

Race to the Summit*

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Observations on the use of summits as a strategic whole-of-government approach to complex policy issues, the involvement of Members and the implications for Parliament

1. Summits as a Strategic Whole of Government Approach to Complex Policy Issues

Australian governments have used the mechanism of summits in one form or another, under a range of titles, for many years. They have proven a useful and open method of consulting industry, unions, experts, umbrella groups and invited representatives, and an effective means of pressing for consensus on issues that divide the community.

In recent years an increasing number of these types of meetings have been held in parliamentary chambers. We are all now familiar with events such as joint sittings of members being addressed by invited experts. However not all summits held in parliament are dominated by parliamentarians. Members form a different proportion in each summit, and their role in the summit varies according to the agenda, the nature and organisation of the proceedings, and whether predominance is accorded to ministers, shadow ministers and party leaders.

In New South Wales the Carr Labor Government, throughout its nine years in power has used the format of the highly organised ‘summit’ to achieve a number of

* Editor’s Note: This article was written before the Alcohol Summit was held. The future tense has been retained so there is no misunderstanding of the chronology. The summit was held and policy was developed and was in its final stages in May 2004, the time at which this article was sent to press.

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policy and political ends. In discussing the topic of summits, this paper takes a brief overview of the aims and outcomes of these summits, and surmises what the implications could be for parliament and parliamentary committees.

In 2003 the New South Wales Parliament resolved to hold a Summit on Alcohol Abuse, at Parliament House, involving members of both Houses of Parliament and invited community representatives.

The aims of the summit, which will be held from 26–29 August, as stated in the resolution passed unanimously by both Houses are: to create a better understanding by members of parliament and the community of the causes, nature and extent of the problem of alcohol abuse; to better inform members of the Parliament and the community through a forum of experts, industry and community representatives reflecting the spectrum of views of alcohol; to examine existing approaches, and consider new ideas and new options in a bipartisan forum; to consider evidence about strategies that work, and those that do not; to build political and community consensus about future policy directions which target alcohol abuse and deal with its impact; and to recommend a future course of action so that the best and most cost-effective strategies, policies and programs, both long and short term, are available.

The resolution also stipulated that the services of the Parliament would be provided for the hosting of the Summit, that two former members of parliament (state and federal, representing Labor and Liberal affiliations) would chair the summit, and that members of both Houses would attend as parliamentary delegates and fully participate in all proceedings in accordance with the proposed Summit rules to be agreed on by the Summit.

The Premier initiated the resolution and the Government is now in the midst of extensive planning and preparation for the Summit.

This paper is thus a preliminary overview rather than a comprehensive study, and was drafted bearing in mind the two topics of interest: first, the relevance of Parliament as an institution of change and secondly, the participation and involvement of rural, regional and indigenous communities in the decision making process.

1.1 Summits in NSW

Since the Carr Government's Drug Summit, which was held over 4 days in Parliament House in 1999, there have been a number of so-called parliamentary summits, some convened by individual backbenchers (the Summit on Homelessness), others backed by the full weight and organisational prowess of executive government. The most recent summit, the Childhood Obesity Summit, was convened by the Minister for Health and held in Parliament House over three days last year. Prior to that there have been two regional summits looking at the issues of Salinity and Workcover.

The Alcohol Summit is the largest summit yet planned in NSW. The subject area of alcohol abuse touches nearly every portfolio of Government, and in terms of policy development a classic area to benefit from a whole-of-government approach. Issues to be covered include health, education, taxation, licensing, road safety, advertising, police and crime, fair trading, local government, work-place safety and productivity, domestic violence, tourism and state and federal relationships.

The website for the Alcohol Summit already gives an idea of the scope and scale of the undertaking: 15 major national and state strategies and action plans listed as background papers, information on comprehensive range of issues to be covered by the 10 key working groups made up of MPs and 75 invited community representatives. The Cabinet Office is co-ordinating development of discussion papers by a cross-departmental group of senior policy officers, with a view to providing Working Groups with fact sheets, analyses of current programs and strategies, and lists of major issues and new ideas.

