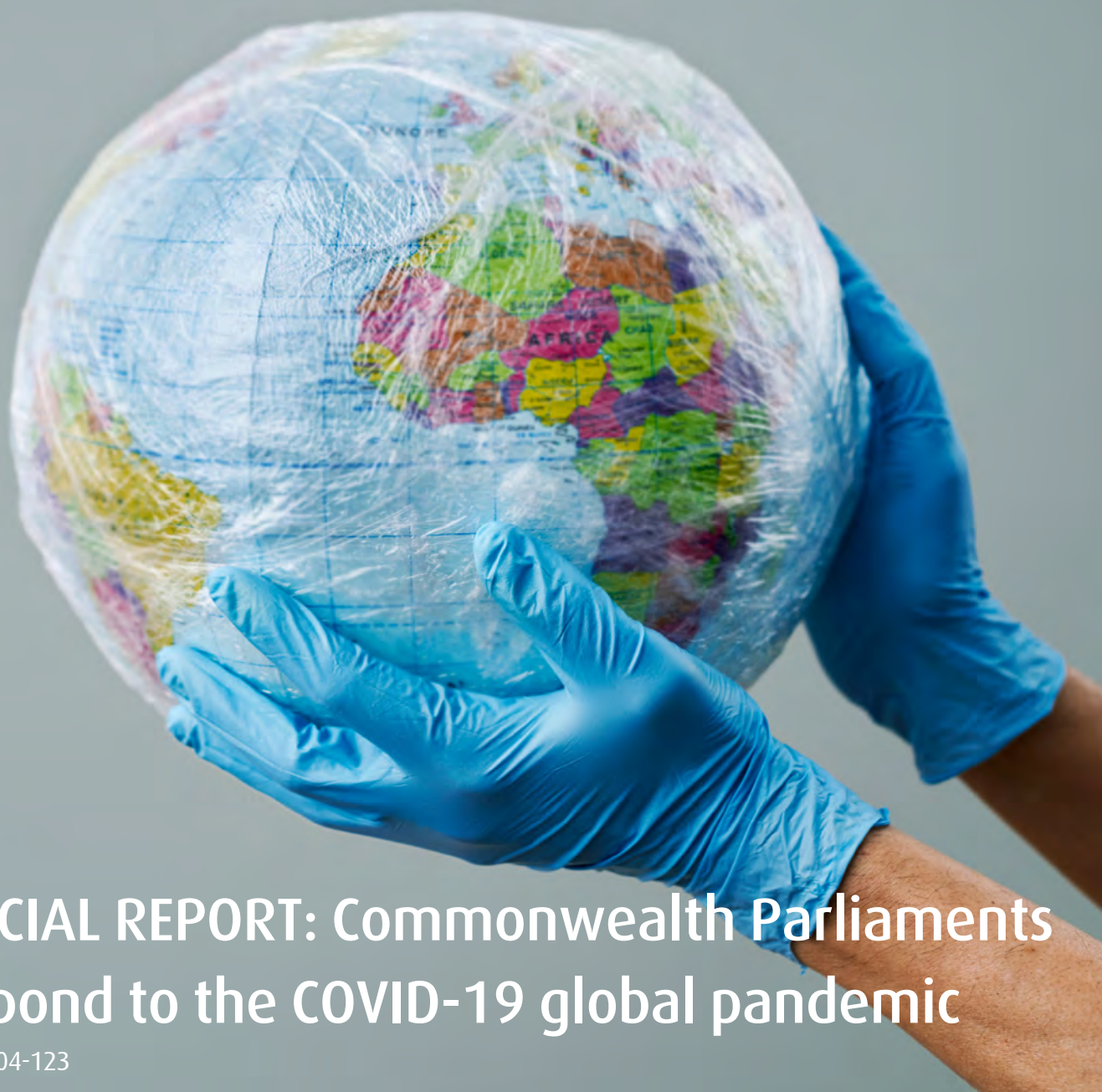


TheParliamentarian



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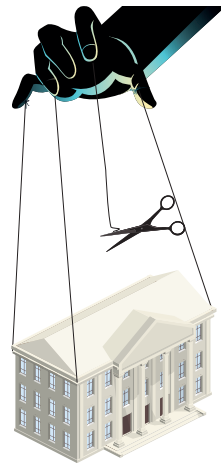
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 CPA COMMONWEALTH
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THE CPA MODEL LAW FOR INDEPENDENT PARLIAMENTS

Based on the important values laid down in the **Commonwealth Latimer House Principles** and the **Doctrine of the Separation of Powers**, the Commonwealth Parliamentary Association (CPA) has created a **MODEL LAW FOR INDEPENDENT PARLIAMENTS**.

This draft legislation is aimed at Commonwealth Parliaments to use as a template to create financially and administratively independent institutions. Specifically, the Model Law enables Parliaments to create Parliamentary Service Commissions and to ensure Parliaments across the Commonwealth have the resources they need to function effectively without the risk of Executive interference.

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 CPA COMMONWEALTH
PARLIAMENTARY
ASSOCIATION

STATEMENT OF PURPOSE



The Commonwealth Parliamentary Association (CPA) exists to connect, develop, promote and support Parliamentarians and their staff to identify benchmarks of good governance, and implement the enduring values of the Commonwealth.

Calendar of Forthcoming Events

Updated as at 27 May 2020

Please note that due to the COVID-19 (Coronavirus) global pandemic many events, conferences and activities have been postponed or cancelled. Please check online or email hq.sec@cpahq.org for the latest information.

2020

The following events have been postponed to a later date in the year (TBC):

- Mid-Year meeting of the CPA Executive Committee, Assam, India
- 49th CPA British Islands and Mediterranean Regional Conference, Valletta, Malta
- Commonwealth Heads of Government Meeting (CHOGM), Kigali, Rwanda including: Commonwealth Youth Forum; Commonwealth Women's Forum; Commonwealth People's Forum; and Commonwealth Business Forum
- 51st CPA Africa Regional Conference, Abuja, Nigeria

July

The CPA Headquarters Secretariat is awaiting an update on the following CPA Regional Conferences:

- 10 to 18 July 2020 - 45th CPA Caribbean, Americas & Atlantic Regional Conference, Providenciales, Turks & Caicos
- 20 to 23 July 2020 - CPA Pacific and Australia Region Presiding Officers and Clerks Conference (POCC), Fiji

2021

12 to 18 January 2021 65th Commonwealth Parliamentary Conference, Halifax, Nova Scotia, Canada

The following event will not now take place in 2020 and has been postponed to 2021:

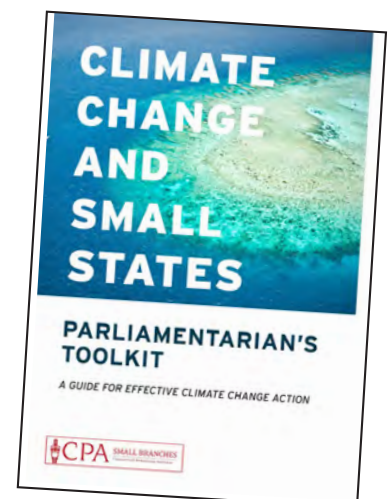
- 58th CPA Canada Regional Conference, Toronto, Ontario, Canada

The CPA calendar fosters the exchange of events and activities between CPA Regions and Branches. For further information on any events, please contact the CPA Branch concerned or the CPA Headquarters Secretariat. CPA Branch Secretaries are asked to send notices of CPA events to hq.sec@cpahq.org in advance of the publication deadline to ensure the calendar is accurate.



CPA Small Branches Climate Change Toolkit for Parliamentarians

- Strengthening Parliamentarians as effective actors in the climate change agenda.
- Accessible introduction to the key issues facing Legislatures at the frontline of climate change.
- Practical guide for Parliamentarians to further progress at the domestic and international level.



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Updated February 2020



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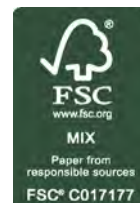
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COMMONWEALTH PARLIAMENTS RESPOND TO THE COVID-19 GLOBAL PANDEMIC

The Editor's Note

The first issue of *The Parliamentary* in 2020 celebrated the 100th anniversary of the first issue of the Journal of Commonwealth Parliament, first published in January 1920. In the time since the last issue was published the planet has become engulfed by the worldwide pandemic of COVID-19 (Coronavirus) and Commonwealth Parliaments have responded to one of the greatest global challenges in recent history.

Commonwealth Parliaments have responded to the international situation regarding Coronavirus in many different ways and in this issue of *The Parliamentary*, we have published a series of special reports on some of the ways that CPA Branches are responding to the pandemic. This special report on COVID-19 includes articles on Parliaments' responses in Jersey, the Isle of Man, New Zealand, Kenya and the UK.

In this issue of *The Parliamentary*, the **Chairperson of the Commonwealth Parliamentary Association (CPA) Executive Committee, Hon. Emilia Monjowa Lifaka, MP** (Cameroon) in her *View* article writes about COVID-19 and its impacts on the CPA. The CPA issued a statement to all of its 180 CPA Branches in Commonwealth Parliaments and Legislatures to provide reassurance to its membership and to ensure the support to its membership is consistent and robust during this time of uncertainty.

The **CPA Small Branches Chairperson, Hon. Niki Rattle**, Speaker of the Parliament of the Cook Islands writes about how the latest global pandemic is affecting the Cook Islands, one of the smallest jurisdictions in the Commonwealth and what the CPA Small Branches network can do in her *View* article for this publication.

The **CPA Small Branches Chairperson, Hon. Niki Rattle**, Speaker of the Parliament of the Cook Islands writes about how the latest global pandemic is affecting the Cook Islands, one of the smallest jurisdictions in the Commonwealth and what the CPA Small Branches network can do in her *View* article for this publication.

The **Acting CPA Secretary-General, Mr Jarvis Matiya** in his *View* article in this issue outlines how the CPA will continue to provide maximum support to its membership and partners by using alternative means to deliver on its mandate of developing, promoting and supporting Commonwealth Parliamentarians and parliamentary staff

“Commonwealth Parliaments have responded to the international situation regarding Coronavirus in many different ways and in this issue of *The Parliamentary*, we have published a series of special reports on some of the ways that CPA Branches are responding to the pandemic.”



Jeffrey Hyland, Editor
The Parliamentary,
Commonwealth Parliamentary
Association

to identify benchmarks of good governance and to implement the enduring values of the Commonwealth. The Acting CPA Secretary-General also reports on how the CPA has responded with the

publication of the '*CPA Toolkit for Commonwealth Parliaments and Legislatures on the COVID-19 (Coronavirus) pandemic*', a series of international webinars and a number of measures to support Parliamentarians and parliamentary staff.

This issue features an article by former New Zealand Parliamentarian and now Chief Executive of the Electoral Reform Society, **Darren Hughes**, who asks '*New pandemic, new politics? Inside the UK's virtual Parliament*'. The Electoral Reform Society has also shared with readers an interview with UK Parliamentarian, **Wera Hobhouse, MP** on '*Life for a backbencher in the UK's virtual Parliament*'.

UK Parliamentarian and former Secretary-General of NATO, **Lord Robertson of Port Ellen** writes about '*COVID-19, the Commonwealth and the urgency of action on road traffic injury*' as he examines one of

the greatest threats to human life in the Commonwealth.

One of the CPA's most important pieces of work in recent years has been the Recommended Benchmarks for Democratic Legislatures, which are helping to provide a framework for excellence in Commonwealth parliamentary and legislative practice by reinforcing the belief that effective Parliaments are one of the principal institutions of any functioning democracy. A number of Commonwealth Parliaments have been undertaking self-assessments against the CPA Benchmarks, both as part of the Commonwealth Partnership for Democracy (CP4D) and with the CPA Headquarters Secretariat. In this issue of *The Parliamentary*, we feature reports from the CP4D project as well as the many self-assessments taking place in CPA Branches. In addition, **Tom Duncan**, Clerk of the Australian Capital Territory Legislature and a consultant on the revised CPA Benchmarks in 2018, writes about the ACT experience and their regular reassessments against the CPA Benchmarks.

Over half of the world's victims of modern slavery live in the Commonwealth. The United Kingdom's Independent Anti-Slavery Commissioner, **Dame Sara Thornton**, looks at the scale of the issue of modern slavery and the role of the Commonwealth.

UK Parliamentarian, **Alex Norris, MP**, writes about ridding our world of modern slavery by 2030, the work of the CPA UK Branch's Modern Slavery Project and the launch of an e-Handbook for Commonwealth Parliamentarians to raise awareness of modern slavery, human trafficking and forced labour.

The CPA is working with McGill University in Canada on a global partnership project to strengthen parliamentary oversight in Small



Image credit: UK Parliament/Jessica Taylor



A 'socially distanced' House of Commons in the UK Parliament with few Members of Parliament in the Chamber during Prime Minister's Questions, March 2020.

States and **Professor Rick Stapenhurst** from the university writes about the progress of the project so far.

In the first of a three-part series for *The Parliamentarian*, Parliamentary Consultant at the Lok Sabha Secretariat at the Parliament of India, **Ravindra Garimella**, looks at the origins and history of some of the parliamentary expressions and practices used in many Commonwealth Parliaments and Legislatures.

Youth activist from Tonga, **Mele Fonua**, writes in this issue about how her participation in and experiences at the 10th Commonwealth Youth Parliament in India last year, shaped her role as Chairperson of the Whole House Committee at the recent Tonga Youth Parliament 2020.

This issue of *The Parliamentarian* reports on Commonwealth Day 2020 which took place on Monday 9 March. The CPA Headquarters Secretariat launched a CPA Commonwealth Day Youth Engagement Pack, for the benefit of all CPA Branches in order to inspire Parliaments to engage their young people. CPA Branches and Regions across the network of the Commonwealth Parliamentary Association also marked Commonwealth Day 2020 in many different ways and this issue reports on events in Canada, Cayman Islands, Ghana, Fiji, Malawi, Kiribati, Jamaica, New Zealand, Northern Territory, Pakistan, Gibraltar, St Helena, Scotland and the UK. Commonwealth Day has been celebrated around the Commonwealth on the second Monday in March every year since the 1970s.

This issue features an article by the Deputy Chief Executive of the UK Branch of the Commonwealth Parliamentary Association, **Helen Haywood**, who looks back over 25 years working with the CPA and the wider international parliamentary community.

International Women's Day 2020 took place on 8 March and the Commonwealth Women Parliamentarians (CWP) used the opportunity to celebrate the achievements of women in Parliaments

across the Commonwealth and to highlight the gender inequality faced by women across the world. In this issue of *The Parliamentarian*, the CWP International Vice-Chairperson and the CWP Africa Region Chairperson, **Hon. Dr Zainab Gimba, MP** (Nigeria), writes about the different strategies and resolutions required in the Africa Region to ensure gender equality and women's empowerment.

This issue also features news and reports of Commonwealth Women Parliamentarians (CWP) activities including the CWP International Chairperson joining a UN Women webinar on '*delivering justice for all survivors of sexual harassment*'; the CWP Alumni Champion promoting network on visit to the New

Zealand Parliament; the CWP Pacific Regional Conference in Niue on effective political participation for women; the historic election result in Kiribati as four women MPs and the first woman Speaker elected; the CWP British Islands and Mediterranean Regional Conference in the Falkland Islands and the CWP British Islands and Mediterranean Region issuing a statement condemning gender-based violence.

CPA news reports in this issue include: the postponement of CHOGM 2020 due to COVID-19; the CPA Vice-Chairperson's visit to CPA Scotland and CPA UK Branches; Caribbean Heads of Government attending 31st CARICOM Meeting in Barbados; the need for stronger cooperation between Commonwealth Parliaments emphasised during Cybersecurity Workshop; Overcoming trade barriers for small jurisdictions highlighted at 45th Session of the Steering Committee of the Parliamentary Conference on the World Trade Organisation; Parliamentary Clerks from the CPA Africa Region's Society of Clerks-at-the-Table meet in Tanzania; Malawi Parliamentarians visit Scottish and United Kingdom Parliaments for programme on Strengthening Committee Scrutiny.

The *Parliamentary Report* and *Third Reading* section in this issue includes parliamentary and legislative news from Canada Federal; British Columbia; Trinidad and Tobago; India; New Zealand; Sri Lanka; United Kingdom; and Australia Federal.

We look forward to hearing your feedback and comments on this issue of *The Parliamentarian*, on the issues affecting Parliamentarians across the Commonwealth and to receiving your future contributions to this publication.

Jeffrey Hyland
Editor, *The Parliamentarian*
editor@cpahq.org



COVID-19 AND ITS IMPACTS ON THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

View from the CPA Chairperson

Currently, the world's most dreadful, widespread and lethal pandemic COVID-19 (Coronavirus) has had huge political, economic, social and health impacts on states and governments at the international and regional levels, since its outbreak in the Wuhan Province of the People's Republic of China in November last year. Its rapid spread and mode of transmission have been a great challenge and threat to human existence and activities. Its control has gradually become the world's primary concern, relegating other relevant issues to the background. Almost all nations of the world have had to revise or are thinking of revising their budgetary allocations to include the fight against this global and indiscriminate pandemic of the 21st century. Therefore, this will require new legislation.

The merciless pandemic has, like an unstoppable giant, continued to claim victims, men and women, the old and the young, whites and blacks alike. According to global statistics, as of 7 May 2020¹, there are 3,836,181 recorded cases of COVID-19, 265,356 deaths, 1,307,606 recovered cases, 2,263,219 currently infected patients; with 2,215,132 cases (98%) experiencing mild conditions and 48,087 (2%) in a serious or critical condition. Almost all the continents and countries around the world are grappling with the effects of COVID-19. The victims of this pandemic are the people who gave us their mandate, to speak on their behalf and our voice and actions should be a reflection of their aspirations.

Indeed, COVID-19 is leaving unprecedented and growing human, economic, social and health impacts the world over.

In the absence of a cure or vaccine, some of the unanimously adopted preventive measures are:

- Lockdown;
- Frequent cleaning of hands using soap and water or an alcohol-based hand rub;
- Social distancing;
- Wearing of masks;
- Staying at home;
- Calling toll free numbers in the event of suspected symptoms.

Evidently, COVID-19 has plunged many organisations, countries, Parliaments and Legislatures across the world into a state of emergency. Many activities, programmes and events of our Commonwealth Parliamentary Association (CPA) have been affected by this deadly pandemic. This has prompted the CPA Headquarters Secretariat to conduct research amongst its membership of 180 Commonwealth Parliaments and Legislatures to synthesise a forward-looking '*CPA Toolkit for Commonwealth Parliaments and Legislatures on COVID-19 (Coronavirus) pandemic and delivering parliamentary democracy*'. This toolkit provides various measures and recommendations that can be adopted by both Parliaments and



**Hon. Emilia Monjowa Lifaka,
MP, Chairperson of the CPA
Executive Committee and
Deputy Speaker of the National
Assembly of Cameroon**

Parliamentarians in order to continue to perform the Legislatures' role of securitising bills and ensuring democracy during a global pandemic.

