expect the interests of public sector agencies to be opposed to the interests of both the news media and NGOs. Public sector agencies are a part of, and publicly identified with, the state executive, placing them firmly on one side of the age-old conflict between the executive and the parliament. Public sector agencies and their ministers, after all, are on the

receiving end of scrutiny from oversight committees (see, for example, Trenorden 2001; Gregory and Painter 2003). By contrast, the news media in their fourth estate role and NGOs in their advocacy role inevitably take on the tasks of criticising and opposing the executive. They would therefore be expected to view parliamentary committees as an ally in executive scrutiny.

This broad set of expectations has to be tempered by some more detailed considerations. To begin with, while public sector agencies may not welcome parliamentary and other scrutiny of the integrity of their activities, with its possible negative consequences, they do have an interest in improving their integrity performance (see Smith 2005). To the extent that parliamentary committee activity contributes positively to such improvement through suggested reforms, public sector agencies may evaluate parliamentary committee work more positively.

In addition, some public sector agencies — such as the Ombudsman, the Independent Commission against Corruption (ICAC), the Audit Office and the Police Integrity Commission (PIC) in New South Wales — are themselves charged with improving public sector integrity. This sets them at odds with the executive, in-cluding other public sector agencies and apparently aligns their interests with those of parliamentary committees. The integrity agencies and parliamentary committees might be seen as working together as parts of an integrity network (Smith 2005).

On the other hand, integrity agencies like ICAC and Ombudsman may see themselves as competing with parliamentary committees over the same ground. In the past year, for example, both the Legislative Council's General Purpose Standing Committee No. 4 and ICAC have investigated aspects of government decisions concerning the Orange Grove retail development in western Sydney. The temptation in such situations might be for the public sector integrity agencies to see themselves as experts and parliamentary committees as blundering amateurs.

This possibility of conflict is arguably heightened by the relationship between key integrity agencies and parliamentary committees. Apart from budgetary constraints, the integrity agencies are relatively free from direct executive pressure; however, they are accountable to parliamentary oversight committees in a range of ways. Some committee members are drawn from the governing party or coalition, whose ministers are responsible for the public sector activity that falls under the scrutiny of integrity agencies. Integrity agencies thus have the power to make life difficult for the governing party or parties represented on the oversight committees (see Kelly 2000). The relationship between the Joint Standing Committee on the Independent Commission against Corruption and ICAC sets up particularly difficult issues of accountability, since the latter's powers and scrutiny cover all members of parliament, and not just the interests of members from the governing party or coalition. The prospect of conflicting interests between members of parliamentary oversight committees and the public integrity agencies is clear (Smith 1999; Hatzistergos 2001).

If the interests of public sector agencies regarding parliamentary committees are more complex than they might first appear, so are those of the news media and NGOs. While the news media welcome scrutiny of the executive, their interest is in newsworthy scrutiny. Slow and general improvement in public sector integrity through reform, education and internal public sector leadership is not newsworthy; dramatic cases that lead to dismissals and prosecutions are. Indeed, parliamentary committee work that does not lead to these sorts of dramatic results may itself become the newsworthy story, regardless of the longer term positive effects of such work. For similar reasons, dramatic conflicts between members of the parliamentary committees are potentially of greater news interest to journalists than the outcomes of committee activity, particularly if those conflicts have a partisan dimension.

Advocacy groups may take a pragmatic or even hostile view of parliamentary committees, rather than assuming they share common interests against the executive. As Marsh (forthcoming) has suggested, parliamentary committee processes can promote mutual learning between NGOs and parliamentarians for the general good. Nonetheless, the interests of NGOs lie with specific interests as well as generally good outcomes. The inability of parliamentary committees to achieve a favourable outcome for specific individuals or groups whose causes NGOs have adopted (such as union members treated unjustly by public sector employers, citizens adversely affected by public sector activity, or public sector whistleblowers) may tempt NGOs to view parliamentary committees merely as window-dressing for a corrupt system of government. The same perception might be sparked by committee recommendations for reform whose benefits are not immediately apparent. Once again, the presence of representatives from the governing party on parliamentary committees might be taken as one sign that the committees are not as independent as they appear.