Each member of parliament has received a letter from the Special Minister of State who is representing the Premier and responsible for co-ordinating policy on alcohol abuse. The Premier has encouraged members' involvement in the summit, and confirmed that the summit will ensure members of both Houses are given the opportunity to express their views.

The Premier has emphasised that members will play a vital role during the Summit and will need to ensure that they are fully equipped to present the views of their constituents. Members have been encouraged to seek out the views of the communities that they represent, to liaise with local councils, industry groups, community groups, families and young people to ensure the Parliament is informed of the impact of the abuse of alcohol on all sections of society. Already a number of members have used their electorate mail-outs to call for submissions, and urged constituents to 'have a say'.

Members have been informed of the special panel session of 'life at the front-line', and the visits being arranged to community facilities. Regional visits are being arranged prior to the summit, and visits to metropolitan facilities will take place on one morning during the summit week. The Summit is not conducted as a formal sitting of parliament, but is recorded by Hansard. Day to day planning and administration of the Summit is undertaken by the Office of Drug Policy in The Cabinet Office, which is also co-ordinating the cross-agency senior officers' group and undertaking the initial overview of the papers prepared by that group with the aim of facilitating synthesis across Working Groups.

2. Why, and How, is Parliament Involved?

2.1 Educating and influencing members

Summits are established to provide an interface between MPs, experts, and the community. As noted earlier, the Premier has urged the involvement of ministers and members in this summit. Bureaucrats in particular (few of whom have the varied social contact of members) urge the 'education of parliamentarians' through the summit.

While members' expertise in various subject areas varies, there is anecdotal evidence that some members' views changed as a result of the Drug Summit. Authors Griew and Keeffe, writing from the perspective of the umbrella group 'Communities for Constructive Drug Action', noted that although the less conservative lobby groups were initially cynical about the value of the half day site visits, the impact of the visits was to break down people's fixed positions. The authors cited one conservative Liberal Upper House Member's speech at the plenary, where he put to one side his prepared speech and gave the reason for his new speech as 'because I have learned'.

One of the other cited benefits of summits is the value of getting citizens involved in tough legislative decision making. The stress on deliberation and communication is claimed to break down prejudices and force recognition of the legitimacy of alternative views. However, two observations must be made at this point: the citizens involved in summits are strictly vetted to ensure a balance of views, and participation is restricted to a very small number. The Legislative Council Chamber is limited to a maximum of 180 participants, and there are 143 members, so a maximum of 80 full delegates from the community.

Possibly one of the greatest values of the summit format is that policy making is from the bottom-up as well as the more common top-down. In addition to the special forums noted above, there has been enthusiasm at local government level for meetings about alcohol abuse, and it will be interesting to see how this information will be fed back into the summit, and how it is to be synthesized with the top-down input from the policy officer group.

2.2 Hearing from the front line, and consultation on common ground

In recognition of two groups within the community particularly affected by alcohol, specific strategies are being developed to engage young people and to engage members of the Aboriginal community. Alcohol plays a significant role in adolescent culture, and accordingly, on the day prior to the Summit, the Commission for Children and Young People has convened a Youth Alcohol Forum outside of Parliament House, to promote input from youth representatives. There will also be youth delegates to the Summit, who will fully participate in Working Groups and the plenary sessions.

To ensure that the views of Aboriginal communities are properly represented, the Minister for Aboriginal Affairs is overseeing a special indigenous community engagement strategy that will have a number of consultations in the month leading up to the summit. Meetings have been organised both in the regions and the city to 'talk about grog'. The Premier has announced that the Government intends the Alcohol Summit to be a significant exercise in policy-making.

The Cabinet Office is ensuring that policies and programs concerning these two identified groups of special interest are main-streamed into the papers prepared by the various portfolio departments and agencies.