The CPA family being an integral part of the global village has not been spared. COVID-19 has obviously upset our activities, programmes and events for 2020 and perhaps beyond. The CPA Headquarters Secretariat and the CPA Coordinating Committee were compelled to take a decision to postpone all international travel and the delivery of any related programmes and governance meetings.

Consequently, the Mid-year CPA Executive Committee Meeting, which was slated for April 2020 in Assam (India), could not take place and has had to be rescheduled to 29 June to 3 July 2020, subject to the evolution of the disease.

Similarly, the 49th CPA British Islands and Mediterranean Regional Conference, Valletta, Malta, which was initially planned from 27 to 30 May 2020, will now be held virtually in September 2020. The 58th CPA Canadian Regional Conference in Toronto, Ontario, Canada planned for 18 to 24 July 2020 has been postponed to 2021. The 51st CPA Africa Regional Conference due to take place in Abuja, Nigeria from 20 to 26 July 2020 has also been postponed to a future date.

In the same vein, the Commonwealth Heads of Government Meeting (CHOGM), which was slated for Kigali, Rwanda in June 2020 has also been postponed to a future date.

Furthermore, there is uncertainty looming over the holding of:

- 45th CPA Caribbean, Americas and the Atlantic Regional Conference, Turks and Caicos, 10 to 18 July 2020;
- The forthcoming 65th Commonwealth Parliamentary Conference, Halifax, Nova Scotia, Canada, 12 to 18 January 2021.

Commonwealth Parliaments and Parliamentarians have now resorted to new ways of conducting debates, scrutinising and passing legislation, holding Parliamentary Committees and exercising oversight of their governments.

While some Parliaments suspended their legislative work until further notice, others have resorted to teleworking and remote working through e-mails and by telephone.

The CPA has had to use alternative means to exercise its mandate of developing, promoting and supporting Commonwealth Parliamentarians and parliamentary staff to identify benchmarks of good governance and to implement the enduring values of the Commonwealth.

In order to curb the spread of the pandemic and ensure the continuity of service, the CPA Headquarters Secretariat staff have resorted to working remotely (from home) until further notice.



Since the outbreak of COVID-19 in the Wuhan Province of the People's Republic of China in November 2019, its rapid spread and mode of transmission have been a great challenge and threat to human existence and activities.

The effects of COVID-19 are unfortunately affecting so many in the CPA and these effects could not have been predicted. The CPA flagship Fundamentals Programme run in partnership with the University of Witwatersrand (South Africa) in the domain of 'Parliamentary Practice and Procedure for Parliamentarians' was delayed for one week and its effective take-off is still subject to the evolution of the pandemic.

Other outcomes of the global pandemic include:

- Many Commonwealth Women Parliamentarians (CWP) meetings have been unable to be held, thereby delaying the schedule that had been established for the attainment of certain goals;
- Many Commonwealth Parliamentarians have been unable to meet their constituents to address their needs and listen to their aspirations;
- Many children in Commonwealth countries where ICTs and networks are poorly developed are losing a lot in terms of their education, owing to the close down of schools;
- The burden in families has increased tremendously resulting from a lot of stress and hardship due to technical unemployment.

In relation to the impact of COVID-19 on women, the UN Secretary-General, Antonio Guterres, notes, "The year 2020, marking the twenty-fifth anniversary of the Beijing Platform for Action, was intended to be ground-breaking for gender equality.

Instead, with the spread of the COVID-19 pandemic, even the limited gains made in the past decades are at risk of being rolled back. The pandemic is deepening pre-existing inequalities, exposing vulnerabilities in social, political and economic systems which are in turn amplifying the impacts of the pandemic.

Across every sphere, from health to the economy, security to social protection, the impacts of COVID-19 are exacerbated for women and girls simply by virtue of their sex."²

Concerning women and those of Africa, and Cameroon in particular, the disease outbreak has increased women's and girls' duties to care for the elderly and ill family members, as well as siblings who are out of school. Women and girls are particularly affected by the secondary impacts of the outbreak. Quarantine measures imposed as a response to the COVID-19 pandemic are putting women and girls at heightened risk of violence in the home and cutting them off from essential services and social networks.

Economic stress on families due to the outbreak can put children, and in particular girls, at greater risk of exploitation, child labour and gender-based violence. Households need to be supported in the face of the quarantine measures.

Global lockdowns block women's and youths' ability to struggle for their autonomy and make them to continue to depend on others for survival.

In fact, the Coronavirus pandemic has disrupted the lives of most women and youths. It is not only an unprecedented public emergency, but also a challenge the society and the economy have not seen in recent times. The CPA and the rest of the world are anxiously looking up to the day this killer disease with its multifarious effects will be history.

I encourage all CPA members to 'STAY SAFE' - we shall continue to need each other after this challenging period.

References:

¹ Data from www.worldometers.info/coronavirus.

² UN Secretary-General's policy brief: The impact of COVID-19 on women: <https://www.unwomen.org/en/digital-library/publications/2020/04/policy-brief-the-impact-of-covid-19-on-women>

The screenshot shows the UN Women website. The header includes the UN Women logo and navigation links: EXECUTIVE BOARD, COMMISSION ON THE STATUS OF WOMEN, TRUST FUNDS, and GET INVOLVED. Below the header is a secondary navigation bar with links: ABOUT, WHAT WE DO, WHO WE ARE, HOW WE WORK, PARTNERSHIPS, NEWS AND EVENTS, and DIGITAL LIBRARY. The main content area features the title 'UN Secretary-General's policy brief: The impact of COVID-19 on women' with a sub-header 'The year 2020, marking the twenty-fifth anniversary of the Beijing Platform for Action, was intended to be ground-breaking for gender equality. Instead, with the spread of the COVID-19 pandemic, even the limited gains made in the past decades are at risk of being rolled back. The pandemic is deepening pre-existing inequalities, exposing vulnerabilities in social, political and economic systems which are in turn amplifying the impacts of the pandemic: Across every sphere, from health to the economy, security to social protection, the impacts of COVID-19 are...'. To the right of the main text is a 'Related news' section with three items: '22/05/2020 From where I stand: "It has become impossible to meet daily needs"', '22/05/2020 In Myanmar, women work to protect small businesses during COVID-19 pandemic', and '21/05/2020 Fresh release: COVID-19 sparks agency around justice for women - new report calls for action'.



STRATEGIES TAKING PLACE IN THE CWP AFRICA REGION TO ENSURE GENDER EQUALITY AND WOMEN'S EMPOWERMENT

View from the Commonwealth Women Parliamentarians (CWP)

This year (2020) marks the 25th Anniversary of the Beijing Platform for Action and is therefore a significant year in the advancement of Gender Equality worldwide. Several milestones on Gender Equality and Women Empowerment on Global, Regional and National levels have been achieved, namely; 20 years of the United Nations Security Council Resolution (UNSCR No. 1325) on Women, Peace and Security (2000), the 10th Anniversary of UN Women (in July 2020) and the 2030 Agenda for Sustainable Development, specifically containing Sustainable Development Goal 5 on gender equality.

Amongst the many milestones this year, at the Commonwealth Women Parliamentarians (CWP) Africa Regional level was the AU Strategy for Gender Equality and Women's Empowerment for the period of 2018-2028, which set forth a plan to realize Aspiration 6 of the African Union's Agenda 2063. Different strategies and resolutions have therefore been put in place to ensure that gender equality and women's empowerment is achieved across all sectors - i.e. in economic, social, political and in decision-making bodies.

Notably, the CWP Africa Region has also taken an important step towards increasing the number of women Members of Parliament in national Parliaments. The number of women in some Parliaments have exceeded the Beijing target of at least 30% women Members, including the Parliaments of Rwanda (61.2%), South Africa (46.2%),



CWP International Vice-Chairperson and CWP Africa Region Chairperson, Hon. Dr Zainab Gimba, MP (Nigeria)

“Notably, the CWP Africa Region has also taken an important step towards increasing the number of women Members of Parliament in national Parliaments. The number of women in some Parliaments have exceeded the Beijing target of at least 30% women Members, including the Parliaments of Rwanda (61.2%), South Africa (46.2%), Namibia (42.7%), Mozambique (41.2%), Tanzania (36.9%) and Uganda (34.8%).”

Namibia (42.7%), Mozambique (41.2%), Tanzania (36.9%) and Uganda (34.8%). There are, however, Parliaments with percentages of women even lower than 20% which include; Botswana (10.77%), Eswatini (9.59%), Ghana (13.09%), Nigeria (3.43%), Sierra Leone (12.33%) and Zambia (16.77%). Nevertheless, it is important to acknowledge that, the number of women MPs in the CWP Africa Region on average has increased from 25.75% in 2015 to 27.5% in 2020, which is slightly above the global average percentage of 24.5%.

Statistics in Nigeria reflect a slight increase in the number of women in Parliament following election tribunal victories arising from 2019 election petitions. In the Federal House of Representatives in Nigeria, the number of women Members of Parliament

increased to 13 in total, while the Nigerian Senate recorded its 8th female Senator. Although this appears to be a seemingly small victory, it is a big gain for the women of Nigeria.

Subsequently, I commend those Parliaments which have seen increases in the numbers of women MPs, resulting from a number of initiatives and affirmative action policies, including gender quotas. This practice should be encouraged for other countries to adopt the same policies. Transformative policies, leading to accelerated and irreversible change on a broad scale, remain necessary.

It is an unfortunate reality that women are far more likely than men to live in extreme poverty and remain significantly underrepresented in decision-making roles and leadership roles across all sectors. Subsequently, women and girls continue to experience multiple forms of discrimination based on age, class, ethnicity and race, and it is important to recognise this fact all year round. In this regard, the CWP Africa Region through our national Parliaments must work to ensure that our Governments uphold their commitments to gender equality, including such obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Agenda 2030 and Agenda 2063.

In acknowledging the importance of the increase of women in decision-making bodies through affirmative actions, it is important to also look beyond descriptive representation. Progress should be made on substantive representation to translate the gains of the increase, into changing the status and lives of women at large.

On International Women's Day 2020 (8th March), I urged all CWP Branches in the Africa Region to continue striving for girls and women rights by pushing for their social, economic, cultural and political achievements. Moreover, as we mark the 25th anniversary of the Beijing Declaration and Platform for Action, I feel it is necessary to emphasise that, *'gender equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society,*



Commonwealth Women Parliamentarians from the CWP Africa Region held a CWP Africa Region Gender Sensitization Workshop on the theme of 'Advancing Women's Participation in Electoral Processes' in Arusha, Tanzania from 25 to 29 October 2019 attended by both the CWP International Chairperson and CWP International Vice-Chairperson.

including economic participation and decision-making, and when different behaviours, aspirations of women and men are equally valued and favoured.*

It is important that we continue to celebrate, beyond International Women's Day, what has been achieved so far whilst encouraging more efforts towards transformative policies leading to gender equality on a broad scale. Let everyone, in their capacity, talk, think

and act equally as this will, in turn, create a ripple effect that benefits everyone.

This article is based on a statement delivered by the Chairperson of the Commonwealth Women Parliamentarians (CWP) Africa Region and CWP International Vice-Chairperson, to commemorate International Women's Day on 8 March 2020. Hon. Dr Zainab Gimba spoke at a press conference titled 'Happy International Women's Day', in Abuja, Nigeria in an effort to raise awareness of the CWP's commitment to use their platforms to promote gender equality and women's empowerment.

As the CWP International Vice-Chairperson, Hon. Dr Zainab Gimba, MP represents the CWP as a member of the Editorial Advisory Board for *The Parliamentarian*, ensuring that CWP articles and gender topics are regularly contributed to the publication.

* <http://www.genderequality.ie/en/GE/Pages/WhatsGE>

CWP International Chairperson joins UN Women webinar on 'delivering justice for all survivors of sexual harassment'

The Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA (Pakistan) spoke about the CWP network encouraging the adoption of sexual harassment policy guidelines across the CPA's 180 Commonwealth Parliaments during a UN Women webinar on sexual harassment. During the webinar, the CWP Chairperson said that *"there must be a wider policy for Parliamentarians in the Commonwealth on harassment adopting definitions, threshold and reach"* and that *"justice is not just about the legal process but also about preventing harassment and any form of violation against women."*



The webinar was held following the postponement of meetings on the Commission on the Status of Women (CSW) that were due to be held in New York in March 2020 to mark the 25th anniversary of the Fourth World Conference on Women and adoption of the Beijing Declaration and Platform

for Action (1995). Other panellists included Purna Sen, Executive Coordinator and Spokesperson on Addressing Sexual Harassment and Other Forms of Discrimination at UN Women; Halla Gunnarsdóttir, Special Adviser on Gender Equality to the Government, Iceland; Kate Jenkins, Sex Discrimination Commissioner at the Australian Human Rights Commission.

To view the webinar please visit <https://bit.ly/3a3v0rO>.





'DELIVERING A COMMON FUTURE: CONNECTING, INNOVATING, TRANSFORMING IN A TIME OF COVID-19'

The CPA Small Branches Chairperson examines how the latest global pandemic is affecting the Cook Islands, one of the smallest jurisdictions in the Commonwealth.

View from the CPA Small Branches Chairperson

At the launch of Her Majesty Queen Elizabeth II, the CPA Patron's Commonwealth Day Message on Monday 9 March this year on the theme of *'Delivering a Common Future: Connecting, Innovation, Transforming'*, very few world leaders could have foreseen that just a few weeks later an earlier viral outbreak (COVID-19) in Wuhan, China would have spread to every corner of the world leading to a pandemic with millions infected and a human tragedy of hundreds of thousands of lives lost.

The rapid spread of the virus has resulted in a 'global lockdown', once again reminding us that, owing to our 'interconnectedness', no country in the world, whether large or small, coastal or landlocked, developing or developed is immune to the debilitating effects of the pandemic. It is also a stark reminder that what any single country does, for good or ill, it can impact severely on the well-being of the rest of the planet's inhabitants.

The pandemic's wider effects have already impacted disproportionately on Small Islands Developing States (SIDS) and other CPA Small Branches, where the presence of one or more factors such as high indebtedness, a heavy reliance on tourism, small size, and limited resources create particular vulnerabilities to long-lasting economic and societal shocks. This, in turn, places enormous pressure on governments and Parliamentarians to demonstrate genuine leadership to meet these challenges by urgently developing emergency strategies and policies to maintain the lives and livelihoods of their citizens until the crisis lifts.

The importance, therefore, of innovation within Parliaments, including through the use of virtual platforms, so that Parliamentarians can continue to hold governments to account and demonstrate national leadership in addressing these challenges, have never been greater.

The scale and suddenness of the global pandemic has already damaged the G7 economies with expert predictions of a deep global recession ahead, potentially greater than that of the

"The pandemic's effects have already impacted disproportionately on Small Islands Developing States (SIDS) and other CPA Small Branches."



Hon. Niki Rattle, Chairperson of the CPA Small Branches and Speaker of the Parliament of the Cook Islands

financial global downturn of 2007/8. It is not an understatement to assert that our global economic future remains uncertain. In little over a few months, COVID-19 has sparked and accelerated an unprecedented level of change in all aspects of our societies. Previously unimaginable shifts in our working and social lives, have forced us to innovate, adapt and identify creative solutions to allow us to continue to function as a society.

In times of national emergency, it is often necessary for the rights and freedoms usually enjoyed by individuals to be curtailed in the interests of the wider national good. However, emergency laws and the suspension of individual rights, including the indispensable democratic right of all, namely, the casting of people's votes in free fair elections, need to be closely protected and monitored by Parliamentarians and citizens

alike. This will ensure the eventual lifting of restrictions on such rights and a return to some form of normality. Various forms of governments inclined towards executive overreach should not be allowed to exploit the current pandemic as an opportunity to hold on to and extend power. Delaying national elections for any longer than absolutely necessary or avoiding parliamentary scrutiny of human rights restrictions by sidestepping virtual meetings of Parliament are some such examples of abuses. Such actions risk eroding the rule of law through deprivation of citizen's constitutional rights for longer than absolutely necessary. It is therefore vital in these uncertain times that Parliamentarians remain alert and vigilant and demonstrate moral leadership in the national interest.

The leaders and Parliamentarians of my country, the Cook Islands, certainly rose to the extraordinary challenges forced on the nation, especially the threat to the lives of our people. The multiple forging of partnerships throughout the entire country, from the grassroots level to Ministerial level and including, government ministries, the business sector, the private sector and civil society groups, NGOs and groups on the outer islands, in establishing a COVID-19 Emergency Response Plan, with the Ministry of Health taking the lead, was an absolute necessity. Public awareness raising and education using information from the World Health Organisation (WHO), was crucial and widely disseminated throughout the whole population. These changes were embraced despite the hardships and the restrictions demanded of the people. The Parliament of the Cook Islands was also called, under special conditions, to



sit and passed two COVID-19 related pieces of legislation. This was enabled through the suspension of multiple Standing Orders, as well as a supplementary budget for the bold Economic Response Plan. This concerted effort has provided the people with some certainty in an uncertain time.

The Prime Minister of the Cook Islands, Henry Puna, on 16 April 2020, declared the Cook Islands were COVID-19 free, with great pride and relief after over 1,200 negative tests and no identified cases since the first official recognition of the pandemic. This was made possible through a collective national effort managed by the national government, the Ministry of Health and a National Health Emergency Task Force which featured broad community participation. This people-led and people-focused strategy was best summarised by the Prime Minister in a public address on 10 April 2020: *"We must uphold the inherent dignity and rights of our people as the foundation of our democracy."*

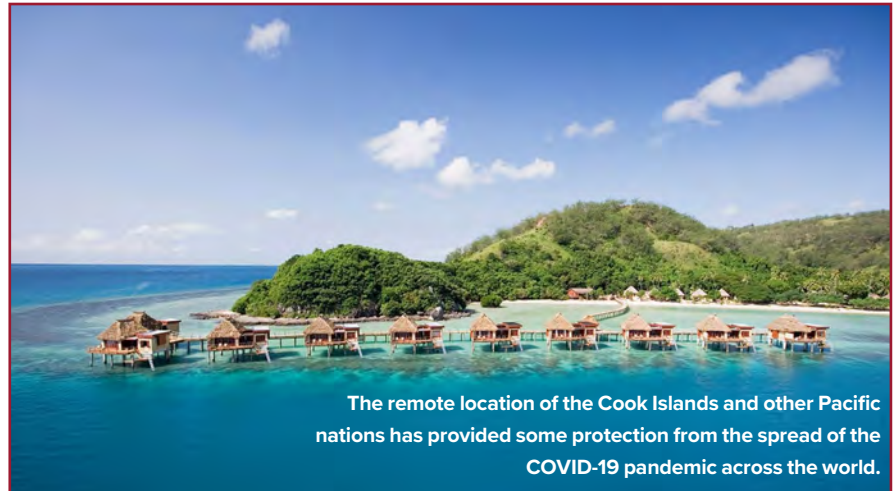
Like most countries dealing with the spread of COVID-19, the Cook Islands has been affected in a number of ways. The closing of international borders in the Cook Islands, (excluding one flight per week from Auckland, New Zealand for essential travel and the transferral of serious COVID-19 cases), has significantly impacted on the tourism sector. All non-essential services have also been shut down, many people have been forced to work from home, people have been asked to observe good hygiene, maintain social distancing, schools have been shut down and the outer islands' borders have been closed.