This account of the different interests of public sector, news media and NGO stakeholders in parliamentary oversight committees suggests two expectations. The first is that the committees are unlikely to please all the stakeholders over time. This expectation may appear trite; however, it is one that is often forgotten in debates about the value and effectiveness of parliamentary committees. The second expectation is that if committees do manage to please all the stakeholders at any particular time, each stakeholder is likely to have a different reason for feeling satisfied.

New South Wales Perspectives: A 2004 interview and questionnaire study

Material from a 2004 interview and questionnaire study of the public sector integrity system in NSW allows us to explore these expectations. The New South Wales research was conducted as part of a wider research project on Australian public and private sector integrity measures funded by an Australian Research Council Linkage Grant (ARC LP0212038 — for further details and the recommendations of the wider study, see Brown *et al* 2004).

Senior officials from all major NSW public sector agencies were approached to be interviewed as part of the study, as were all journalists whose work centred on NSW politics, and all NSW NGOs whose core interests include public sector integrity. Resource limitations prevented interviews with the wider group of NGOs that have a more peripheral interest in public sector integrity. Senior officials from twelve key NSW public sector agencies were interviewed, while eight took the option of responding to a written questionnaire. The interviews were conducted by the author and a research assistant, Ms Shelly Savage, between February and November 2004. The agencies represented included seven integrity agencies, two central coordinating agencies and eleven line agencies. The eleven line agencies ranged considerably in function and size. Six journalists (two each from the two major metropolitan dailies, one from a Sunday metropolitan newspaper and one television journalist) and four senior representatives from NGOs (one major public sector union and three advocacy groups) participated in matching interviews.

While the group of public sector managers, journalists and NGO representatives interviewed for this study do not constitute a statistically representative sample, their collective and individual responses nonetheless provide rich material concerning the evaluation of parliamentary committees by three key stakeholder groups. A number of respondents requested anonymity as a condition of their participation in the study. Because of this, specific responses reported throughout this paper are identified only by stakeholder type and number (Manager 1, Journalist 2, NGO representative 3 etc). Quotations from interviews have had identifying comments removed (for other details on the general methodology, see Smith 2004).

The interview schedule and questionnaire covered perceptions of NSW public sector integrity, assessments of the importance, quality and promptness of a range of integrity actors, the most important types of integrity-related activity, the level of coordination across integrity agencies, areas for improvement and barriers to improvement. Several of the questions specifically drew attention to the role of parliamentary committees in public sector integrity activity. While these questions referred to 'parliamentary committees' rather than 'oversight committees', the answers given by respondents indicated that they understood the question to refer to the various oversight roles of parliamentary committees outlined earlier in this paper.

Stakeholders' General Perceptions of Public Sector Integrity in New South Wales

One indication of the different perspectives of the three groups of stakeholders in this study is found in their perceptions of the state and trajectory of public sector integrity in NSW. Asked to respond to the question 'Thinking generally, how well do you think integrity issues are handled in the New South Wales public sector today?', the answers were predictably varied. A few respondents found it difficult to

give a clear summary assessment. Nonetheless, fairly clear differences emerged among those who did. Three-quarters of the public sector managers replied 'very well or 'fairly well', compared with just half of the journalists and NGO representatives.

This greater optimism among public sector managers was repeated in response to the question 'How would you compare the handling of integrity issues in the New South Wales public sector now with the situation 10 years ago?'. Sixteen out of eighteen public sector managers believed that it had improved, compared with two of five journalists and two of four NGO representatives. Three of the five journalists thought that public integrity had in fact declined over the past decade.

What lies behind these somewhat differing judgments? Those who see an improvement in the integrity climate point to positive 'cultural change' in the NSW public sector (Manager 15), driven by greater scrutiny from a wider range of external bodies such as the ICAC, Ombudsman, Audit Office and specialist bodies, more reporting requirements, greater understanding of ethical issues and better public sector leadership. Manager 5 sums up this sort of view: 'I think in terms of transparency, understanding of standards, compliance with standards, it's superior. It's certainly improved, yes'. Manager 12 identifies similar factors: '[M]y perception is that New South Wales takes [integrity] very seriously. I think we're awash with watchdog bodies of every description. No one moves without someone's having a look at it. We have protected disclosure legislation, and I think people take that quite seriously'.