2.3 Procedural framework

Putting the policy aspects of summits to one side, probably the greatest contribution the Parliament makes to summits is the mechanism and procedure inherent in a legislature. The nature and rules of the legislative forum provide a highly efficient framework for dealing with contentious issues, and for controlling many different viewpoints. The parliamentarians present at the summit, and the Chairs presiding over it, are highly familiar with the rules and procedure of the legislative body. There is a very tight agenda, usually very structured over 2–4 days, and a highly concentrated use of time.

In the chamber, rules and procedures such as the strict timing of speeches, the upholding of a fair hearing for all whatever their policy position, and the grant of the call to a variety of speakers, ensure that a range of views is heard.

In the working groups, discussion is tightly focussed on particular issues and recommendations are formulated for consideration by the plenary. Differences of opinion can be teased out in the course of drafting recommendations, and conflicting positions become apparent very early in the process. Frequently an acceptable compromise position can be formulated with the assistance of committee secretaries who have experience in drafting acceptable resolutions.

In the final process, there is voting on resolutions, just like in the committee of the whole. The whole focus of the summits is towards the end product of resolutions and the communiqué, and this helps ensure that the groups do not get bogged down.

2.4 Logistics and support

Highly skilled parliamentary staff aren't the only benefit of Parliament House as a venue. The whole organisation is custom made for intensive group meetings, providing not only a fully equipped and experienced expert support staff, Hansard reporting, televising, seating and galleries for plenary sessions, committee meetings, augmented by the press gallery, library and research, IT and catering services.

2.5 Benefits/outcomes of summits

The policy outcomes of summits are well documented on their respective websites. Government resources are concentrated and intensively project managed, with the purpose of (1) establishing a pool of facts, (2) drawing out common strands from different portfolios, and (3) attempting, in conjunction with community representatives and politicians, to establish the predominant policy aim out of a number of conflicting aims. The summits have measurable outcomes which can then be considered by Cabinet for legislative change or allocation of funds.

For example, the Drug Summit website extols the summit as 'examining solutions and providing a strong platform for moving forward'. Certainly the Drug Summit Communique and the resolutions adopted at the final plenary session have provided a mandate for targeted funding, program development, new services and legislation. A detailed action plan has been published on the Drug Summit website, and Government departments and agencies required to report against the targets. Also published is a proposal for a national scheme, and a call for Commonwealth funding for treatment places and targeted strategies, based on a co-operative jointly agreed program. It is expected that the Alcohol Summit will similarly identify a role for increased Commonwealth funding and co-operation. The website also lists the amending legislation in areas of criminal law, sentencing and law enforcement.

There has been extensive program evaluation of trial projects conducted in the wake of the Drug Summit. The independent review of the Safe Injecting Room in Kings Cross is just one study released that could, and will, be examined by all parties to the Drug Summit.

Other surmised, although not easily verified, advantages of summits to the Government must include the opportunity for a Premier (and his department or Cabinet Office) to prod and cajole reluctant departments, agencies and even Ministers, into a public commitment to undertake a specified action. Ministers chair Working Groups, and each Working Group meets two or three times during the course of the summit. Working Groups are assisted by departmental policy officers and Directors-General, who have expert knowledge of existing programs in their area. The groups have a starting point grounded on established facts, or where facts are disputed, acknowledgment of the points of dispute.

Representatives of interest groups who were selected to participate in working groups in the Drug Summit have informally commented that seeing a Minister from one faction of the party vote on a certain matter was unexpected, but welcome. While only anecdotal, to those who have inside knowledge of cabinet discussions, this does not come as a surprise.

Public commitment to a course of action ties in all participants from lobbyists to Ministers. The personal involvement of Ministers rather than departmental officers often cuts through road-blocks. Anecdotal reports from attendees at Ministerial

Councils tell of Ministers being less wedded to a sticking point than their advisers or minders, and more prepared to make a compromise or trade concessions in the interest of progressing a program, or being able to announce achievement of a co-operative national scheme.

Another cited advantage of the summit approach to a problem is its capacity to resist populist pressures. Prior to the Drug Summit, some lobby groups were concerned that existing harm minimisation strategies would be at risk 'in a populist process'.¹ Perhaps it's just a matter of safety in numbers.