The Cook Islands' political institutions have also been noticeably affected by the pandemic. The country's leaders have discussed the alternatives of a virtual meeting during the lockdown. Although a majority of the Members live on the mainland, including outer islands Members, plans are ongoing to facilitate virtual meetings, including the Select Committee meeting consultations for the outer islands on major Bills that are being publicly consulted.

The Cook Islanders are a warm, affectionate people and great socialisers. The restrictions have therefore challenged many of our most fundamental societal norms. Being a Christian nation, not being able to go to Church has been a particular challenge for our society. Also, as New Zealand citizens, over 300 of our people were caught up on their return from overseas travel in the New Zealand lockdown, being stuck in the country for over 3 months. Happily, the first repatriation of half of those stranded returned to the Cook Islands on Friday 8 May 2020 and will undertake two weeks of monitored quarantine while a decision on the future return to some levels of normality are examined.

Several Pacific Island countries and territories have experienced similar measures, although many are also still reporting no cases of COVID-19, which may be one of the benefits of geographical isolation.

Despite these hugely challenging times there is a silver lining; COVID-19 will likely not be here forever and there have already been some positive benefits for the planet, including through the significant reduction in carbon emissions. Across the world, the planet's inhabitants are all seeing clearer skies and breathing



The remote location of the Cook Islands and other Pacific nations has provided some protection from the spread of the COVID-19 pandemic across the world.

cleaner air. Communities at multiple levels are reconnecting again and for many, although not for all, the simple pleasures of enjoying family time and the beauty of nature around us are temporarily in the spotlight once again.

As we navigate the unprecedented changes before us, world leaders and Parliamentarians will no doubt be asking hard questions on how to move forward in such times of worldwide uncertainty and ambiguity. Some answers may lie in Her Majesty The Queen's Commonwealth Day theme. The reference to our 'common future' speaks urgently and powerfully to the importance of all Commonwealth nations and peoples coming together to rediscover and reemphasise the purpose of the Commonwealth as a global community of connection, innovation and transformation.

We may be physically apart as individuals but as communities we appear in many respects to be closer together than ever before through the use of digital technology. Innovation and creativity have enabled many, near and far, to remain connected in more efficient ways than previously thought possible. The strengthening of our individual and collective resilience has also transformed the possibilities of what our future social and economic lives and livelihoods might look like once the crisis is over. As a community of nations founded on common values, we are uniquely placed, whether large or small, developed or developing, to support each other through this crisis. Instead of pulling back and hunkering down in our own backyards, risking exacerbation of divisive forms of nationalism in global politics, this is in fact the time for Parliamentarians and governments to step forward and remind themselves of the Commonwealth's enduring principles of sharing and exchanging best practice, equality, respect and understanding, friendship and co-operation, amongst others.

Traditions forged over seven decades of the 'modern' Commonwealth, which, as Her Majesty The Queen has remarked, serves to make us stronger individually and collectively to work together to imagine and deliver a common future. Every choice we make in this crisis will be tough especially given the uncertain times ahead but if we work together, understanding who we are and what we value, while recognising our responsibilities to each other. We will forge a common future through our connectivity and innovation, that will ultimately be transformative in fortifying us in the years ahead.

Kia Manuia



DELIVERING PARLIAMENTARY DEMOCRACY DURING A GLOBAL PANDEMIC

View from the Acting CPA Secretary-General

While the first issue of *The Parliamentarian* in 2020 celebrated an incredible 100 years of our publication, this second issue just a couple of months later, sees the world experiencing a widespread, wholly unprecedented, global health crisis. The COVID-19 pandemic has infiltrated the everyday lives of individuals across the Commonwealth and beyond. It has greatly impacted the way in which we go about our everyday lives and has curtailed the means with which Parliaments and Parliamentarians are able to promote the fundamental values of the Commonwealth and successfully operate. Some Legislatures have completely shut down while some have drastically reduced operations. As time has gone on, more and more Parliaments have continued to adapt their practices to comply with physical distancing recommendations in order to fulfil their critical functions during this crisis. These range from limiting the numbers of in-person sittings or Parliamentarians physically present in the chamber during sittings, to moving towards partially or fully virtual sittings and Committee meetings.

In response to the COVID-19 situation and following the UK government advice, from 16 March 2020, the Commonwealth Parliamentary Association (CPA) Headquarters Secretariat began working from home until further notice. Nevertheless, we have persisted and utilised alternative means to engage with our Regions and CPA Branches, and to deliver on our mandate of developing, promoting and supporting Commonwealth Parliamentarians and parliamentary staff. We also issued a statement to all of our 180 CPA Branches in Commonwealth Parliaments and Legislatures to provide reassurance to our membership and to ensure the support to our membership is consistent and robust during this time of uncertainty.

As the spread of COVID-19 increased across the Commonwealth,

“The COVID-19 pandemic has infiltrated the everyday lives of individuals across the Commonwealth and beyond. It has greatly impacted the way in which we go about our everyday lives and has curtailed the means with which Parliaments and Parliamentarians are able to promote the fundamental values of the Commonwealth and successfully operate.”



Mr Jarvis Matiya
Acting Secretary-General
of the Commonwealth
Parliamentary Association

the CPA Headquarters Secretariat with the approval of the CPA Coordinating Committee took the difficult decision to postpone all international travel and the delivery of any related programmes and governance meetings.

With the aim of supporting its members, the CPA Headquarters Secretariat has produced the timely, forward-looking *‘CPA Toolkit for Commonwealth Parliaments and Legislatures on the COVID-19 (Coronavirus) pandemic and delivering parliamentary democracy’* which I encourage you to read if you haven’t already done so. Inspired by a combination of independently sourced research on business continuity, crisis management and measures actioned by various Commonwealth Parliaments, this toolkit is an overview of what the

current global pandemic is and the basic protective measures that have been determined by public health officials worldwide and provides recommendations that can be adopted by Parliaments and Parliamentarians to continue to uphold their democratic responsibilities in the delivery of the Legislatures’ role of scrutiny and law making. It also discusses different types of emergency legislation currently being enacted for the purpose of establishing solutions to the practical challenges faced by a democracy under a state of emergency. It provides an opportunity for sharing on responses and the unique experiences of Commonwealth Parliaments and Legislatures regarding the COVID-19 pandemic.

Readily adapting our procedures to ensure business continuity throughout this difficult period, CPA Headquarters Secretariat staff have also engaged in several virtual events and meetings discussing new means of conducting parliamentary functions and processes. On 1 May 2020, the CPA Headquarters Secretariat collaborated with the ParlAmericas network in organising an online meeting for Presiding Officers and Clerks from English-Speaking Parliaments in the Americas and the Caribbean, *‘Virtual Parliamentary Sittings during the COVID-19 Pandemic’*. The purpose of the meeting was to support Parliaments who were exploring or debating the possibility of hosting virtual parliamentary sittings or Committee meetings to continue fulfilling their functions during the COVID-19 pandemic. This meeting allowed participants to learn from the experiences of Parliaments that have implemented virtual sittings and/or Committee meetings, and discuss the concerns and solutions.

More recently on 5 and 6 May 2020, the CPA Headquarters Secretariat hosted two CPA webinars on *‘Delivering Parliamentary Democracy during the COVID-19 Pandemic: A virtual briefing for Commonwealth clerks and parliamentary staff’*, exploring new adaptations of parliamentary practice during the COVID-



As the COVID-19 pandemic has spread across the world, Parliaments have been responding to the threat. At the European Parliament in Brussels, Belgium, the provision of masks, gloves and social distancing has been introduced in the Chamber.

19 pandemic. The purpose of the webinars was to support Commonwealth Clerks and parliamentary staff who are currently dealing with or are facing the prospect of, maintaining the functioning of Parliament during a full or partial lockdown as a result of the COVID-19 pandemic.

Building on the insights from the recent CPA publication: *COVID-19 and Delivering Parliamentary Democracy: A Toolkit for Commonwealth Parliament*, the CPA webinars focused on how Clerks and parliamentary staff were responding to, and navigating these conditions, including conducting virtual plenary sessions, Committee meetings and other important business, as well as the various legal, procedural and technical challenges that have emerged through attempts to adapt to the emergency measures. The CPA Vice-Chairperson Hon. John Ajaka, MLC, also President of New South Wales Legislative Council, attended one of the CPA webinars and delivered closing remarks. In total, 170 participants attended the two CPA webinars with many more viewing the webinar videos online afterwards.

The CPA Headquarters Secretariat will be evaluating the responses to the CPA webinars based on the outcome of the online surveys conducted immediately after the conclusion of each session, as well as feedback received after the webinars, and develop follow-up activities or plan further webinars on different subject matters.

Similarly, I was also able to attend, on behalf of the CPA, the 'Virtual Parliamentary Briefing on Pandemics with a special focus on COVID-19' event hosted by the World Bank and featuring the CPA Treasurer, Hon. Shamsul Iskandar, MP (Malaysia), amongst its guest speakers. The briefing convened legislators from countries most affected by or at risk of COVID-19, alongside health experts exchanging views on the response to the global pandemic, its social and economic impact and the actions that Parliamentarians can take to offset the economic shocks being experienced by all countries.

Engaging in such rich and informative content enables the

reaffirmation of cooperative approaches across the Commonwealth and its wider networks to facilitate knowledge sharing amidst this global pandemic, and in the future.

To help support the Association's membership in working from home, the CPA Headquarters Secretariat also launched three new CPA Masterclass videos on 'Remote working during the COVID-19 (Coronavirus) pandemic' to equip Commonwealth Parliamentarians and parliamentary staff with practical techniques to effectively plan and manage parliamentary responsibilities.

Whilst we may not be able to engage in person during these unprecedented times, opportunities like these that take advantage of modern technologies allow us to continue to fulfil our mandate at the CPA and to support our membership, whilst collaborating with organisations who we may not have had the opportunity to partner with previously.

There has been an incredible surge in the digitalisation and virtual nature of processes taking place across the Commonwealth, not only for Parliaments but for Commonwealth organisations as well. One such successful initiative that we participated in was 'A Collective Commonwealth Response to COVID-19', a dialogue hosted by the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC. Within this meeting Commonwealth Accredited Organisations discussed collaborating on a collective Commonwealth Action Plan to combat COVID-19 and we heard from the Commonwealth Secretariat on the progress being made for the 2020 Commonwealth Heads of Government Meeting (CHOGM), which was due to take place in Kigali, Rwanda in June 2020. I briefed the virtual meeting on the CPA toolkit and other initiatives that the CPA Headquarters Secretariat was taking to support its members during the pandemic. Since that call and the continuing situation, we now know that CHOGM 2020 has been postponed and will be held at a later date. However, the meeting theme of 'Delivering a Common Future: Connecting, Innovating,



“As ever, the CPA Headquarters Secretariat aims to strengthen and promote knowledge and best practice to enhance the work of Parliaments and democratic governance; we have ensured our support to our membership is consistent and robust during this time of uncertainty and utilised alternative means to deliver on our mandate to implement the enduring values of the Commonwealth.”

Transforming has never been more relevant and will certainly be the source of much discussion again when we can safely meet.

Throughout this continually, ever-evolving period, I am reminded of the extremely successful 64th Commonwealth Parliamentary Conference, held in Kampala, Uganda from 22 – 29 September 2019, whose theme was, *‘Adaption, Engagement and Evolution of Parliament in a Rapidly Changing Commonwealth’*. Whilst none could have imagined what the next year would hold and how our learnings would be tested, I hope that Commonwealth Parliamentarians and parliamentary staff who attended the Conference, are able to draw upon what was discussed in those workshops, plenary sessions and side events in order to benefit their institutions amidst this crisis. We certainly hope at a Secretariat level that we’re able to utilise the knowledge shared previously in order to keep our programmes responsive to our Members’ needs and uphold our internal governance requirements in forms other than physical meetings if necessary.

Throughout this period, we must continue to participate and acknowledge the great work being conducted across the Commonwealth Regions. Recent occurrences that have taken place since our last issue of *The Parliamentarian* include International Women’s Day, celebrated on 8 March 2020. A commendation of women’s indispensable social, economic, cultural and political achievements, International Women’s Day calls for an acceleration of women’s participation and increased gender parity under *#EachforEqual*. The Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Shandana Gulzar Khan MNA (Pakistan), celebrated the day with a video message highlighting the important work of increasing women’s representation in Commonwealth Parliaments. The CPA Headquarters Secretariat also released the CWP’s annual review, reporting on the last 12 months of CWP activities and this can be found on our website.

With a community of over 180 Commonwealth Parliaments and Legislatures, encompassing almost 2.4 billion people, a celebration of our unique connection took place across the nine regions of the CPA during Commonwealth Day on Monday 9 March 2020. The day was commemorated with performances, flag parades and the annual multi-faith service in Westminster Abbey, attended by the Head of the Commonwealth and CPA Patron, Her Majesty Queen Elizabeth II, members of the Royal Family, the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC, and Commonwealth leaders and High Commissioners. Both Her Majesty Queen Elizabeth II and the CPA Executive Committee Chairperson, Hon. Emilia Monjowa

Lifaka, MP (Cameroon), echoed this year’s Commonwealth theme in special communications, recognising the power of collectively and collaboratively adapting to our evolving *‘Common Future’*. It is always a great pleasure to participate in events celebrating Commonwealth Day and a strong spirit of unity in diversity was felt at both the Westminster Abbey service and the reception later at Marlborough House, at both of which I had the honour of representing the CPA Chairperson.

Commonwealth Day also marked the launch of the CPA Commonwealth Day Youth Engagement Pack. With 60% of the 2.4 billion Commonwealth population being under the age of 29, the Charter of the Commonwealth acknowledges the positive contribution of young people to continue the goal of maintaining democratic governance. The CPA Youth Engagement Pack encourages the delivery of parliamentary youth outreach and engagement programmes pertaining to the Commonwealth Day 2020 theme. CPA Branches across the Commonwealth received online resource tools and links filled with activities and programmes to reach out and connect with their youth populations. The CPA Headquarters Secretariat received an overwhelmingly positive response from CPA Branches; both Fiji and Kiribati shared their programmes and activities with us in the form of reports acknowledging that the Youth Engagement Pack was useful in motivating youth and strengthening and empowering them to have novel experiences. Positive feedback was also gained through the sharing of the Youth Engagement Pack from many of our Branches to their Youth Ministries, further embedding the CPA’s strong emphasis on a culture of knowledge exchange and sharing.

Following the successful CPA Small Branches Sustainable Economic Development Workshop hosted by the Parliament of Malta and CPA Malta Branch in January 2020, the CPA Headquarters Secretariat published and circulated the related outcomes report. The Workshop was attended by 19 Commonwealth Parliamentarians, including the CPA Small Branches Chairperson, Hon. Niki Rattle (Cook Islands), representing 14 CPA Small Branches and 6 CPA Regions and the report details the outcomes of the discussions and oral evidence presented by specialists on Economic Empowerment, Social Progress and Environmental Governance. For those who were not able to attend the Workshop, it provides an excellent overview of the topics covered and I hope it will be of use for CPA Small Branches in their work on the matter going forward.

As ever, the CPA Headquarters Secretariat aims to strengthen and promote knowledge and best practice to enhance the work of Parliaments and democratic governance; we have ensured our support to our membership is consistent and robust during this time of uncertainty and utilised alternative means to deliver on our mandate to implement the enduring values of the Commonwealth. My colleagues and I are always keen to hear from you as to how we can serve you better, so please do not hesitate to get in touch with us with any ideas or suggestions.

In the coming months, the upkeep of evolving norms and practices will allow democratic processes to continue and the Commonwealth will have to continue to adapt greater than ever to keep up with the developing situations and the impact of the COVID -19 pandemic on our political, economic and trade spheres. The global pandemic has deepened interdependence and affected peace and security issues, but it is crucial that we look to the creation of greater opportunity, economic and social development, as these are significant in *‘Delivering a Common Future’* with all peoples of the Commonwealth.



Postponement of CHOGM 2020 in Rwanda due to COVID-19 global pandemic

On 21 April 2020, the Commonwealth Secretariat and the Government of Rwanda announced that as a result of the ongoing COVID-19 pandemic, it would be necessary to postpone the 26th Commonwealth Heads of Government Meeting (CHOGM), which had been scheduled to take place in Kigali, Rwanda from 22 to 27 June 2020. The 26th CHOGM and associated events will be held in Kigali at a future time to be announced in due course.

The decision was made in accordance with the 2005 Memorandum of Understanding establishing the Commonwealth Secretariat and the CHOGM Technical Manual, as well as with precedent.

His Excellency Paul Kagame, the President of Rwanda, said: *"In the coming months, every Commonwealth nation will be fully focused on combatting COVID-19 and its socio-economic impact on our people. Our organisation's deep reservoirs of solidarity and expertise will be invaluable tools as we work together globally to ensure no country is left behind. We look forward to welcoming the Commonwealth family to Kigali for CHOGM once the pandemic has been defeated."*

The Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC, said: *"The COVID-19 pandemic has changed the course of our modern history. Lives have been lost, economies*



are shrinking, and livelihoods have been shattered. It is difficult to predict what the new normal will look like. We must be mindful of the risks large meetings pose to all. The current circumstances require heroic decisions. We stand together with Rwanda, and thank all our member countries and, in particular the United Kingdom as our Chair-in-Office, who have suffered so grievously, for the support and commitment they have shown in these trying times. I too warmly look forward to reuniting with the Commonwealth family, face-to-face, in the beautiful country of Rwanda."

Visit <http://chogm2020.rw> for further updates.

CPA Vice-Chairperson visits CPA Scotland and CPA UK Branches

The Commonwealth Parliamentary Association (CPA) Vice-Chairperson, Hon. John Ajaka, MLC, President of the New South Wales Legislative Council accompanied by the CPA Acting Secretary General, Mr Jarvis Matiya visited The Scottish Parliament and met with the CPA Scotland Branch President and Presiding Officer, Rt Hon. Ken Macintosh MSP.

During his visit to The Scottish Parliament, the CPA Vice-Chairperson also met with Hon. Stuart McMillan, MSP and Hon. Margaret Mitchel, MSP, Members of the CPA Scotland Branch Executive Committee and observed proceedings in the chamber. A further meeting was held to discuss the legislative process and Committees system at The Scottish Parliament with Peter McGrath, Clerk Team Leader and Sigrid Robinson, Assistant Clerk.

Following his visit to Scotland, the CPA Vice-Chairperson also met with the CPA UK Branch Chairperson, Ian Liddell-Granger, MP and CPA UK Branch Secretary, Jon Davies during a visit to the UK Parliament.