The five respondents who saw New South Wales public sector integrity getting worse also focused on cultural change and transparency; however, they viewed these in very different ways from the predominantly bright picture painted by public sector managers: 'There are cultural factors in that the whole of our culture has shifted a lot from ideas of public service altruism, that kind of thing, through to self interest and 'greed is good'. So there's been a cultural shift' (NGO representative 3). Journalist 1 complained of 'a lack of sort of transparency …, a desire to quash anything rather than answer it, and just a real attempt to hide information really. No assistance and you get sort of blatant lies as well'. The key elements driving this change, according to the respondents with a gloomier view of NSW public sector ethics, were the dominance of the Labor government after a decade in power and its increasing contractual control over senior public sector officials.

Although the view of NSW public sector ethics was clearly more positive among the managers than the journalists and NGO representatives, some respondents on both sides of the public sector insider-outsider divide gave balanced assessments, identifying tensions between progress and setbacks. Manager 2, for example, while giving a generally positive assessment of NSW public sector integrity, identifies 'politicisation of the public sector …, [the] expectation that advice might be … given in a way that the minister will find palatable to accept' as a 'threat that needs

to be closely monitored'. The more negative assessment of Journalist 2 was tempered by recognition of the positive role of integrity agencies:

> I don't want to create the impression that it's all one way. There's an awful culture … inside the government because it's protecting itself politically, that's what its doing all the time. And therefore its going to necessarily find [integrity] institutions, you know, invasive and threatening and so there's that tension, that's a proper tension that should take place. The Government's tendency and the ministers and their staff, their tendency is to close things down, make them non-controversial, get them out of the papers and move on. And on the other hand you've got these [integrity] agencies. … It really depends on the leadership of those organisations how far they go and what they do. But that's at least a check and a balance in our society and that's better than before.

One issue on which the optimists and pessimists often both agreed was the danger of having too many bodies charged with integrity functions. The perceived problems included waste and staff fatigue within public sector agencies that have to respond to investigations of the same issue by different integrity bodies, frustration and competition among the integrity bodies over an unclear division of investigatory labour, the waste of scarce integrity resources, poaching of investigative staff by integrity bodies competing for the small pool of personnel with adequate skills, a resultant loss of corporate memory within integrity bodies, the encouragement of cynical 'gaming' among complainants who initiated competing investigations in the hope of one favourable outcome, and confusion among genuine complainants over which body they should approach.

The potential dangers that derive from the relatively complex NSW public sector integrity system give an added importance to the issue of defining a clear and appropriate role for parliamentary oversight committees within the system.

Overall Assessments of Parliamentary Committees in Integrity Oversight

What importance do key stakeholders attach to New South Wales parliamentary committees in promoting and protecting public sector integrity? Table 1 shows that parliamentary committees were viewed as important by twelve of the twenty public sector managers, two-thirds of journalists and three of the four NGO representatives. Public sector managers most consistently recognised ICAC, Ombudsman and Audit Office as the important integrity agencies in NSW. The journalists focused on ICAC, courts, the police and the Health Care Complaints Commission (HCCC). The NGO representatives identified the Ombudsman, followed by a group of bodies, including parliamentary committees.

According to Table 1, the stakeholders collectively view parliamentary committees as having middling importance within the NSW integrity system. In this regard, the rankings of the three arms of government — Parliamentary committees, the courts

and the central executive (represented by the Premier's Department) — are reasonably similar. They are not generally thought of as having the importance of the bodies that Manager 1 called 'cutting edge' integrity agencies like ICAC, Ombudsman and Audit Office. On the other hand, and perhaps not surprisingly, they are seen as more important by most stakeholders than specialised integrity bodies such as the Police Integrity Commission and the Office of the Children's Guardian.

Two apparently anomalous rankings in the table deserve passing attention. The first concerns the Administrative Decisions Tribunal. Its wide powers of administrative review might have suggested greater importance; however, it is a relatively unknown body and its role is often defined as something other than integrity work. The second is the high importance journalists gave to the specialist HCCC. This ranking is perhaps explained by journalistic confusion between newsworthiness and importance (the HCCC and its apparent failures were regularly in the news during 2004).