3. A Contemporary Threat to Parliament's Role?

So does the contemporary popularity of the summit formatted be seen as the thin edge of the wedge in terms of a 'contemporary challenge to a liberal democracy'?

What is the effect of parliament being involved in summits? Is there, as some Opposition members have noted, a confusion of the roles of MPs? Aren't they representative of the community in their own right? What is the effect of giving all the delegates, be they expert, parliamentarian, lobby-group, or representatives equal status in deliberations and voting? One's views on these matters probably depends on what weight the Communique is perceived to carry. The Government does not adopt the Communique, but responds to it. With the Drug Summit, the Government released a Plan of Action in response to the 172 recommendations made by the Summit delegates.

Although a member's authority and power is diluted in the mass of the summit plenary, it is reasserted once resulting legislation is before the House. In areas where actions mandated by the summit do not involve legislation, the Members' authority has been reduced. It is true that budgetary allocations to specified programs can be reviewed as part of the Estimates process, but administrative changes often do not receive parliamentary scrutiny.

To what extent should all parliamentarians, as opposed to Government backbenchers, be involved in 'partnering' with the community in policy development? Is the diminution of the political differentiation between parties always a good thing in scrutinizing a particular policy?

The public reporting on the progress of summit-related projects is one area where Parliament could reassert its role of independence from the Executive, press for accountability from the departments and agencies.

¹ Robert Griew and Bernadette Keffe, 1999. 'Reaching the Summit', *National AIDS Bulletin* 12 (6) p.14.

3.1 A triumph of form over substance?

Critics have pointed to the timing of summits as revealing their true purposes. The Opposition has cited the fact that Mr Carr has announced a summit on some subject or another as part of every election platform: '1999 saw the Drug Summit, 2003 sees an alcohol summit'. Articles consulted in the course of researching this paper noted that the announcement of the Drug Summit was made by the Premier during the 1999 election campaign in response to an emotive press campaign about young children using heroin. Summit agendas, speakers, and the final resolutions placed before the plenary session for the vote are selected by the Government, or in the case of the Special Resolutions Group, heavily influenced by senior Government officials.

Above all, the Opposition says, summits provide a strong media platform for the Premier and Ministers, and a stream of stories to fill the news cycle. The summits involve sophisticated communications management by Ministers; there is registration of media representatives, pre-summit briefings, daily press releases and a run of stories in the press in the weeks approaching the summit.

There is a spin-off for parliament in all this publicity, but the spin-off for the Government is greater.

3.2 Is bi-partisanship possible or desirable?

A final comment on one of the frequently mentioned aims of a summit — the urging for a bi-partisan approach, to try and get some policy issues and research programs 'above politics'.

However, in an environment where even the lobby groups pre-caucus to maximise desired policy outcomes at summits, it can be argued that political parties cannot afford to attend summits without predetermined positions. Issues such as safe injecting rooms, heroin trials, and drug courts are intensely political, and a bi-partisan approach to these issues may be unachievable.

However, it is acknowledged that summits are approached in a bi-partisan way, with unanimous support for the concept. In Victoria, the Parliamentary Joint Sitting on Drugs held in 1999 was seen by some commentators as acknowledging 'the limitations of the political party system, which had effectively stymied progress in combating drugs' (Retiring Chief Commissioner of Police Neil Comrie). But does politics always prevent action? Does the risk of a shock-jock populist response really effect the confidence of government to propose change in the absence of overwhelming public support? Or is it only in the run up to an election? More questions than answers unfortunately.

However, despite media cynicism there are tangible benefits arising from Parliament's involvement in summits. To consider properly Government's legislative

proposals, or for committees to participate in policy review, it is essential that as many relevant facts as possible, as opposed to opinions, are available. Summits are above all transparent in the circulation and provision of information on programs, costs, evaluation and outcomes. Experts, both departmental and independent, are available for questioning, if only for a short period.

Above all, Parliament retains the power of legislative overview, and the ultimate ability to reject or amend legislation. ▲