Caribbean Heads of Government attend 31st CARICOM Meeting in Barbados

The 31st Inter-Sessional Meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM) was held in Bridgetown, Barbados from 18 to 19 February 2020. The Prime Minister of Barbados, Rt Hon. Mia Amor Mottley, QC, MP, chaired the proceedings and welcomed Government Leaders from across the Region.

A large number of Commonwealth nations and territories were represented amongst the CARICOM membership including Antigua and Barbuda, The Bahamas, Belize, Dominica, Grenada, Guyana, Jamaica, Montserrat, St Kitts and Nevis, Saint Lucia, St Vincent and the Grenadines, Trinidad and Tobago. Associate Members – Bermuda, the British Virgin Islands, the Turks and Caicos Islands – also attended.

The Secretary-General of the Caribbean Community, Ambassador Irwin LaRocque, addressed the Opening Session alongside the Foreign Minister of Canada, Hon. Francois-Phillipe Champagne and the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC. The speakers emphasised the need for the CARICOM Community to act together in order to overcome the challenges posed both within and from outside of the Region. The theme of CARICOM 'as a family' threaded through the presentations, along with praise for regional institutions led



Images courtesy: CARICOM Secretariat

by the Caribbean Public Health Agency (CARPHA), and the Pan American Health Organisation (PAHO) for the co-ordination of the response to newly emerging COVID-19 (Coronavirus) global pandemic.

Need for stronger cooperation between Commonwealth Parliaments emphasised during Cybersecurity Workshop

25 Commonwealth Parliamentarians met recently in London, UK for the CPA Cybersecurity Workshop 2020, organised by the CPA UK Branch. Delegates from all regions of the Commonwealth and the UK Overseas Territories convened for the three-day programme held across Westminster and Oxford.

As part of CPA UK's work around 'National Security', the programme aimed to improve Parliamentarians' awareness of current trends, share good practice on how to effectively legislate for cybersecurity and build a strong network amongst Commonwealth colleagues.

Over the course of the three-day Workshop, delegates heard from cybersecurity and legal experts from the UK Ministry of Justice and international think-tank, Chatham House (also known as the Royal Institute of International Affairs), with the first day of the programme spent at the University of Oxford, looking at a wide range of topics including digital ethics, and the law and cybersecurity.

Commonwealth Parliamentarians were also able to share their national progress in cyber protection. Participants learnt about Malta's 'five pillar approach': policy, legislation, risk management, culture and education, and Ghana's National Cybersecurity Bill expected to pass later this year. With part of the programme held at the UK Houses of Parliament, delegates heard from UK Members of Parliament and the National Audit Office on the role of Committees in providing effective scrutiny of national cyber policy. Looking at the work of the UK Public Accounts Committee, the Workshop gave guidance on a Parliamentarian's role in delivering oversight on complex and technical matters around cybersecurity.



On the final day, delegates heard from Rt Hon. Lord Ahmad of Wimbledon, UK Minister of State for the Commonwealth, whose key message outlined the importance of international cooperation in the fight against cyber-threats. With the fast-changing nature of technology, delegates were keen to continue the valuable exchange of information through future programmes, in order to ensure Commonwealth Parliaments are able to respond effectively to the challenges around cybersecurity.



Overcoming trade barriers for small jurisdictions highlighted at 45th Session of the Steering Committee of the Parliamentary Conference on the World Trade Organisation

The former Chairperson of the CPA Small Branches, Hon. Angelo Farrugia MP, Speaker of the Parliament of Malta represented the Commonwealth Parliamentary Association (CPA) at the 42nd Session of the Steering Committee of the Parliamentary Conference on the World Trade Organisation (WTO), in Brussels, Belgium on 20 February 2020. The Parliamentary Conference on the WTO (PCWTO) is organised jointly by the Inter-Parliamentary Union (IPU) and the European Parliament.

The Speaker of Malta spoke about overcoming trade barriers for the smallest jurisdictions including fisheries subsidies and also highlighted the greater impact of climate change on small states as an important issue in relation to the impact of trade processes. In his intervention, the Speaker of Malta made reference to the fisheries subsidies negotiations that have been ongoing for the past twenty years in the EU. While recognising the difficulties in these negotiations, he stressed the importance of reaching an agreement in this sector which is so crucial for the economies of small states.

The Speaker also stressed the importance of tackling the problem of illegal, unreported and unregulated fishing which is a threat to the existing fishing stocks in our seas, making reaching an agreement on fisheries subsidies within WTO more urgent. He also participated in an exchange of views on the reform of the WTO held within the International Trade Committee of the European Parliament. The discussion touched upon the major challenges that are increasingly threatening its existence, in the light of the critically important role of the WTO in regulating international trade.



According to the rules of procedure for the Parliamentary Conference on the WTO, the Commonwealth Parliamentary Association (CPA) is one of the international organisations represented on the Steering Committee. The following CPA Branches are also currently represented on the Steering Committee of the PCWTO: Botswana, Cameroon, India, Singapore, South Africa, and Tanzania. The 2020 Annual Session of the Parliamentary Conference on the occasion of the 12th WTO Ministerial Conference was due to take place on 7 June 2020 in Nur-Sultan, Kazakhstan.

Parliamentary Clerks from the CPA Africa Region's Society of Clerks-at-the-Table meet in Tanzania

Parliamentary Clerks from the Commonwealth Parliamentary Association (CPA) Africa Region have met for the Steering Committee of the Africa Region Society of Clerks-at-the-Table (SoCATT) in Arusha, Tanzania from 21 to 24 February 2020. This is the first Steering Committee meeting this year and was convened by the Chairperson of the SoCATT CPA Africa Region, Mrs Cecilia N. Mbewe, Clerk of the National Assembly of Zambia.

Parliamentary Clerks attending the meeting included: Mr Stephen Kagaigai, Clerk of the Parliament of Tanzania and CPA Africa Regional Secretary; Mr Michael Sialai, Clerk of the Parliament of Kenya and Vice-Chairperson of the CPA Africa Region SoCATT; Mrs Lydia Kandetu, Clerk of the National Council of Namibia; Mrs Barbara N Dithapo, Clerk of Parliament of Botswana; and Ambassador Jeanine Kambanda, Clerk of the Chamber of Deputies of Rwanda.

The purpose of the meeting was to plan for the Society's activities for 2020 and to track progress and report on various recent activities of the Society.





Malawi Parliamentarians visit Scottish and United Kingdom Parliaments for programme on Strengthening Committee Scrutiny

A group of Parliamentarians from Malawi undertook a programme on Strengthening Committee Scrutiny from 3 to 5 March 2020. The programme focused on the role of Parliamentary Committees and enhancing legislative scrutiny through developing the technical skills of Committee Members and officials.

The Malawi delegation was led by Hon. George Zulu MP, Member of the Public Accounts Committee (PAC), and included Hon. Horace Chipuwa MP, Chair of the Local Authorities and Rural Development Committee; Hon. Gladys Ganda MP, Vice-Chairperson for the Defense and Security Committee; and Hon. Ulemu Chilapondwa MP, Vice-Chairperson of the Agriculture Committee. Together, the delegation represented ten of Malawi's Parliamentary Committees.

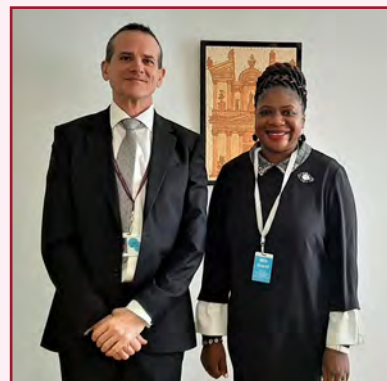
The programme was organised by the CPA UK Branch in partnership with the CPA Scotland Branch with funding from the Commonwealth Partnership for Democracy (CP4D).

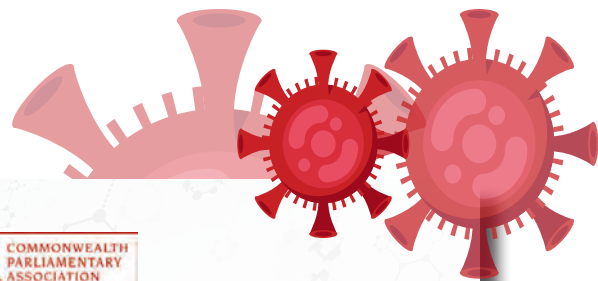
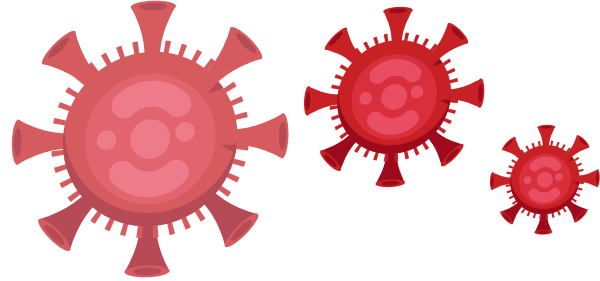
The programme included a day of meetings and discussions with MPs and Clerks as well as observing Committee and chamber proceedings in the UK Houses of Parliament; followed by a day at the CP4D Inclusive Politics Seminar; followed by a visit to the Scottish Parliament to observe the First Minister's Questions along with meetings with several officials. Delegates joined the Speaker of Malawi, Rt Hon. Catherine Gotani Hara, MP and Rt Hon. Ken Macintosh, MSP, Presiding Officer of the Scottish Parliament for a working lunch.



During the programme at the UK Parliament, the Malawi delegation met with: Baroness Barker, who highlighted the tools for parliamentary scrutiny in the UK Parliament; UK Public Accounts Committee Members, Nigel Mills, MP and Chris Evans, MP explained how the PAC differed from other UK Select Committees in that it did not scrutinise policy, but rather how well government implements policy and if value for money was achieved; Neil Parish, MP, Chair of the Environment, Food and Rural Affairs Committee and Ian Bradshaw, the Clerk of the Committee spoke about how to conduct effective inquiries; Rt. Hon Philip Dunne, MP, Chair of the Environment Audit Committee and Lloyd Owen, Clerk of the Committee spoke about the challenges for Committees on implementation and the measures that Committees can take including leveraging the media.

The delegates' visit to the Scottish Parliament highlighted the strong historic ties between the CPA Malawi and CPA Scotland Branches. Both Parliaments are unicameral and so delegates were able to observe how a unicameral Parliament operates in the UK context and how Committee work differed, offering a relevant comparison to their own Legislature.

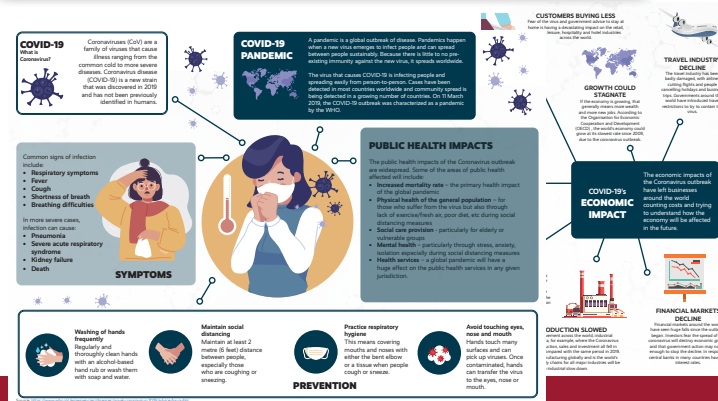
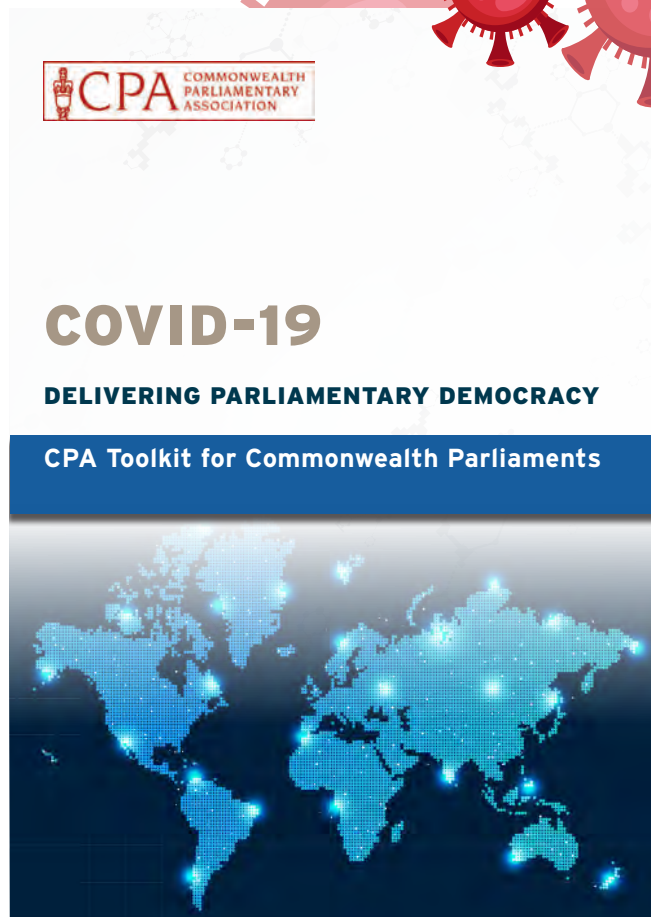




CPA TOOLKIT FOR COMMONWEALTH PARLIAMENTS ON THE **COVID-19** **PANDEMIC** AND DELIVERING PARLIAMENTARY DEMOCRACY

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The outbreak of COVID-19 (Coronavirus) and its spread to at least 180 countries, has consequently plunged many Parliaments and Legislatures across the world into a state of emergency. Commonwealth Parliaments and Parliamentarians are grappling with many different issues both to implement the emergency health measures during this global pandemic while at the same time looking at new ways to conduct debates, scrutinise and pass legislation, hold parliamentary committees and question the actions of their governments.

THE 'CPA TOOLKIT FOR COMMONWEALTH PARLIAMENTS AND LEGISLATURES ON THE COVID-19 (CORONAVIRUS) PANDEMIC AND DELIVERING PARLIAMENTARY DEMOCRACY' toolkit provides various measures and recommendations that can be adopted by both Parliaments and Parliamentarians in order to continue to deliver on the Legislatures' role of scrutinising legislation and delivering democracy during a global pandemic.



COVID-19 (CORONAVIRUS) PANDEMIC AND DELIVERING PARLIAMENTARY DEMOCRACY: TOOLKIT LAUNCHED BY THE CPA

The outbreak of COVID-19 (Coronavirus) and its subsequent spread as a global pandemic that has rapidly spread to at least 180 countries, has consequently plunged many Parliaments and Legislatures across the world into a state of emergency. Commonwealth Parliaments and Parliamentarians are grappling with many different issues both to implement the emergency health measures during this global pandemic while at the same time looking at new ways to conduct debates, scrutinise and pass legislation, hold parliamentary committees and question the actions of their governments. At their heart, Parliaments need to be able to deliver democracy and democratic accountability, but can this be achieved while practicing social distancing measures?

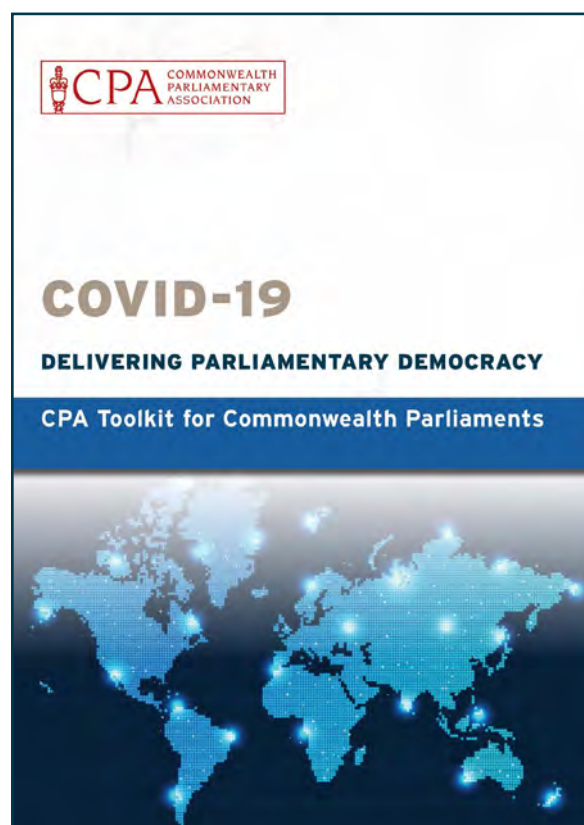
The Commonwealth Parliamentary Association (CPA) Headquarters Secretariat has conducted research amongst its membership of 180 Commonwealth Parliaments and Legislatures to synthesise a forward-looking '*CPA Toolkit for Commonwealth Parliaments and Legislatures on the COVID-19 (Coronavirus) pandemic and delivering parliamentary democracy*'. This toolkit provides various measures and recommendations that can be adopted by both Parliaments and Parliamentarians in order to continue to deliver on the Legislatures' role of scrutinising legislation and delivering democracy during a global pandemic.

The Acting CPA Secretary-General, Mr Jarvis Matiya said: *"The Commonwealth Parliamentary Association has been championing parliamentary democracy across the Commonwealth since 1911 and has since served as a forum that enables the development of the best parliamentary practices and most effective policies. The CPA upholds the advancement of democracy under all circumstances and seeks to support its membership particularly during times of uncertainty. The measures outlined for consideration in this toolkit are inspired primarily by measures actioned by various Commonwealth Parliaments in the midst of this current outbreak, combined more broadly with independently sourced research on business continuity and crisis management."*

"It has been acknowledged that the current COVID-19 Coronavirus outbreak is continually developing and at different stages in different areas of the world, and as a result, the circumstances surrounding this global pandemic are also continually changing. We hope that this toolkit will serve to bring some insight into the recommended practices to prevent disruption to parliamentary continuity that have thus far been executed in order to assist all Commonwealth Parliaments in their different stages of development." *

Visit www.cpahq.org/cpahq/coronavirus to download a copy of the CPA Toolkit for Commonwealth Parliaments and Legislatures on the COVID-19 (Coronavirus) pandemic and delivering parliamentary democracy.

*Please note: This toolkit is published by the Commonwealth Parliamentary Association for the benefit of its membership and for the wider international community. This information is intended to supplement the current global pandemic advice and information from a wide range of international organisations. This toolkit does not supersede existing national guidance and plans. Rather, this toolkit should be used to augment existing relevant national plans and focus the support of the international community.





PAN-COMMONWEALTH COLLABORATION TO HELP FIGHT CORONAVIRUS PANDEMIC

Commonwealth Accredited Organisations have launched a range of activities and plans to work together on Pan-Commonwealth responses to the COVID-19 (Coronavirus) pandemic. In a virtual meeting convened by the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC, representatives from 19 of the organisations accredited by the Commonwealth Secretariat shared examples of practical ways in which they are harnessing the 'family spirit' which flourishes among the people and institutions of the 54 member countries of the Commonwealth as they work to respond to the pandemic.