If the middling ranking of parliamentary committees is cause for disappointment to parliamentarians, a more detailed analysis of the responses might bring greater joy. Such an analysis shows that while neither of the two central coordinating agency managers and only six of the eleven line managers thought parliamentary committees were important, six of the seven integrity agency managers did so. This pattern seems to demonstrate the classic lines of conflict between the executive and parliament. The central coordinating managers, parts of the core executive, are most likely to dismiss the importance of the parliamentary committees designed to examine the executive's activities. The integrity agency managers, who share responsibility for executive scrutiny with the parliamentary committees, are most likely to see those committees as important.

Tables 2 and 3 confirm the intermediate ranking of parliamentary committees in the state's public sector integrity efforts. Table 2 records stakeholders' assessments of the quality of integrity advice, information and action provided by integrity bodies. Among public sector managers, the gap between ICAC, Ombudsman and Audit Office and the rest is even larger than in Table 1. In addition, while public sector managers saw non-government organisations and the news media as important to integrity efforts (see Table 1), they are generally unimpressed with the quality of their advocacy and reporting. Parliamentary committees, along with the police, courts and Premier's Department, fare considerably better. Among the seven integrity bodies that have to deal closely with parliamentary committees, four ranked their work as good. This again represented a higher proportion than line or central agency managers.

The journalists were split on the quality of the integrity work of parliamentary committees, while the NGOs tended to rank their work as good. Most of the journalists' and NGO representatives' judgements on other bodies are also similar to those in Table 1, although ICAC finds even fewer friends when journalists and

NGOs judge the quality of its work (both groups of stakeholders complain of ICAC's lack of openness and cooperation).

Table 1: Assessments of the Importance of Different Bodies to NSW Public Sector Integrity (number of respondents thinking body 'fairly important' or 'very important')*

	Public Sector Agencies	News Media	Non Government Organisations
Independent Commission against Corruption	18/19**	6/6	1/4
Ombudsman	18/19	4/6	4/4
Audit Office	18/19	5/6	3/4
News Media	15/20	n/a	3/4
Premier's Department	14/19	5/6	1/4
Non-Government Organisations	14/20	5/6	n/a
Courts	13/20	6/6	3/4
Parliamentary Committees	**12/20**	**4/6**	**3/4**
Police	10/19	6/6	1/4
Administrative Decisions Tribunal	10/20	4/6	2/4
Police Integrity Commission	5/19	5/6	2/4
Office of Children's Guardian	3/20	2/6	1/4
Health Care Complaints Commission	2/20	6/6	2/4

Notes:

 * Public sector managers were asked 'Please rate the importance of each of the following agencies or organisations to your own agency when it comes to dealing with integrity issues'. Journalists were asked 'Please rate the importance of each of the following agencies or organisations when it comes to dealing with integrity issues'. NGO representatives were asked 'Please rate the importance of each of the following agencies or organisations to your organization when it comes to dealing with integrity issues'. In each case, the response options were 'very', fairly', 'not very' and 'not at all' important. Respondents could add their own agencies or bodies to the list. Although fifteen were added in total, none was seen as important by more than two of the thirty respondents, so they have been excluded from the table.

** Each set of figures in the table represents the number of respondents from a stakeholder group who viewed a body as 'fairly important' or 'very important' out of the total number of relevant respondents. Thus 12/20, for example, means that 12 respondents out of a total of 20 saw a body as at least fairly important. Since respondents were not asked to assess their own agencies, some public sector agency figures are out of a total of 19 rather than 20. Since the three different groups of stakeholders are assumed to have separate rather than collective interests, the figures in each row have not been added together to calculate overall totals.