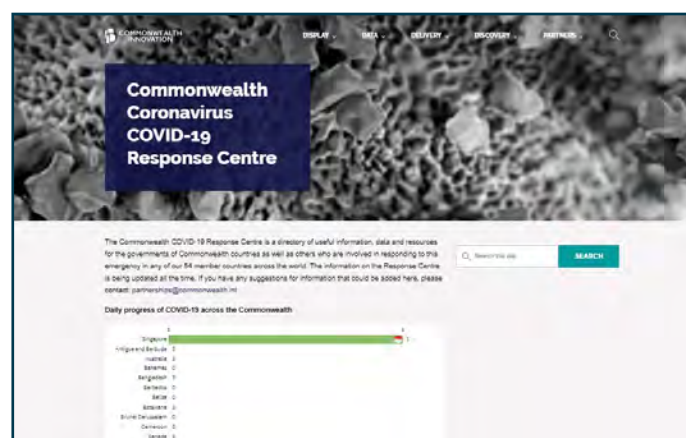
The Commonwealth Parliamentary Association's Acting Secretary-General, Mr Jarvis Matiya briefed the virtual meeting on the CPA's innovative responses to the global pandemic to support its membership of 180 Commonwealth Parliaments and Legislatures and shared details of the new CPA Coronavirus toolkit for Commonwealth Parliaments and Parliamentarians in effectively delivery democracy.

Other Commonwealth Accredited Organisations outlined the many innovative and inclusive ways in which their organisations are mobilising to fight back against the many social and economic impacts. Approaches range from repurposing staff and equipment intended for a polio vaccination programme to managing the spread of the outbreak, to sharing public health videos on handwashing, and to recruiting young people for emergency response volunteer roles. Commonwealth Accredited Organisations are doing whatever they can to make use of their resources to help others.

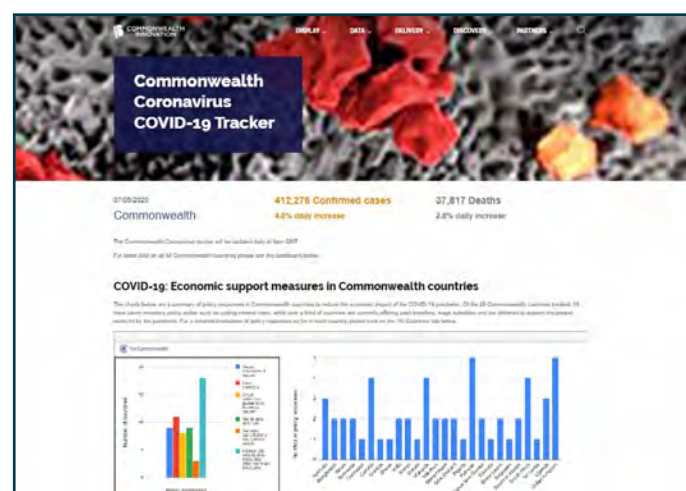
The Commonwealth Secretary-General said: *"I am so inspired by the wonderful work being carried out across our Commonwealth and would like to thank you all for what you have already done and for what I know you will continue to do. Unlike many others, we are lucky that we already have the networks in place that are so critical to tackle this virus. The Commonwealth and our network of organisations are needed now more than ever. I am incredibly proud to see the scale of response already mounted and am certain our multilateral and multi-disciplinary response will be successful in tackling this virus."*

The Commonwealth Secretary-General encouraged organisations to share within the network what they learn so that all are able to amplify and support one another in the Commonwealth spirit of goodwill and mutual support.

The Commonwealth Coronavirus Response Centre on the Innovation Hub provides a dynamic platform for Commonwealth organisations to share information about their work in responding to the pandemic. Visit www.thecommonwealth.io/coronavirus-response-centre.



The Commonwealth Coronavirus Tracker provides daily updates and the latest data on all 54 Commonwealth countries. Visit www.thecommonwealth.io/coronavirus-tracker.





CPA HOSTS TWO VIRTUAL PANEL DISCUSSIONS FOR PARLIAMENTARY CLERKS ON DELIVERY OF DEMOCRACY DURING COVID-19 PANDEMIC

The Commonwealth Parliamentary Association (CPA) has held two virtual briefings for Commonwealth Clerks and parliamentary staff from across its membership of 180 Parliaments and Legislatures to share best practice on delivering parliamentary democracy during the COVID-19 (Coronavirus) global pandemic.

The CPA's Acting Secretary-General, Jarvis Matiya introduced the two CPA webinars for parliamentary staff with updates to participants on the CPA's responses to the COVID-19 global pandemic including the launch of the CPA Coronavirus toolkit.

The first panel discussion took place on Tuesday 5 May 2020 attended by 83 parliamentary staff from the CPA Africa, British Islands and Mediterranean (BIM), Caribbean, Americas and Atlantic (CAA) and Canada Regions while the second virtual briefing was held on Wednesday 6 May 2020 and was attended by 81 participants from the CPA Asia, Australia, India, Pacific and South-East Asia Regions.

During the two CPA webinars a wide range of expert panellists were able to share their experiences and technological innovations with participants online. The panellists represented the CPA's membership of national, state, provincial and territorial Legislatures in the Commonwealth as well as the CPA Small Branches and the focus of each presentation was varied, ranging from a special focus on conducting virtual Committee meetings and plenary sessions through to providing innovative solutions to overcoming technological challenges.

During the first CPA webinar, Eric Janse, Clerk Assistant at the Parliament of Canada, described how the House of Commons and House authorities had responded to the current global pandemic by introducing both new procedures and technological innovations to ensure democratic sittings could continue to take place.

Two panellists spoke in both CPA webinars - Liam Laurence Smyth, Clerk of Legislation at the UK Parliament spoke about how the House of Commons and the Parliamentary Digital Service has implemented hybrid virtual sittings for MPs; and Jonathan King, Deputy Clerk at the Parliament of the Isle of Man (Tynwald) spoke about how one of the oldest Parliaments in the world has implemented virtual sittings and continued to conduct legislative business during a period of lockdown due to the COVID-19 virus.

Bringing a different perspective from outside of the Commonwealth and representing the ParlAmericas network, Patricia Almeida, Coordinator of Innovation and Digital Strategy for the Chamber of Deputies of Brazil, presented the digital innovations being introduced in her Parliament to coordinate the proceedings in one of the largest Legislatures in the Americas.

The second webinar additionally featured Tom Duncan, Clerk of the Legislative Assembly from the Australian Capital Territory who



described his experience from the lens of a sub-national Legislature and explained how they had responded to the current global pandemic by introducing both new procedures and technological innovations to ensure democratic sittings could continue to take place.

Hans Landon-Lane, Digital Lead from the New Zealand Parliament, also delivered a presentation at the second webinar on the digital innovations being introduced to coordinate the proceedings in his Parliament and to ensure that democratic processes would continue during the global pandemic.

An additional presentation was delivered by Mohamed Hussain, Director of IT at the People's Majlis (Parliament of the Maldives) who delved deeper into the different digital innovations as discussed in the earlier presentations by describing in detail the various ways in which his Parliament introduced the innovative technology and virtual sessions in order to ensure that democracy continues.

The presentations were followed by an interactive Q&A session where virtual attendees were encouraged to pose any questions to the panellists. Once the respective questions had been addressed, the second webinar for Commonwealth Clerks and parliamentary staff drew to a close, with the CPA Vice-Chairperson, Hon. John Ajaka, MLC, President of the Legislative Council of New South Wales in Australia extending his sincerest gratitude to all of the panellists and participants.

The CPA Headquarters Secretariat hosted the two CPA webinar sessions to serve as a platform for its membership of over 180 Commonwealth Parliaments and Legislatures to connect and exchange ideas and experiences in delivering democracy during the COVID-19 pandemic. The CPA Headquarters Secretariat is continuing to support its membership during the current pandemic through innovative methods.

Visit www.cpahq.org/cpahq/coronaviruswebinars to access both CPA webinars. They are also available at www.cpahq.org/cpahq/youtube.



PRESIDING OFFICERS, PARLIAMENTARIANS AND CLERKS GATHER FOR AN ONLINE MEETING ON VIRTUAL PARLIAMENTARY SITTINGS

The Commonwealth Parliamentary Association (CPA) and ParlAmericas held an online meeting on virtual parliamentary sessions during the COVID-19 pandemic for Presiding Officers and Clerks of English-speaking Parliaments in the Americas and the Caribbean on Friday 1 May 2020.

Parliamentary officials from 19 Parliaments in the region attended the meeting virtually. The expert panellists included Hon. Juan Watterson, SHK, Speaker of the House of Keys at the Parliament of the Isle of Man (Tynwald); Luiz Fernando Bandeira de Mello, Secretary-General of the Board of the Senate of Brazil; and Matthew Hamlyn, Strategic Director of the Chamber Business Team of the House of Commons of the Parliament of the United Kingdom - and they shared valuable insights into the experiences, as well as technical and political challenges, of implementing virtual sittings and committee meetings in their respective Legislatures.

The panellists' presentations were followed by a discussion period facilitated by the meeting Chairperson, Senator Ranard Henfield (The Bahamas), Vice-President of the ParlAmericas Open Parliament Network for the Caribbean, who emphasized that *"parliamentary representation is an essential service and it must go on - especially when our people are dealing with a health and economic crisis."*

The Speaker of the House of Representatives of Trinidad and Tobago, Hon. Bridgid Annisette-George, CPA International Executive Committee Member for the CPA Caribbean, Americas and the Atlantic Region and ParlAmericas Board Member, delivered the closing remarks, thanking the expert panellists and participants for a *"great dialogue on the current issues facing our Legislatures. The spaces for collaboration provided by the CPA and ParlAmericas are particularly valuable in these difficult times to support democracy and good governance throughout this hemisphere and beyond."*

I personally found this webinar very useful in learning from the diversity of experiences from both the committee members and our



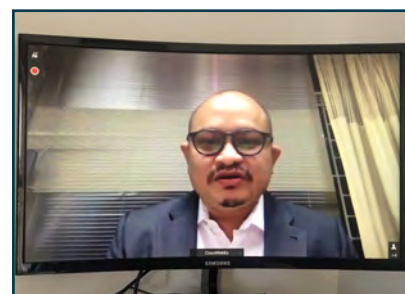
expert witnesses. From the Senate of Brazil to the Parliament of the Isle of Man, regardless of the size of our respective Legislatures or the number of constituents that they represent, we as public servants have in common our desire to meet the needs of our fellow citizens at this difficult time.

Providing access to public information, promoting the participation of citizens in legislative decision-making and ensuring a culture of ethical and accountable behaviour are activities that must be considered as the forefront of our efforts to maintain the function of Parliament during this crisis."

The CPA Acting Secretary-General, Mr Jarvis Matiya also spoke during the webinar to update participants on the CPA's responses to the COVID-19 global pandemic including the launch of a toolkit for Parliaments on delivering parliamentary democracy during the COVID-19 (Coronavirus) pandemic and a series of CPA webinars.

CPA JOINS VIRTUAL MEETING WITH WORLD BANK AND THE IMF TO DISCUSS ECONOMIC RESPONSES TO COVID-19

On 24 April 2020, the Acting CPA Secretary-General, Mr Jarvis Matiya joined the CPA Treasurer, Hon. Shamsul Iskandar MD Akin, MP (Malaysia) in attending the 'Virtual Parliamentary Briefing on Pandemics with a Special Focus on COVID-19', hosted by the Parliamentary Network on the World Bank and the International Monetary Fund (IMF). The virtual briefing convened legislators from countries most affected by or at risk of COVID-19 with World Bank Group and IMF senior management and health experts to exchange views on the economic response to the current Coronavirus outbreak and pandemics in general.





IMPLEMENTING VIRTUAL SITTINGS IN THE OLDEST CONTINUOUS PARLIAMENT IN THE WORLD DURING THE COVID-19 PANDEMIC

Context

Like the rest of the world, the Isle of Man is a part of the interconnected global community. The spread of COVID-19 has touched countries, big and small, rich and poor and the Isle of Man has been no exception.

The Parliament of the Isle of Man, Tynwald, is the oldest continuous Parliament in the world, and in its history, which stretches back over 1,000 years we have faced many crises, but nothing quite like this.

Although our chambers are large enough to be reconfigured to allow for social distancing of its Members (by utilizing the public gallery). It was far from ideal and it was difficult for Members to achieve social distancing at all times, especially as we had to rotate around the building to allow everyone to use their voting button in the chamber. More concerning, with an increasing number of Members needing to self-isolate for various reasons, the numbers able to attend started to drop which put our ability to achieve a quorum at risk.

Prerequisites

A virtual solution seemed to solve a lot of the problems, particularly around the participation of those who were self-isolating, but this has brought additional challenges. The Isle of Man has been in a fortunate position with regards to all of the prerequisites to achieve a virtual sitting. First, there is no legal or constitutional barrier to our sitting virtually. We do not have a written constitution, but no law requires us to meet physically in any particular place, just standing orders.

The provision of an online sitting also requires a willingness and ability of the Members to make it happen. The COVID-19 outbreak has seen a real pulling together in our community and our Parliamentarians shared a unanimous desire to echo the 'stay safe, stay home' message of our healthcare professionals.

The Isle of Man also has exceptional broadband penetration at over 93% and all Members of Tynwald already have access to broadband internet. Fortunately, all of our Members have enough technical savvy to use the technical solution that was worked up.

We are though talking about manageable numbers. The House of Keys (the popularly elected branch) has 24 Members, with the Legislative Council (comprising the President of Tynwald, Lord Bishop, Attorney-General and Members elected by the House of Keys) has 11 Members. In total, around 40 people are included in the virtual solution, including Clerks, Hansard, a legislative drafter when needed, and the technical team, who ensure the live feed is available on the internet and on local radio.

We have also been supported by a small, but absolutely first-class team who make Tynwald function. Their 'can do' attitude across Clerks, Chamber Service and Hansard has been remarkable and they worked up the whole solution from concept to reality in a little over a week.

The virtual sittings would have been challenging at the best of times, as they involved not just an emergency sitting of Tynwald but also of both branches of Tynwald, sitting separately one after the other. Primary legislation was taken, and a Bill completed its passage through the branches. It was successfully amended.

The IT Solution

All Members have an issued iPad for the purposes of accessing their parliamentary papers, which was configured with a basic version of Microsoft Teams, which provides audio and video streaming. The sittings were based in the Legislative Council Chamber which already had the set up for Hansard and the live link. Admittedly the interface between Microsoft Teams and the live link / Hansard audio feed was a bit 'Heath Robinson', but on testing it worked perfectly fine. We found that audio quality was particularly improved if Members wore headsets with built-in microphones.



Hon. Juan Watterson, SHK is the Speaker of the House of Keys and Member for Rushen, Isle of Man. Formerly a Chartered Accountant with KPMG, he has held a number of government posts since first being elected in 2006 including Minister of Home Affairs and he is currently also the Chairman of the Public Accounts Committee.



Members' video was turned off permanently for the sitting, as was their audio until called to speak.

The 'Chat Box' within Microsoft Teams was used for Members to indicate to the Presiding Officer that they wished to speak, call a division or interject. This helped maintain the discipline of one person speaking at a time.

Restrictions

We discovered during the test that we were at the mercy of the slowest broadband connection, which meant dispensing with the visual element, even just for the person speaking. Microphones needed to remain on silent to ensure that the person speaking could be heard clearly. Whilst these measures helped the audio quality noticeably, we did miss out on some things we take for granted in the Chamber. Members could not participate in prayers in the same way, could not read the body language of other Members, and the effects of humour were diminished as there was no instant feedback to what was said. The timing of the exchanges meant that the sitting was much more formal and less conversational than normal.

It helped that Members have been using iPads for some years to access their parliamentary papers, although the virtual sitting required Members to access papers differently (perhaps via desktop) or switch between applications.

Above: A virtual sitting of the Tynwald, the Parliament of the Isle of Man.

Because we were using the basic Microsoft Teams package, we did not have access to a voting solution. This meant voting 'yes' or 'no' in the chat box. Whilst Members could vote quickly, tallying the votes took 3-4 minutes. This is in stark contrast to the electronic voting set up in the chamber, but to those Members who predated the 2006 electronic voting system, it was just like old times!

Procedure

It perhaps goes without saying that when the Presiding Officer is in a different room from the other Members and cannot see them, there were a few differences to procedure. First was the need to suspend Standing Orders in order for the sitting to take place virtually. In addition, because this was an Emergency sitting, Standing Orders needed to be suspended to allow the urgent Government business to be taken under the *Emergency Powers Act*.

However, we tried to run sittings as closely as possible to Standing Orders to provide as much continuity as possible. Even our Sword of State, which is over 600 years old, was present in the chamber. The President and Clerks wore wigs and gowns, as normal. However, the point was made that the dress code would



be harder to enforce, and the President did not make Members bow to the iPad before leaving the virtual chamber! There was no Speaker's procession, but the Clerk announced that the Speaker was present in the Chamber to start the sitting.

Opinions of Members

Members found the virtual sitting to be a very positive development in meeting an urgent need. There was of course a significant amount of goodwill with Members both in terms of the exigencies of the situation and the use of a virtual sitting. Members were more than keen to allow interventions and speaking one at a time, and a lot of 'chatter' continued 'outside of the chamber' via Telegram Groups which are already established fora. Whether this would be sustained over time remains to be seen! As far as the public was concerned there was little appreciable difference.

Lessons learnt

It was very important to test the system with all Members before an actual sitting. This was achieved by a practice run (not in public) the day before the public sitting. This took the form of a statement and questions and trialed email and 'chat box' voting (emailing votes was discarded as a solution, being too time-consuming).

In addition, all Members were asked to log in 15-20 minutes early on the actual sitting day to allow for technical issues to be

addressed. We have identified the need for a better way of dealing with voting than at present, which would be available in an upgrade of Microsoft Teams.

Conclusion

The COVID-19 Emergency of 2020 has had many far-reaching impacts on the Manx way of life, many of which are yet to be realised. However, with our borders effectively closed and people being encouraged to stay at home as far as possible, it has inspired a collective will to lead by example and trial a 'virtual sitting' of Parliament. The hard work and ingenuity of our staff is to be applauded, and the system will no doubt continue to be refined if the current emergency endures for much more than a month or two. This will be our way of doing business during these difficult times, but it is unlikely to endure afterwards due to the limitations which are more easily overcome by a physical sitting than better technology. The experience has shown though that the Isle of Man has lived up to its motto, synonymous with our three-legged flag, of *Quocunque Jeceris Stabit*, or 'Whichever way you throw me, I will stand'.

To hear more about the Isle of Man Parliament's responses to COVID-19, you can listen to Deputy Clerk, Jonathan King, speaking about implementing virtual sittings as part of the CPA webinar sessions on COVID-19 available at www.cpahq.org/cpahq/coronaviruswebinars.



DIGITAL INNOVATION HELPS JERSEY'S PARLIAMENT TO SIT VIRTUALLY

One of the smallest Parliaments in the Commonwealth has shown that it is possible for Parliamentarians and parliamentary staff to hold debates and votes without all being in the same place at the same time during the global COVID-19 pandemic.

The States Assembly, the Parliament of the Channel Island of Jersey, has 49 Parliamentarians and in April, it sat for the first time in its history in 'virtual' form, with only the Presiding Officer (Bailiff) and any Government Minister due to make key statements attending in person, and the remainder joining via video or telephone link. The measures meant that all involved could heed the 'stay at home' and 'social distancing' rules which are similar to those in force in many other jurisdictions in the Commonwealth.

The virtual sitting required the creation of a number of TV-show style networks of video and audio feeds to allow debates and votes to happen on one channel, with a director switching between the different feeds to ensure it was easy to follow. A second private channel was used by Parliamentarians to communicate their intentions to speak to the Presiding Officer.

Members of the public who may have ordinarily watched from the gallery in the Parliament building in Jersey's capital, St Helier, were able to watch online instead.

The project was masterminded by Digital Jersey, the government-backed economic development agency and industry association dedicated to the growth of the digital sector. Digital Jersey CEO, Tony Moretta said: *"This was a huge logistical challenge, not least in ensuring the less tech-savvy among the island's Parliamentarians were able to join the sitting and participate effectively. We staged a full technical rehearsal on the night before the sitting of Parliament, and I am pleased to say it was business as usual, with 'digital democracy' ensuring vital laws could be passed even in the middle of a health crisis."*

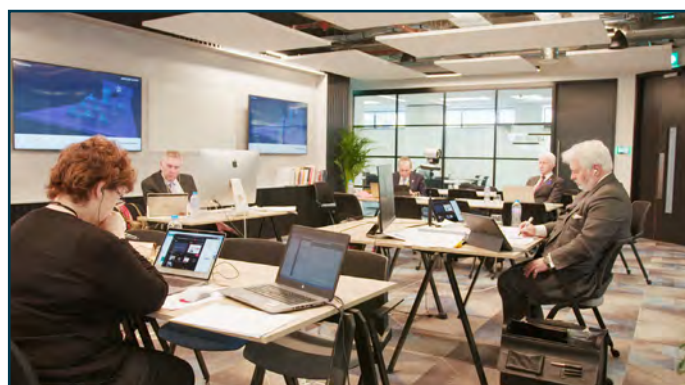
Jersey is the one of most connected islands in the world, with full-fibre gigabit connections to every home and business offering some of the fastest average internet speeds on the planet.

Mark Egan, States Greffier, Parliament's Chief Clerk and CPA Jersey Branch Secretary said: *"Digital Jersey were essential in helping us hold our virtual sitting successfully, while live-streaming proceedings to the island. We have adapted our procedures to ensure that the Assembly can carry on in virtual form for as long as necessary, debating the exceptional legislation proposed by the government and holding Ministers to account for their decisions."*



Senator Lyndon Farnham, Deputy Chief Minister and Minister for Economic Development, Tourism, Culture and Sport, said: *"The COVID-19 measures mean we cannot physically meet in the usual way in our historic States Chamber but the Digital Jersey team have helped to ensure that the States Assembly can continue to carry out its parliamentary duties. It is essential, particularly in times of emergency, that the democratic process continues, and I am pleased we have been able to find an effective digital solution that other jurisdictions can benefit from."*

Digital Jersey is the government-backed economic development agency and industry association dedicated to the growth of the digital sector. For further information about Digital Jersey please visit www.digital.je/connected-jersey.



Above: A virtual sitting of the Jersey States Assembly takes place with the Bailiff of Jersey (Presiding Officer) presiding assisted by the Greffier of the States (Clerk) and other parliamentary staff.



NEW ZEALAND PARLIAMENT: SETTING UP THE EPIDEMIC RESPONSE COMMITTEE TO SCRUTINISE THE EXECUTIVE'S RESPONSE TO COVID-19

As the global COVID-19 pandemic spread across the world, different Commonwealth Parliaments and Legislatures have been coming up with solutions to ensure that democracy continues.

The Parliament of New Zealand swiftly established the Epidemic Response Committee on 25 March 2020 to consider and report to the House on matters relating to the New Zealand Government's management of the COVID-19 epidemic.

The Epidemic Response Committee is a Select Committee of the 52nd New Zealand Parliament and it is chaired by Hon. Simon Bridges, MP, the Leader of the Opposition with Michael Woodhouse, MP, the Opposition Health spokesperson designated as Deputy Chair. The Committee has eleven Members and other members are made up from the various parties represented in the New Zealand Parliament. The Committee meets via online platform Zoom.

Original concept

- Enable the New Zealand Parliament and Parliamentarians to stay in the picture regarding the New Zealand Government's actions and responses to the pandemic and to reinforce the accountability of the Executive to the Legislature.
- To provide an avenue for continued questions and Ministerial statements on the current pandemic when the House was not able to sit.
- To provide a way to address the practical difficulties of having virtual sittings of the whole House, as it is easier and quicker for Select Committees to move to meeting remotely and more frequently.

Background

Many Committees at the New Zealand Parliament were already using an online platform (Zoom) widely for hearing evidence from witnesses and submitters, where they would have previously travelled to attend in person. This was mainly using the webinar function of Zoom that enabled staff to control who was in a waiting room and who was promoted to a panellist to speak to Committees. The hearings were already being live streamed to the New Zealand Parliament's social media and many MPs and parliamentary staff were already familiar with Zoom as a platform.

Establishment process was unanimous

The establishment of the Epidemic Response Committee was largely unanimous. It was proposed by the Clerk of the House, and

so had an apolitical genesis. The New Zealand Government widely acknowledged that it needed to be scrutinised and following cross-party agreement and negotiations at the Business Committee in Parliament, the Epidemic Response Committee was established. The result of this approach meant that there is constructive response and buy-in from both Members and from the wider public.

Membership

Following discussion, it was decided that the Epidemic Response Committee would be chaired by the Leader of the Opposition and that the membership of the Committee would also have an Opposition majority, in recognition of the heightened Executive powers of the New Zealand Government during the current crisis. All political parties have taken a constructive approach to the Committee and, with all parties represented and with an Opposition majority, it has been the Chairperson that has made key decisions about who the Select Committee will invite, who it will hear from and when, exercising powers given to all Committee Chairs in the New Zealand Parliament's Standing Orders to invite witnesses on behalf of the Committee.

Broad remit

All of the subject specific Select Committees in the New Zealand Parliament have terms of reference codified in the Standing Orders. However, the Epidemic Response Committee does not, nor are there any in the motion establishing the Committee. The broad remit of the Committee is not limited to just the health or economic response, and so the Epidemic Response Committee could consider anything relevant to the epidemic (for example, the Committee has been considering how to re-establish sports activities and events). It has established an inquiry into the Government response to COVID-19 as the vehicle to conduct its business.

Power to call for persons, papers and records

Only the New Zealand Parliament's Privileges Committee has the power to call for persons, papers and records by right, however, this has also been accorded to the Epidemic Response Committee. This is unusual - any other Select Committee that wanted to summon a person to attend or produce documents has to go through the Speaker - and it signals the House's intention for the

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Above: The Parliament of New Zealand in Wellington.

Epidemic Response Committee to be a vehicle for strong scrutiny at an extraordinary time. The Committee has not used this power yet, but it may do.

The Epidemic Response Committee has had discussions in open hearings with the Commissioner of Police and the Attorney-General about waiving legal privilege over advice from Crown Law and the Solicitor-General about the use of emergency powers granted to the Government under the *Health Act, 1956*. The Cabinet Manual requires the Attorney-General to approve the release of legal advice from Crown Law and he has been very clear he won't do that. If people wish to challenge the use of these powers they should go through the courts. This continues to be an issue for the Committee. Giving the Committee this power does clearly demonstrate a willingness by the House for the Committee to scrutinise the Government.

Expert witnesses

The Epidemic Response Committee has used a series of expert witnesses to set the scene at the start of various hearings. Two to three-hour hearings on Tuesdays, Wednesdays, and Thursday have generally been themed. Finance and the economy, health, small business, hospitality industry, the media, and trade have been themes. Hearings have had a mixture of Government Ministers, departments and public submitters.

To help the Committee and the viewing public know what the issues are they should be focused on in any hearing, the Committee has had experts start them off with some opening remarks, a few questions, and then into the main submitters. This has been an effective way for issues to be raised, and also for people to share experiences – important for representative function.

At the conclusion, the Committee has returned to the expert for a summing up, a few more questions, and then closing. This has been useful for the media too, and we have seen the comments of expert and submitters to the Committee showing up in media questions to



NEW ZEALAND PARLIAMENT: EPIDEMIC RESPONSE COMMITTEE (CONTINUED)

the Prime Minister, the Minister of Finance and the Director-General of Health at their daily 1pm COVID-19 media briefing.

Open to the public

Committees in the New Zealand Parliament were already live streaming to social media channels but the decision to push proceedings out through every available channel was really important, as was strong connection with mainstream media organisations, which meant there was good pick-up. The Epidemic Response Committee proceedings have been live streamed to the Parliament website, Facebook, YouTube, Vimeo, and broadcast on Parliament TV (with a repeat in the afternoons at 2pm) and Radio New Zealand (RNZ).

The cameras used for the Committee aren't broadcast quality, which wasn't perfect for viewers, but solutions were found quickly by parliamentary staff to assist the Committee. Hearings have live captioning with a full Hansard transcript made available promptly and available on demand.

'Best Harry Potter' impression

Perhaps the quirkiest element of the support provided to the Epidemic Response Committee is that the Deputy Clerk of Committee, who is the New Zealand Parliament's resident expert in supporting the Committee Members and witnesses with Zoom, has been 'hosting' the meetings from her laundry cupboard. To make sure she has the strongest Wi-Fi connection possible she has been sitting at a desk as close to her Wi-Fi router as possible, which happens to be in her laundry cupboard. It's worked really well.

Other Committee Clerks have remarked that it's been strange to see inside Members' homes, for MPs to have seen inside their homes, and in a couple of instances inside their bedrooms if that is where they have been working from. The media has reported on the various and varied kinds of backdrops that MPs and witnesses have had. The numerous bookshelves, fishes, flames, changing paintings etc and, in the case of one expert witness, the mini-bust statue that was behind him.

Move to alert Level 3 and beyond

The Epidemic Response Committee's role has changed since the move to alert Level 3 and the return to more frequent sittings in Parliament. The Committee has continued to meet on Tuesday, Wednesday and Thursday, but for between 2 and 3 hours instead of 3 to 4 hours, and no Ministers have been invited. The return of Oral Questions on sitting days may have had an impact on that. But the Committee has continued to hear from those affected by COVID-19 and to hear scrutiny of the New Zealand Government's

response and possible solutions to the challenges people and business are facing.

There are plans for the Committee to continue to operate in this way under alert Level 3, but perhaps to change again in some way when the country moves to alert Level 2 and the whole House is able to sit for more hours.

In addition, it is likely that the Epidemic Response Committee will be referred some legislation in the near future and so this may change its role again, with hearings being paused temporarily whilst they examine the legislation.

Lessons learnt so far from the Epidemic Response Committee

- **Reporting** – the Committee has heard around 55 hours of evidence over a five-week period. Attempting to provide the Committee with a report, even an interim report, so that it could update the House on its activities, was a massive undertaking by the parliamentary staff and mini-reports have been provided every one to two weeks instead.
- **Ministerial accountability at Select Committees** – previously, the only time that Government Ministers appeared at Committee in the New Zealand Parliament was for scrutiny of the Estimates. However, the Epidemic Response Committee has had Government Ministers attending every week. This has been an excellent advance in parliamentary scrutiny and will hopefully lead to more Government Ministers appearing at Committees in the future.
- **Broadcasting** - The lesson here is that it isn't as difficult as you think it is to facilitate an online Committee. Parliamentary staff figured out how to run the Committee in an afternoon with the help of an incredible technical team. The increased coverage of Committee hearings on TV channels has also been a positive outcome. The Committee has had some really excellent public engagement and has shown MPs in a very positive light, engaging with each other by first name in a friendly, jovial way that members of the public often don't see if they only watch the more formal proceedings and question time in the main Chamber.
- **Opposition-dominated Committees** – having the Epidemic Response Committee dominated by Opposition Members and having an Opposition party Chair has provided an excellent platform for scrutiny of the Executive in Parliament. This particular Committee has worked very cordially together and could be a model that we see more of going forward, hopefully in more positive times.



RESPONDING TO COVID-19 PANDEMIC: NATIONAL ASSEMBLY OF KENYA

Along with several other Commonwealth countries in the Africa Region, Kenya has (to date) opted against a full COVID-19 lockdown. The Kenyan Government reacted to its first confirmed case of Coronavirus on 13 March 2020 by banning public gatherings, then added school closures and flight bans shortly after. On 25 March 2020, with 25 confirmed cases, Kenya imposed a 'dusk-to-dawn' curfew. Additional restrictions came on 6 April 2020, with partial lockdowns of four counties with the highest infection rates – Nairobi, Mombasa, Kilifi and Kwale. According to the Commonwealth COVID-19 tracker¹, Kenya has reported 715 confirmed cases of Coronavirus with 36 confirmed deaths.

The COVID-19 pandemic has affected the manner in which Parliaments all over the world conduct their business, and the National Assembly of Kenya is no exception. The unprecedented circumstances occasioned by the pandemic have required that the National Assembly reengineers its operations and the manner in which it conducts its business.

However, despite the challenges occasioned by the COVID-19 global pandemic, the National Assembly of Kenya has continued to execute its mandate as enshrined in the Constitution. Notably, whereas the Executive has put in place measures to protect citizens against the pandemic, it is the Legislature that is expected to institute the legal frameworks to make these protections possible. The need for the National Assembly to continue discharging its functions as espoused in Article 95 of the Constitution amidst the challenges posed by the COVID-19 pandemic cannot therefore be overstated.

On 2 and 11 April 2020, the Speaker of the National Assembly, Rt Hon. Justin B. Muturi, MP issued guidelines on the conduct of sittings of the House and Committee meetings during the COVID-19 pandemic period. These guidelines have been in use in the sittings of the National Assembly undertaken since then.

Below: The Parliament of Kenya in Nairobi.





RESPONDING TO COVID-19 PANDEMIC: NATIONAL ASSEMBLY OF KENYA (CONTINUED)

Legislation in relation to COVID-19

The National Assembly of Kenya considered and approved a number of priority business items that sought to cushion Kenyans against the immediate economic effects of the COVID-19 pandemic. These legislative measures included:

- the Tax Laws (Amendment) Bill, 2020 which proposed a raft of taxation measures to cushion the economy and Kenyans against the economic effects of the COVID-19 pandemic including a reduction of personal income tax, exemption of personal protection equipment such as face masks from VAT, and exemption of basic food items (milk, milk products and bread), agricultural inputs and certain services (clean energy production, fishing and tourism sectors) from additional taxation;
- the Supplementary Appropriation Bill, 2020, which made various budgetary adjustments in order to reflect the new economic reality. In addition, the House also amended the Bill by providing Appropriations under the Ministry of Health, ring-fenced to various hospitals across the Kenya and earmarked for COVID-19 pandemic interventions;
- the Public Finance Management (COVID-19 Emergency Response Fund) Regulations, 2020, which sought to establish the COVID-19 Emergency Response Fund to provide a framework for mobilization of resources for emergency response in containing the spread, effect and impact of the COVID-19 pandemic in Kenya, in response to a directive by The President of Kenya. The *Public Finance Management Act, 2012* requires that any fund established under section 24 of the Act must obtain the approval of the National Assembly to be effective; and
- several regulations dealing with curfew orders and restriction of movement of persons and related measures in certain counties with higher incidences of COVID-19 were also approved, among other legislative measures.

Business in the House

In response to the COVID-19 pandemic, the conduct of the business of the National Assembly of Kenya and Chamber sittings were reexamined. The main Chamber, which has a seating capacity of 418, has now been reduced to only 60 seats to adhere to the social distancing protocols. The voting lobby has also been designated as part of the Chamber for the purposes of the sittings of the

House and in total, there are now 53 seats that have been marked in the Chamber (as consolidated with the voting lobby) for use by Members of Parliament.

Each seat in the Chamber has been assigned a number, which is accessible on a '*first-register first occupy*' basis, except for special seats designated for the Deputy Speaker, the Leader of the Majority Party, the Leader of the Minority Party, the Majority Party Whip, the Minority Party Whip and a Member scheduled to move any business listed in the Order Paper for that particular sitting.

Attendance at the sittings of the House is on rotational basis while also reflecting the party representation in the House. Members who would like to attend a sitting of the House are required to register through a BULK SMS service operated by the Clerk of the National Assembly. Except for the designated seats, the priority of allocation of the rest of the seats is accorded to Members who have expressed desire to attend by way of registration.

There are three designated holding/waiting areas to accommodate other Members of Parliament who wish to participate in proceedings as they wait for the opportunity to access the Chamber, when another Member leaves. Each previously used seat is sanitized before occupation by another Member. The designated holding areas are located within the precincts of the Parliament Buildings.

Members of Parliament seated at any of the designated holding areas are, upon request, allowed to contribute to the debate by walking in an orderly manner to the Chamber and using a stationary microphone at a designated area. When a division is called, or as and when the need arises, Members seated at any of the designated holding areas are also allowed to vote.

In order to facilitate a division, the Party Whips are required to designate the tellers for 'Ayes' and for the 'Noes'. During voting, Members are required to walk in an orderly manner to the voting lobby. Each Member is then required to declare assent or dissent to a question. Thereafter, the tellers present the result of the roll call vote to the Speaker who shall thereupon announce the result of the vote to the House.

The conduct of Committee Sittings

Currently, the Committee sittings at the National Assembly of Kenya are held only in designated meeting rooms in line with the recommendations of the Ministry of Health. The Committee rooms can only be occupied by a maximum of nine people at any given

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time. The rooms can accommodate up to thirty people in normal circumstances.

All Committees are dissuaded from sitting, except those considering matters or proposals aimed at actualizing measures to address the COVID-19 pandemic. However, during the consideration of the Annual Budget estimates in May 2020, Committees will be allowed to sit while observing the reduced numbers, social distancing and hygiene protocols.

All Committee Chairpersons have been encouraged to liaise with Party Whips on the management of attendance of Members of Parliament to the various Committee sittings. In addition, the Committee meetings have been facilitated by a small number of parliamentary staff, who provide research and technical support to the Committees.

Virtual sittings of the House

In the updated guidelines issued by the Speaker of the National Assembly on 2 April 2020, it was emphasised that there was a need to explore ways in which the sittings of the House and its Committees could best be facilitated amidst the current health concerns, including the use of modern technology.

As a result of these guidelines, the Procedure and House Rules Committee proposed amendments to the Standing Orders to entrench virtual sittings of the House. The proposal was approved by the House on 6 May 2020. In its report, the Committee proposed a 'hybrid' model that combines both physical and virtual participation of Members of Parliament. While making the proposal, the Committee gave regard to a number of factors including the constitutional requirements on ensuring that a quorum is present and voting procedures.