Table 2: Assessments of the Quality of Integrity Advice, Information and Other Action Provided by Different Bodies (number of respondents thinking body 'fairly good' or 'very good').*

	Public Sector Agencies	*News Media*	*Non Government Organisations*
Independent Commission against Corruption	18/19**	2/6	0/4
Ombudsman	16/19	4/6	3/4
Audit Office	17/19	5/6	3/4
Premier's Department	12/19	3/6	1/4
Police	10/19	5/6	1/4
Parliamentary Committees	**9/20**	**3/5**	**3/4**
Courts	8/20	6/6	1/4
Administrative Decisions Tribunal	8/20	2/6	2/4
Non-Government Organisations	6/20	4/6	n/a
News Media	4/20	n/a	2/4

Notes:

 * Respondents were asked 'How would you rate the *quality* of advice, information or other action on integrity issues that you receive from the following agencies and organisations?'. The response options were 'very good', fairly good', 'not very good' and 'poor'. To ensure comparability, only agencies and organizations with a generalist scope have been included in the table.

** Each set of figures in the table represents the number of respondents from a stakeholder group who viewed a body as 'fairly good' or 'very good' out of the total number of relevant respondents. See notes to Table 1.

The journalists were split on the quality of the integrity work of parliamentary committees, while the NGOs tended to rank their work as good. Most of the journalists' and NGO representatives' judgements on other bodies are also similar to those in Table 1, although ICAC finds even fewer friends when journalists and NGOs judge the quality of its work (both groups of stakeholders complain of ICAC's lack of openness and cooperation).

The speed with which integrity bodies respond to problems or requests for action was a concern for most (although not all) respondents in this study. On this score, none of the public sector agencies approaches overall satisfaction and most fall a fair way short of this goal (see Table 3). Parliamentary committees again sit around the middle of the table, with less than a half of the public sector managers and only half the NGO representatives judging them to be speedy enough in their responses to integrity matters. Only three of the seven integrity agency managers think

parliamentary committees work quickly enough. The journalists are on the whole less critical of the speed of committee activity, perhaps partly because of the apparent propensity of committees to 'leak like sieves' to the news media before their findings are made official (Journalist 5).

Table 3: Assessments of the Promptness of Integrity Advice Information and Other Action Provided by Different Bodies (number of respondents thinking body 'fairly good' or 'very good').*

	Public Sector Agencies	News Media	Non Government Organisations
Audit Office	16/19**	6/6	3/4
Ombudsman	15/19	5/6	3/4
Independent Commission Against Corruption	14/19	6/6	0/4
Premier's Department	11/19	3/6	0/4
Parliamentary Committees	**8/20**	**5/6**	**2/4**
Courts	8/20	4/6	1/4
Administrative Decisions Tribunal	8/20	2/6	2/4
Police	7/19	5/6	1/4
News Media	8/20	n/a	3/4
Non-Government Organisations	1/20	5/6	n/a

Notes:

 * Respondents were asked 'How would you rate the *promptness* of advice, information or other action about integrity issues that you receive from the following agencies and organisations?'. The response options were 'very good', fairly good', 'not very good' and 'poor'. To ensure comparability, only agencies and organizations with a generalist scope have been included in the table.

** Each set of figures in the table represents the number of respondents from a stakeholder group who viewed a body as 'fairly good' or 'very good' out of the total number of relevant respondents. See notes to Table 1.

To some extent, the responses discussed in this section of the paper reflect the idea that parliament represents civil society against the executive, since journalists and NGO representatives were more likely than public sector managers — taking all three tables into account — to view the committees favourably. Nonetheless, the differences between the stakeholder groups are quite small and a larger sample would be needed to confirm them. The strongest suggestion in the responses is that parliamentary committees are not perceived as 'cutting edge' players in public sector integrity work in New South Wales, but nor are they generally perceived as being unimportant, poor and slow performers. The committees sit somewhere in the

middle. Such perceptions are reinforced by other questions in the study that prompted respondents to name the three most important integrity bodies, the three most important types of integrity activity, and the organisations that could do more than they currently do in integrity work. Parliamentary committees and parliamentary oversight barely rated a mention in these contexts, either as centrally important bodies and activities, or as ones most needing obvious improvement.

Such perceptions may be satisfactory to parliamentarians, since they could well view their roles in integrity work as secondary to, and supportive of, those of the frontline agencies like the ICAC, Ombudsman and Audit Office. On the other hand, the fact that parliamentary committees do undertake considerable integrity oversight work in various forms may prompt parliamentarians to want to know how their work could be judged more favourably. The following section of this paper draws on the interview material to identify the factors leading to positive and negative judgements by stakeholders.

Explaining Positive and Negative Assessments of Parliamentary Committees

Six factors seem to underlie most stakeholder perceptions of the parliamentary committees. These can be summarised as chance, party, aggression, power, duplication, and role.

The first point to be made is that the performance of committees is subject to luck of the draw. The membership of particular committees is determined by chance as much as by design. Stakeholder assessments of parliamentary committees were commonly qualified by suggestions along the lines that committees are 'hard to group, because [they form] a mixed bundle' (Manager 15), not just in terms of their functions but their membership. As the representative from NGO 3 put it: 'Parliamentary Committees, [they're] fairly important, but unfortunately they're nowhere near as good as they could be. Sometimes they do things, and they're certainly capable of doing things, but it depends a bit who you've got on them so [they are] a mixed bag'. Journalist 1 expressed a similar view: 'Parliamentary Committees – again, it depends who's on them'. It is hard to eliminate the chance factor. Some committees tend to attract good members because of their prestige or their reputation as a stepping stone towards a ministry. Nonetheless, the quality of interaction between members, even on prestigious committees, cannot be predicted.

While chance might produce good as well as bad committees, none of the stakeholders viewed partisanship in anything but negative terms. Manager 5 put this point baldly: 'Parliamentary Committees, basically they are just political things. Why would you expect a Parliamentary Committee to give you sensible advice? It's the realm of politics, it's party versus party, and they play politics. It's not likely to give you anything more than what is politically expedient. It's got really nothing to do with the substantive issues of what is good administration, what is integrity, and

that sort of stuff'. Manager 6 makes a similar point to distinguish parliamentary committees from other integrity bodies: 'You've got independent statutory bodies that are not party political, whereas Parliamentary Committees are'. Stakeholders see partisan loyalties, motivations and conflicts routinely getting in the way of good oversight work. It would be fanciful to wish for an end to party politics in New South Wales. Nonetheless, parliamentary committees could make efforts to counter the common and damaging stakeholder perception that their work is solely or primarily a partisan exercise.

A factor related to partisanship is perceived committee aggression towards public sector agencies and officials. In the eyes of some stakeholders, committees are little more than 'Star Chambers' (Journalist 1) or 'kangaroo courts' (Journalist 4). Journalist 4, a regular observer of committee work, comments: 'I see them engaging in the most appalling behaviour that can be only described as political sport with witnesses and I don't think that they in most cases value add, if you like, to the knowledge that already exists about a particular issue'. The accountability function of parliamentary committees may require them to press witnesses from public sector agencies hard in an effort to uncover information that officials are unwilling to reveal. Nonetheless, committees risk a loss of stakeholder respect if such actions seem to be driven by partisan motives and result in little or no new public information.

Parliamentary committees' lack of power to implement their findings or recommendations is a fourth factor highlighted by stakeholders. Manager 3 sums up this issue: 'I don't think Parliamentary Committees are very important …. All they can do is call … hearings and usually it's a chance for people to vent. Their recommendations, it's up to government to implement [them] anyway and they're pretty patchy'. The representative from NGO 4 makes a similar point about committees lacking: '… any specific powers … I think that's a key point. Someone has to have powers to do something, and where a body doesn't have power I think their importance is diminished'.

Duplication of integrity work being done by other bodies is a fifth factor underlying assessments of parliamentary committees. This type of complaint has already been encountered in comments quoted above. It is often linked to the idea that committees duplicate integrity work to give it a partisan inflection: 'I mean you quite often get replication of what these statutory watchdog agencies are doing, with the Parliamentary Committees. But that's not surprising. The Parliamentary Committees are there, as I've said, for political reasons' (Manager 5). It is also often tied to perceptions that parliamentary committees are amateurs who get in the way of specialist integrity work. Parliamentary committees ought to pause before exploring the same issues as other integrity bodies. There may be good reasons to go ahead with such apparent duplication. If so, they need to be made clear, and they should include a plausible case that the committee's parallel activity will add something that will not be achieved by other integrity agencies.

The final factor is the role that parliamentary oversight committees should play in integrity work. Stakeholders put emphasis on two rather different roles. The first is detailed accountability and the second broad direction setting. The role that is emphasised by different stakeholders depends in part on their view of the relative capacities and skills of the committees and those bodies they are charged with overseeing.