Article 121 of the Constitution of Kenya provides that a quorum is fifty Members of the National Assembly of Kenya. In addition, Article 122 of the Constitution requires that decisions in the National Assembly, except where the Constitution has prescribed a fixed majority, are to be determined by a majority of the Members in the House, *present* (this presumes physical presence in the Chamber) and *voting*.

The voting practice of the House during a division is either through electronic means or by roll call in the event of failure of the electronic system. Both of these voting processes require the presence of Members in the Chamber. In this regard, the physical attendance of Members presented by a 'hybrid' system was observed to be desirable. The 'hybrid' approach will also ensure that there are Members present for the purposes of establishing a quorum and voting in accordance with the dictates of Articles 121 and 122 of the Constitution.

The 'hybrid' model will use a virtual platform that has capabilities for, among other things:



- The registration of the attendance of Members of Parliament;
- A voting system which is simple, accurate, verifiable, secure, accountable, transparent and facilitate the prompt declaration of the result of each vote taken;
- Documentation sharing and record keeping;
- Security from attacks including espionage; and
- Compatibility with existing systems in use including audio and video capabilities.

Conclusion

It is worth noting that the amendments to the Standing Orders shall come into effect on Monday 18 May 2020, to give time for the Speaker to formulate further guidelines that will actualize the proposed model. The guidelines will provide for such matters as *attendance, voting, etiquette* and *conduct of Members* while participating in a virtual sitting. An appropriate information and communications technology platform for the conduct of the virtual proceedings will be prescribed.

It is expected that once the new guidelines are in place, that the National Assembly of Kenya will proceed to hold its first virtual sittings when it returns from parliamentary recess on 2 June 2020.



NEW PANDEMIC, NEW POLITICS? INSIDE THE UK'S VIRTUAL PARLIAMENT

Former New Zealand Parliamentarian and the Chief Executive of the Electoral Reform Society gives his take on the UK's 'Virtual' Parliament.

On 25 March 2020 – just a few days after lockdown began in the United Kingdom – the UK Parliament adjourned early for its Easter recess. In the heat of a global pandemic, it was not clear how or when MPs and peers would return.

In the days before, the number of UK MPs attending Parliament had been limited – dwindling to just a few dozen, as 'social distancing' rules kicked in. Despite the precautions however, MPs and parliamentary staff were undoubtedly at risk. Coronavirus was spreading through Westminster, with a number of MPs already suffering from the virus.

The UK Parliament did make some important initial changes. On 17 March 2020, the House of Lords Communications and Digital Committee took evidence from witnesses via teleconference and videoconference. This was a landmark in parliamentary modernisation. Other Committees did suspend taking evidence however, meaning ongoing scrutiny became patchy.

On 23 March 2020, the Speaker of the UK House of Commons, Rt Hon. Sir Lindsay Hoyle, MP, made a statement setting out additional changes to the way that the House would operate amid the pandemic. As noted by the Institute for Government, this included limiting the numbers of MPs able to walk through the voting lobbies at any one time (divisions would take around 30–40 minutes, rather than their usual 15–20 minutes).

Members were also asked to think carefully about the number of written parliamentary questions that they tabled, to recognise that answering these questions takes up the time of civil servants. Work would continue over Easter recess to improve Parliament's

videoconferencing facilities, to help Select Committees to undertake their work virtually.

The government also agreed to a call from the Commons' Procedures Committee to allow the use of videoconferencing to hold meetings and conduct evidence sessions during the recess period. In the weeks of recess that followed after adjournment, the UK Parliament's authorities have adapted with considerable speed to get scrutiny back in place, and for the UK Parliament to return more safely.

Concerns

The Electoral Reform Society – the UK's leading democracy campaign group – had a number of concerns about the state of parliamentary scrutiny during the three-week long recess.

1. The Electoral Reform Society were worried that several weeks without the UK Parliament sitting – immediately after the UK Government had been handed sweeping emergency powers – posed risks for scrutiny.
2. Though numbers of MPs attending were being limited, all votes would continue to take place in-person. That would mean divisions would have to be handled through the party whips offices – potentially limiting the possibility for backbench disagreement and MPs having their say.
3. A pre-recess row over who would chair the House of Commons' important Liaison Committee – which brings together Select Committee Chairs to coordinate cross-departmental scrutiny – meant that there was no dedicated Committee for responding to the government's handling of the Coronavirus crisis.

There were a number of other democratic vulnerabilities. For example, the power to suspend and recall Parliament itself lies with the Executive. The early adjournment of the UK Parliament – while potentially necessary – reflected the fact that Parliament

Image credit: Gus Palmer



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did not yet have the mechanisms ready to work remotely/digitally. Parliamentary scrutiny was therefore said to be hampered when enormous life-changing decisions were to be made each day. Being a prerogative power, calls which were made by MPs for an early 'virtual' recall of the UK Parliament went ignored.

Moreover, while the Emergency Powers Bill did have cross-party support, it was noted by some commentators that this was not necessary due to the UK Government's majority, under the Westminster 'first past the post' voting system.

While the UK Government did add a six-monthly review into the legislation, there are few other in-built safeguards or scrutiny mechanisms to ensure the emergency powers were used and monitored effectively. The rapid passing of the legislation and reliance on 'secondary instruments' (for example the Ministerial ability to turn powers 'off' or 'on') – did mean that important issues from civil liberties, disability, and mental health groups were not raised until after legislation passed – again unable to be addressed by the early recess.

While some Select Committees did meet virtually during the recess period, the number of sessions was greatly reduced, and scrutiny of the UK Government was largely limited to No 10's daily press conferences, where journalists (and later members of the public) were permitted to ask a number of questions.

The Commons' approach

When the UK Parliament did return from recess, the approach taken by the UK House of Commons under the Speaker's direction, was to move towards a 'hybrid' House of Commons – virtual proceedings taking place alongside physical ones. This approach was backed by the Leader of the House of Commons, Rt Hon. Jacob Rees Mogg, MP as well as the Opposition, following talks with the new Labour leader, Rt Hon. Sir Keir Starmer, MP.

There was a healthy amount of cross-party working, with the motion moving towards a 'hybrid' Commons passing before the recess period without needing to be taken to a vote. The UK Parliament's authorities then worked hard to ensure the technology was ready.

Government Ministers and Shadow Ministers would continue to make statements and answer questions in the House of Commons chamber itself, but MPs would be able to contribute remotely via video-link (additional big screens were placed around the Commons chamber).

The idea was to place the virtual attendees – who would call in via the online platform, Zoom – on an equal footing with those in the chamber: in other words, there would be no advantage to those Members travelling to the Commons. This was a crucial principle. Numbers attending in-person were also limited, with the



Image credit: UK Parliament/Jessica Taylor

involvement of party whips, to ensure MPs could keep 2m apart on the green benches.

After testing the technology, the first 'virtual Prime Minister's Questions' took place on 22 April 2020. As the UK Prime Minister himself was suffering from Coronavirus at the time, the First Secretary of State, Rt Hon. Dominic Raab, MP and the new Leader of the Opposition Rt Hon. Sir Keir Starmer, MP successfully went 'head to head' across the despatch box – with MPs across the UK calling in via video-link to ask questions.

Viewers have now got used to fully or near-fully virtual Select Committee sessions and the system is (as of early May 2020) working well, with the public getting a good idea about their MPs' book choices and interior design!

Then, with little fanfare, the UK House of Commons made British history on 6 May 2020. After centuries of 'slow marches' through the 'lobbies' to vote, UK MPs took part in the Commons' first ever online



ballot, to elect the heads of two important Select Committees. It was a remarkable moment for an institution that has often been slow to modernise, and it will now be rolled out for other votes.

As noted by UK Parliamentarian, Wera Hobhouse, MP, in an interview with the Electoral Reform Society (see page 122), it must be said that the House of Commons' business is much reduced during the current pandemic. For example, 'Westminster Hall debates' – which allow MPs to host debates on topics they would like to champion – have stopped, and the ability of backbenchers to lobby Ministers in the (aptly-named) voting lobbies has been curtailed due to the crisis.

Some MPs have called for 'fully virtual sittings'. *"We talk of a hybrid Parliament but in fact what we have achieved is the ability for some to join the physical discussion in the chamber remotely. The entire thing is still contingent on a physical meeting taking place in the Commons chamber. It is now time to consider making use of the digital platform to allow a fully virtual session of Parliament,"* Tommy Sheppard, MP said in a parliamentary debate.

However, these issues may be rectifiable through the lengthening of virtual sitting times, and perhaps new virtual ways to lobby Ministers. There are growing calls for some of the innovations to be made permanent.

Another UK Parliamentarian, Kenny MacAskill, MP, told the Electoral Reform Society that the UK House of Commons had '*come a long way from a standing start*'. *"Only weeks before lockdown I had a funeral to attend and asked about Skyping in [to Commons proceedings]. 'Not possible', I was told. Now it's routine,"* he said. The Scottish MP wants Members to continue to be able to contribute virtually from outside Westminster, even after the pandemic. For Scottish MPs, this would let them spend far less time travelling to another nation – but it could also have benefits for disabled or pregnant MPs.

The Lords' approach

Unfortunately, the innovations discussed so far only account for one half of the UK Parliament. The 'Other Place' – the unelected House of Lords – has been far less swift to modernise.



Image credit: UK Parliament/Jessica Taylor

Unlike the UK House of Commons, the House of Lords did not initially opt for 'hybrid' proceedings (or indeed go 'fully-virtual'). Lords authorities chose to continue to hold all formal legislative stages, votes, and motions of the house, in-person. Meanwhile, debates and parliamentary questions, as well as Committee meetings would be taken wholly virtually.

The decision was particularly controversial given that the average age of the House of Lords is 70 years old – an 'at-risk' demographic, with peers and parliamentary staff potentially feeling pressured to attend in order to have their voices heard on legislation and crucial motions.

Unlike the House of Commons, the House of Lords also opted to use the Microsoft Teams platform instead of the Commons' approach of using Zoom. The former platform is less optimal for broadcasting – meaning that for over a week there was no live-broadcast of the House of Lords proceedings. The Electoral Reform Society were deeply concerned about a lack of public scrutiny of the House of Lords during this time.

When the House of Lords authorities did get the system up and running, there were reports of data breaches after the mobile phone numbers of some Members were read out when they entered or exited the session on Microsoft Teams. The House of Lords referred itself to the Information Commissioners Office and the live-broadcasts were again (temporarily) stopped while the online platform was reviewed.



"The shift to Zoom was a huge relief after doing battle with Microsoft Teams," UK Parliamentarian, Baroness Bennett of Manor Castle told the Electoral Reform Society. "But there is a disappointing lack of commitment from the government, and a shortage of determination from what are known as the "Usual Channels" - the larger parties - in committing to proper scrutiny and functioning. While the Commons is going ahead with online voting, there's still a lot of resistance to that in the Lords. And so we had this week an embarrassed-looking Deputy Lord Speaker asking Peers to say 'content' [a vote in favour] and 'not content' [a vote against] and 'The contents have it'. But our microphones were all muted."

Rt Hon. Lord Tyler was also concerned that the Lords' difficulties were hampering scrutiny. *"The Lords are in a much weaker position [than the Commons]. There is now no mechanism there for all Peers to scrutinise legislation - let alone vote on it - and there is a strong suspicion that this is the intended objective of No 10, rather than just a technical problem,"* he said.

In a sign that many Parliamentarians are unhappy with proceedings in the House of Lords, 210 cross-party and independent Members have signed a letter to the Lord Speaker and the Leader of the House asking that the House of Lords sitting time be extended to enable greater scrutiny.

During the current global pandemic, the devolved Legislatures of the United Kingdom have also been reviewing their parliamentary proceedings.

The Senedd

The Welsh Senedd (Parliament, in Welsh) was one of the first to adopt virtual proceedings, holding its first virtual meeting on 1 April 2020. Sixteen Members of the Senedd took part, with a recording of the meeting made available shortly afterwards.

Since then this procedure has become a regular occurrence, with voting conducted using 'weighted voting' – one Member of each political group voting on behalf of the others.

The Welsh Government has reached out to other parties in inviting the Opposition parties onto its 'Coronavirus' Cabinet Committee – these are currently in non-voting positions but are a welcome sign of cross-party working.

The Scottish Parliament

The Scottish Parliament is adopting a similar 'hybrid' model to the UK House of Commons, with all MSPs soon being able to ask questions, take part in Committee business and (it is hoped), to vote remotely.

At the time of writing, this was not yet in place, with Members still attending Holyrood for First Minister's Questions. Presiding Officer, Rt Hon. Ken Macintosh, MSP said that he hoped the fully 'hybrid' approach could be tested by the week beginning 11 May 2020, with

the aim of fully implementing it the following week. Committees in the Scottish Parliament have already been taking place remotely.

Other innovations

As well as amending parliamentary procedures, the Electoral Reform Society believe consideration should be given to involving members of the public in responding to these democratic shortcomings. A citizens' assembly or jury, composed of a representative sample of the population, could be established to periodically review legislation or emergency powers, and thus act as a further check on Executive powers.

The Electoral Reform Society have also recommended a dedicated New Zealand-style Coronavirus Response Select Committee to be adopted by the UK Parliament, with a majority of Opposition MPs. It's a call that has now been picked up by other parties.

Conclusion

Like many countries across the Commonwealth, the United Kingdom's response to the COVID-19 crisis has been an issue of learning very quickly. It has had hiccups and pitfalls but – in the UK House of Commons and some of the devolved administrations – the parliamentary authorities and Members have adapted rapidly to the global pandemic with alacrity and dynamism.

Rt Hon. Karen Bradley, MP, and Chair of the House of Commons Procedures Committee, told the Electoral Reform Society: *"The House of Commons service has achieved brilliant work to ensure that democracy, and scrutiny, can continue to function in these extraordinary times. But it's important to remember that these measures will always be sub-optimal. There is no substitute for the spontaneity and cut and thrust of scrutiny achieved by holding the Government to account in the House of Commons Chamber."* The Procedure Committee is currently consulting with the public and Members of Parliament on how the 'virtual' UK Parliament arrangements are operating.

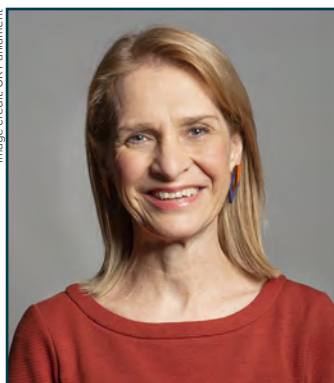
This global crisis has proven something: the UK Parliament – this 1000+ year old institution – can adapt when it needs to. We hope these lessons are learned to strengthen democracy and amplify the voice of voters in the long-run. It is clear that Britain has a democratic crisis: one of rock-bottom trust in politics. There are many more potential modernisations to explore to ensure parliamentary scrutiny is bolstered – not just in a pandemic but permanently. Can the UK's political institutions 'build back better' after this is over?

For more information about the Electoral Reform Society please visit <http://electoral-reform.org.uk/>.



LIFE FOR A BACKBENCHER IN THE UK'S VIRTUAL PARLIAMENT

Image credit: UK Parliament



In this interview with the Electoral Reform Society, UK Parliamentarian, Wera Hobhouse, MP speaks about the 'hybrid-virtual' Parliament and the difficulties facing smaller parties in the Legislature.

How have the UK House of Commons' virtual Parliament arrangements been working?

The parliamentary services have done a fantastic job - the technical side is fine. You notice what a crisis can do – all things we never thought were possible, they're now sorting out. Online voting! That's progress we never thought would be possible in 20 years.

In terms of procedure, the parliamentary business that we're currently covering is very limited. The spontaneity has been completely curtailed. You can't bob up during Ministerial questions to ask additional questions – it's very regimented.

That has a negative impact on smaller parties [like my party the Liberal Democrats] – it's regulated via ballot. The opportunity to come up in a ballot [for a virtual debate] if you're 11 MPs out of 650 is very rare.

The other way to intervene virtually is through your whips office as a spokesperson. This is allocated on a political balance basis, so small parties have very few opportunities to speak.

How can that be counterbalanced?

We have to work extra hard to make our voices heard. In a physical Parliament that was possible – in a virtual Parliament that was not possible at all. I've only spoken once in three weeks – and then only because the whips put me forward as spokesperson. Otherwise I appear silent!

The time [for virtual debates] doesn't exceed anything over four hours. Usually, when we start at 11:30 on a Tuesday we go on until 7. We have Westminster Hall debates, and backbench debates on a Thursday. All these opportunities are currently not there.

Therefore, it's probably a quarter of the normal parliamentary activity. We could increase the number of MPs participating in [virtual] departmental questions, otherwise this will not improve.

The spontaneous element – I don't know how to improve that. We've all got used to Zoom meetings, but there are limited opportunities where you can raise your hand – who knows if the

Speaker will create some opportunity to do that? Who knows what the wonders of tech will allow us to do in the future? But currently it's very limited.

I've not gone to London at all, and have kept working remotely. The volume I can cover going from Zoom meeting to meeting [is good]! Usually we have to cover some ground in Parliament!

Are there any changes that might last?

I've been having a 'climate cluster', a weekly meeting of council figures [on green issues]. The number of participants [with virtual proceedings can] increase massively. But I don't think in future we can go entirely away from physical meetings.

I can't wait for some element of physical meetings coming back, with the proviso that it's safe. There's definitely an advantage to be physically in the chamber

Does it matter that you're not in the chamber?

It is a 'hybrid' system in that some people are still physically in the chamber. You can't speak up unless you're on the Speaker's list. I don't think constituents would find it different whether I'm speaking from my computer at home or filmed standing up in the chamber. Either way they're seeing what I'm doing, so that doesn't matter.

The recommendation is to deliver virtual contributions sitting down, so you don't get people only seeing your neck or your chin. Is it tidy enough, do I show off my bookshelf...where do you put your speaking notes? These things are all being debated in parliamentary teams!

Below: The UK Parliament's first trial for online voting.

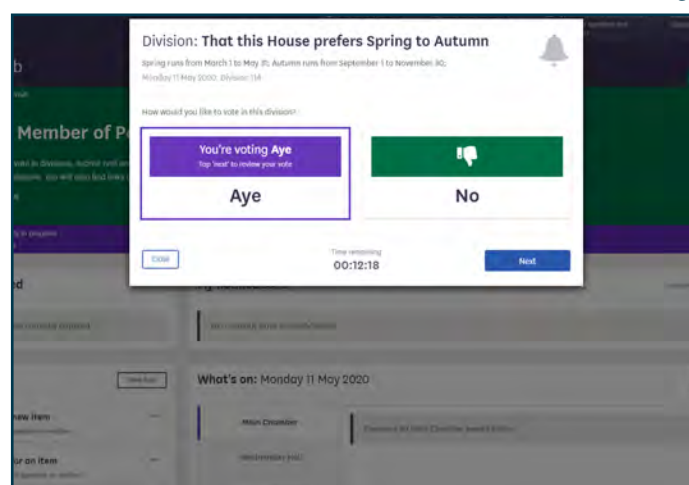


Image credit: UK Parliament

How is online voting working?