Parliamentary committees currently play out a detailed accountability role via inquiry work in which public sector agency documents are examined and agency representatives are questioned by committee members. Recent examples include the investigation of the Orange Grove development mentioned earlier in this paper and the Joint Select Committee on the Cross City Tunnel, both of which involved investigation by committee members of the practices of large public sector agencies (the Department of Infrastructure, Planning and Natural Resources and the Roads and Traffic Authority). Parliamentary committees could potentially also exercise detailed oversight of the work integrity agencies such as ICAC, Police Integrity Commission and Ombudsman. The parliamentary committees that oversee these integrity bodies are currently prevented from doing so by the acts that govern them. Instead, committees are restricted to a broader direction-setting role for integrity agencies. This role is well illustrated by the 2004–05 review of ICAC initiated by the Joint Statutory Committee on the Independent Commission Against Corruption, which led to significant amendments to the Independent Commission Against Corruption Act (see Yeadon 2006).

Should committees pursue fine-grained or broader oversight? Some stakeholders welcome detailed accountability scrutiny by committees. Manager 16, for example, responded: 'The Parliamentary Committees, particularly the Parliamentary Estimates Committee, [are] also fairly important to the organisation. Parliamentary oversight committees, such as that Standing Committee on Social Justice Issues, which is looking at [several issues], they're fairly important to the organisation, because not only do they provide for a level of accountability, but they provide a level of check and balance to make sure that that which you are doing, or charged to do, you are in fact doing. So I have no difficulty with those things'. On this view, parliamentary oversight committees are capable of providing valuable detailed input to integrity bodies and other public sector agencies.

Other managers doubt that this is the case. Manager 3, for example, stated, 'I'm just not sure that [the committees] see their role as providing advice on integrity issues. They will raise issues of public concern but, I mean, their focus isn't so much advising us on integrity issues. It's more the other way around, where we're sort of feeding them information'. On this view, the committees and the integrity agencies fruitfully bring together different types of knowledge, but the committees lack the capacity to provide detailed oversight.

These stakeholders suggest that oversight committees should limit themselves to broad direction setting, rather than attempting to engage in detailed examination of

particular agencies (see also Hatzistergos 2001: 30). Manager 15, for example, argues that 'The Committee's articulation of the role is the important thing. They should be looking at the direction being taken by the watchdog, whether the emphasis is still correct. Arguably, the Parliament should be looking at the broad range of integrity bodies as a whole, and their interaction'.

Manager 1 saw such an approach as a productive feature of the way her integrity agency related to its oversight committee: 'The Minister is really responsible more for day-to-day accountability of this organisation, whereas the parliamentary committee is taking perhaps a longer term, broader view of our role. They have an ongoing role. Yes. And they are important, but I don't feel that they're quite as close to the cutting edge of our day-to-day business as these other agencies. They have this broader role'.

As suggested earlier in this paper, parliamentary committees may not be able to satisfy all of their stakeholders' interests, no matter which role they choose. The desire by some stakeholders for detailed scrutiny runs counter to the desire by others that parliamentary committees restrict themselves to a broader oversight role.

Conclusion

This paper has shown that the work of parliamentary oversight committees is evaluated in varying ways by different stakeholders. Parliamentary committees operate in an environment in which satisfying one stakeholder's expectations may well mean disappointing another stakeholder. Nonetheless, some overall patterns were found in the responses of the managers, journalists and NGO representatives interviewed for this study. The major finding is that parliamentary committees are not seen as front-runners in the effort to improve public sector integrity in New South Wales. That role is seen as belonging to the full-time independent watchdog bodies like ICAC and Ombudsman. On the other hand, parliamentary committees are not overwhelmingly dismissed as unimportant, inept and sluggardly performers of integrity work. About half of the stakeholders judge their activities to be important, of good quality and timely. If parliamentarians want to improve the evaluations of committees by stakeholders, this study suggests that they might focus on three things: reducing the negative effects of partisanship, avoiding unnecessary duplication with other integrity agencies, and considering whether they want their committees to pursue roles of fine-grained accountability or broader direction-setting.   ▲

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