It's been trialled over several days. It was a bit patchy at first, but we've now voted in two Select Committee Chairs, with a further trial this morning. It works remarkably well. [The voting is conducted through the internal parliamentary intranet, with secure access codes for Members].

Should online voting stay after the pandemic?

We definitely need to have a debate on the advantages and disadvantages...of online voting if you can't make it yourself. Currently voting in the lobby takes 20 minutes – a good part of your own time. During the Brexit legislation, we'd finish a debate at midnight and then an hour and a half of voting – you're not back home until 2am! So there's a big advantage to look into [online voting].

Are there other innovations you think should be made during this pandemic?

Parliament has given the [UK] Government a vast amount of power. They're making many important decisions that infringe on people's lives and civil liberties. With these very increased powers should go very increased scrutiny – that hasn't happened. If government continues to have these large powers (the emergency laws last

for two years) – even then, it's a massive increase in what the government can do.

I have to acknowledge that the government has accepted quite a large amount of proposals on things they hadn't really thought through...the detail was fine-tuned with a lot of contributions from across the House.

I've got a vast criticism of way the government has handled it, but we've been careful not to be too critical as it's a massive emergency – need to get people on board and not make people feel too scared.

Does the voting system to elect MPs play a part when it comes to scrutiny?

Obviously – the government have a very big majority, and a false sense of security that's not based on [support from] a 'proper' majority of the country. Disproportionate power has given them this idea that they can speak with one voice. The voting system really distorts democracy. The tools that Parliament currently has are greatly reduced, and the amount of scrutiny is greatly reduced when the government has an artificial majority in the [UK House of] Commons.

This interview was conducted by Josiah Mortimer for the Electoral Reform Society. <http://electoral-reform.org.uk>.



Image credit: UK Parliament/Jessica Taylor



Image credit: UK Parliament/Jessica Taylor



Commonwealth Parliamentary Association helps Parliaments and Legislatures in the Commonwealth to identify benchmarks of good governance

The Commonwealth Parliamentary Association (CPA) Recommended Benchmarks for Democratic Legislatures are helping to provide a framework for excellence in Commonwealth parliamentary and legislative practice. Reinforcing the belief that effective Parliaments are one of the principal institutions of any functioning democracy, the CPA Benchmarks for Democratic Legislatures provide a minimum standard and a guide on how a Parliament should be constituted and how it should function.

The CPA Headquarters Secretariat has been engaged recently in assisting CPA Branches to conduct self-assessments using the CPA's Benchmarks for Democratic Legislatures. Over the last 18 months, a number of Commonwealth Parliaments have undertaken the Benchmarking exercise with the support of the CPA Headquarters Secretariat including South Africa, Malaysia, Kenya, Belize, Tanzania, Grenada, Ghana, Uganda and Sierra Leone.

The Acting CPA Secretary-General, Mr Jarvis Matiya said: *"The CPA Recommended Benchmarks for Democratic Legislatures reinforce the belief that effective Parliaments are one of the principal institutions of any functioning democracy, and provide a minimum standard and a guide on how a Parliament should be constituted and how it should function in line with the values and principles of the Commonwealth Charter on the development of free and democratic societies."*

The CPA also worked with the Commonwealth Partnership for Democracy (CP4D) (funded through the UK Government) over the last two years to further advance inclusion and accountability using the CPA benchmarks across the Commonwealth. The partnership was led by the Westminster Foundation for Democracy (WFD) in partnership with the CPA Headquarters Secretariat, the CPA UK Branch and the Commonwealth Local Government Forum (CLGF).

- The following CPA Branches undertook CPA benchmarks assessments funded through the CP4D project: Parliaments of Belize, South Africa, Malaysia, Kenya, Uganda, St Lucia, Pakistan, Tanzania, Grenada, Ghana and The Gambia.
- The Parliaments of Sierra Leone and Anguilla have been assessed against the CPA Benchmarks through funding from the CPA Headquarters.

A number of CPA Benchmarks assessments were undertaken by Parliamentary consultants, Meenakshi Dhar and Anthony Staddon on behalf of the CPA Headquarters Secretariat.



To download a copy of the Commonwealth Parliamentary Association (CPA) Recommended Benchmarks for Democratic Legislatures please visit www.cpahq.org/cpahq/benchmarks.



CP4D Seminar

To mark the conclusion of the Commonwealth Partnership for Democracy (CP4D), the CP4D partners, including the CPA, held a seminar in March 2020 on 'Inclusive Politics in Practice in the Commonwealth'. The panel session on using the updated CPA Benchmarks for Democratic Legislatures heard from Commonwealth Parliamentarians and parliamentary staff on their experiences of using the CPA Benchmarks.

The presentations and videos at the seminar included:

- The Deputy Speaker of the Parliament of Uganda, Rt Hon. Jacob L'Okori Oulanyah shared his experience of using the updated CPA Benchmarks for Democratic Legislatures as the Uganda Parliament has recently undertaken a self-assessment utilising the CPA Benchmarks.
- Former UK MP, Dr Roberta Blackman-Woods advocated the Commonwealth Parliamentary Association's Benchmarks for Democratic Legislatures as they reinforce the belief that effective Parliaments are really important for a functioning democracy and set out the role of Commonwealth Parliaments.
- The Clerk of the Parliament of Sierra Leone, Paran Tarawally spoke about the practical application of the CPA Benchmarks for Democratic Legislatures during a self-assessment utilising the CPA Benchmarks.

To view the videos from the CP4D seminar where panellists spoke about their experiences of utilising the updated CPA Benchmarks for Democratic Legislatures please visit www.cpahq.org/cpahq/CP4Dseminar.



CPA Uganda Branch

The Parliament of Uganda undertook an assessment as part of the CPA Benchmarks for Democratic Legislatures to assess parliamentary excellence and achieving UN Sustainable Development Goal 16. The CPA assessment was held as part of the Uganda Parliament's 3rd Annual Legislature Review and involved a large number of parliamentary officials and staff, chaired by the Speaker of the Parliament of Uganda, Rt Hon. Rebecca Kadaga, MP and the Clerk to Parliament, Mrs Jane Kibirige. The Parliament's annual review also included stakeholders such as youth groups and civil society, which results in future inputs into the Legislative and Committee processes, including the budget process.



CPA St Lucia Branch

The Parliament of St Lucia undertook an assessment as part of the CPA Benchmarks for Democratic Legislatures to assess parliamentary excellence and achieving UN Sustainable Development Goal 16.

The CPA team met with the Speaker of the St Lucia House of Assembly, Hon. Andy Daniel, MP; the President of the Senate of St Lucia and Commonwealth Women Parliamentarians (CWP) representative for the CPA Caribbean, Americas and Atlantic Region, Hon. Jeannine Michele Giraudy-McIntyre; the Prime Minister of St Lucia, Hon. Allen Michael Chastanet, MP; the Leader of the Opposition, Hon. Philip J Pierre, MP as well as current and former Speakers and Members of Parliament and the St Lucia Youth Council to discuss St Lucia's experience of legislation, oversight and representation with particular reference to the CPA Small Branches.

CPA Kenya Branch

The Parliament of Kenya undertook an assessment as part of the CPA Benchmarks for Democratic Legislatures to assess parliamentary excellence and achieving the UN Sustainable Development Goal 16 in December 2019. The CPA team met with the Speaker of the Kenya National Assembly and the CPA Africa Regional Chairperson, Rt Hon. Justin B. Muturi, MP; Hon. Aden Duale, MP, Majority Leader in the House; the Clerk at National Assembly of Kenya, Michael Sialai as well as officials from the Senate of Kenya to discuss the Kenya Parliament's legislative processes as part of the assessment.



CPA Pakistan Branch

As part of the pre-assessment against the CPA benchmarks to review parliamentary excellence and achieving UN Sustainable Development Goal 16, Mr Qamar Sohail Lodhi, Special Secretary at the National Assembly of Pakistan visited the CPA Headquarters Secretariat to meet with CPA staff to review legislation and parliamentary processes ahead of the assessment.

This was followed by the assessment visit to Pakistan in February 2020 where the CPA team held two days of intensive meetings with the National Assembly of Pakistan led by Mr Tahir Hussain, Secretary of the National Assembly Secretariat. As part of the CPA assessment, meetings were also held with the SDGs team in Pakistan including the Chairperson, Dr Nausheen Hamid, MNA to discuss the parliamentary structures and interventions on the SDGs. For a more detailed report of the assessment process at the National Assembly of Pakistan, please turn to page 132.



CPA Gambia Branch

The National Assembly of The Gambia undertook an assessment as part of the CPA Benchmarks for Democratic Legislatures in January 2020. The National Assembly rejoined the membership of the Commonwealth Parliamentary Association in 2019 following re-joining the Commonwealth in 2018. Previously, The Gambia first joined the CPA in 1949. The CPA team met with the Speaker of the National Assembly of The Gambia, Hon. Mariam Jack-Denton and the Clerk of the House, Momodou A. Sise as well as the Majority Leader, Hon. Kebba Barrow and the Minority Leader, Hon. Samba Jallow and parliamentary officials to discuss legislation, oversight, representation, the autonomy of Parliament and the budget-making process.



CPA Sierra Leone Branch

In February 2020, the CPA Headquarters Secretariat facilitated a benchmarks assessment against the CPA's Benchmarks for Democratic Legislatures with the Parliament of Sierra Leone in Freetown. The assessment visit team met with the Deputy Speaker, Rt. Hon. Segepoh Solomon Thomas, MP, party leaders, the women's caucus and the Clerk of Parliament, Mr Paran Tarawally amongst others, who shared their experiences and knowledge with the CPA team.

The Sierra Leone Parliament set up a specific committee of parliamentary staff who were tasked over several months with using the CPA benchmarks as a self-assessment tool and monitoring tasks and outcomes against the benchmarks to identify any gaps and highlight areas for improvement. The area of financial autonomy was identified as an area where the Parliament could learn from the experiences of other Commonwealth Parliaments as part of the assessment process.

CPA Anguilla Branch

In February 2020, the House of Assembly of Anguilla became the eleventh Commonwealth Legislature to use the benchmarks framework to conduct an assessment. The overall objective of the exercise was for local stakeholders to measure the progress of their Legislature in achieving democratic and good governance standards by comparing their practices to the CPA benchmarks.

The assessment was approved by the Speaker of the House of Assembly of Anguilla, Hon. Terry Harrigan; Deputy Speaker, Hon. Jose Vanterpool and in advance of the assessment, the Clerk of the House, Mr Lenox Proctor undertook a review of the technical and legal benchmarks. The CPA assessment team met with over 50 stakeholders including the Governor, Deputy Governor, Premier, Government Ministers, Speaker, Deputy Speaker, Leader of the Opposition, Members of the House, election candidates, civil servants, civil society, the media and youth groups.



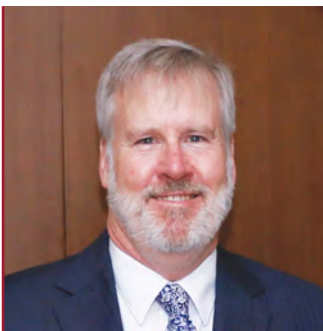
CPA Grenada Branch

In January 2020, the Parliament of Grenada undertook an assessment against the CPA Benchmarks for Democratic Legislatures to assess parliamentary excellence. The CPA team met with the Speaker of the House, Hon. Michael Pierre, MP and the Clerk, Andrew Augustine; Senator Andre Lewis and Senator Glynis Roberts; former Speakers, Hon. Dr Sir Lawrence Joseph and Hon. George McGuire; as well as parliamentary officials to discuss legislation, oversight and the autonomy of Parliament.



REASSESSMENT AGAINST THE UPDATED CPA BENCHMARKS FOR DEMOCRATIC LEGISLATURES

The Legislative Assembly for the Australian Capital Territory was one of the first CPA Small Branches to measure itself against the CPA Recommended Benchmarks for Democratic Legislatures when they were first published in 2006. Over a decade on, the ACT Legislature revisited the CPA Benchmarks to assess their progress.



Tom Duncan is the Clerk of the Legislative Assembly of the Australian Capital Territory. He has held the position since 2003 and was previously the Deputy Clerk. He has also worked at the Department of the House of Representatives at the Australian Federal Parliament and also at the Parliament of New South Wales in Sydney. He is a former CPA Australia Regional Secretary.

Background and purpose

In 2006, a Commonwealth Parliamentary Association (CPA) study group hosted by Bermuda produced a report entitled, *Recommended Benchmarks for Democratic Legislatures*. Drawing on a range of earlier works, including the National Democratic Institute's discussion paper, *Toward the Development of International Standards for Democratic Legislatures*, the CPA Benchmarks set out a set of best practice standards aimed at providing tools to better assess levels of parliamentary democracy across CPA Branches.

The Legislative Assembly for the Australian Capital Territory was the first Legislature to measure itself against the 2006 benchmarks. Through that assessment, which was published in 2008 in *The Parliamentarian*,¹ the Assembly was rated as having met 80 of the 87 CPA Benchmarks.

In 2018, the CPA *Recommended Benchmarks for Democratic Legislatures* were revised and updated following the work of a study group of CPA Members representing different Commonwealth regions. The group was organised by the Commonwealth Parliamentary Association (CPA) Headquarters Secretariat with other partners including the Westminster Foundation for Democracy.

With the changes to the CPA Benchmarks in 2018, the Office of the Legislative Assembly² wished to establish whether the Assembly's performance had changed. This paper sets out the results of the Office's assessment of the revised CPA Benchmarks.

Method

An assessment team, comprising the Clerk of the Legislative Assembly for the Australian Capital Territory, Tom Duncan, and the Director of the Office of the Clerk, David Skinner, applied a relatively straightforward assessment method. Recognising that compliance with the CPA Benchmarks could exist on continuum, the assessment team evaluated the Assembly against each CPA Benchmark to determine whether the Assembly:

- fully complied with the spirit and the letter of the benchmark (awarding 2 marks);
- partially complied with the spirit and the letter of the benchmark (awarding 1 mark); or
- did not comply with the spirit and the letter of the benchmark (awarding no mark).

The assessment team considered the Assembly's performance against the CPA Benchmarks with the

underlying democratic functions of the Legislative branch of government in mind. Parliaments have a number of important functions including: *the representation of electors, the scrutiny of government and holding the Executive to account, and the consideration and passage of legislation*. In making its assessments, the assessment team considered relevant statutory and subordinate law, the conventions and practice of the Assembly, the standing orders and resolutions of the Assembly, and relevant statistics associated with the business of the Assembly.

Where the assessment team considered that the evidence supported an assessment of full compliance with a CPA Benchmark, two points were

"The assessment team considered the Assembly's performance against the CPA Benchmarks with the underlying democratic functions of the Legislative branch of government in mind."



The Legislative Assembly of the Australian Capital Territory

awarded, where the team considered that the evidence supported partial compliance, one point was awarded, and where the team considered that the evidence was unable to support compliance, no points were awarded. Where a particular CPA Benchmark was not relevant to the Assembly - for instance, because it related to a national Legislature or a bicameral Legislature - it was excluded from the assessment.

External review

Following its own assessment, Emeritus Professor John Warhurst, AO³ of the Australian National University undertook an external review to validate or invalidate the judgements that had been made by the Office and to offer any further comment.

As a general comment on the Office's assessments, Professor Warhurst noted:

'The initial Office Assessments are almost invariably sound and my comments below are largely in the form of suggestions to tighten up or to expand the comments by the Office rather than to dispute the rating.'

The benchmarks themselves include many subjective

general terms which are always open to interpretation, including: regular, periodic, fair, proportionate, regularly, substantial proportion, adequate, timely, sufficient, reasonable, etc. This point should be made in a prominent position. The ACT Legislative Assembly has general characteristics, including its relatively small size, which may affect the applicability of the benchmarks. These should also be noted.'

The Office revised a number of its assessments and comments on the basis of Professor Warhurst's analysis.

The Office provided the assessment to all 25 Members of the Legislative Assembly for their consideration and comment in August/September 2019. The Members offered no further comments on the ratings.

Results

When the CPA Study Group [in 2018] re-considered the original 87 CPA Benchmarks, it added a further 47 new CPA Benchmarks, bringing the total number of CPA Benchmarks to 132. The Assembly has scored 225 marks against a possible score of 246, which, in percentage terms is 91.5%

(compared with the 91.9% score obtained in 2008).

Where did the Assembly fall short and not meet the benchmark at all?

Of the 132 CPA Benchmarks, the Assembly did not meet three, and partially met 14 measures. Detailed below are the explanations of why the Assembly did not meet the CPA Benchmark. A link to the assessment can be found at <https://www.parliament.act.gov.au/Publications/Publications>.

Parliamentary government

– 5.1.5: *The Legislature shall take measures to ensure that women are represented at all levels of administration.*

The Assembly did not meet this CPA Benchmark and it is unsure whether it will ever be in a position to do so. The Office made the following comment explaining its rating:

'There are no measures in place to 'ensure that women are represented at all levels of administration'. As with elsewhere in the Australian public sector, the merit principle is applied in relation to all appointments at all levels of administration.'

While there is no barrier to encouraging women to apply for particular positions within a public sector organisation, any measure that is designed to 'ensure' that one category of person over another is considered for a position on the basis of an attribute (e.g. sex or gender) unrelated to a person's merit, cannot, under current legislative arrangements, be adopted.

The implementation of measures to 'ensure' that women are represented at all levels of administration' would almost certainly contravene the *Discrimination Act, 1991*, which establishes that a person's sex and a person's gender identity are 'protected attributes'.

Section 8 of that Act, *inter alia*, provides that:

- A person directly discriminates against someone else if the person treats, or proposes to treat, another person unfavourably because the other person has 1 or more protected attributes.
- A person indirectly discriminates against someone else if the person imposes, or proposes to impose, a condition or requirement that has, or is likely to have, the effect of disadvantaging the other person because the other person has 1 or more protected attributes.

It is also observed that this benchmark would appear to conflict with benchmark 5.3.1, which proposes that *'Recruitment and promotion of non-partisan staff shall be on the basis of merit and equal opportunity'*, and 5.2.2 which proposes that *'recruitment procedures... shall not discriminate... recruitment of staff on the basis of race, ethnicity, religion, gender, disability...'*



Legislative function general

– 6.1.5: *The Legislature shall encourage the process of equality impact assessment with respect to the development of legislation, policies and budgets.*

The Assembly has not, by resolution or by legislation, expressed a formal view on encouraging the adoption of 'equality impact assessments' in relation to legislation, policies and budgets.

Legislature procedure –

6.2.4: *The Legislature shall establish procedures for systematic monitoring of the effective implementation and consequences of legislation.*

This was another benchmark that the Assembly did not meet. In our comment on the benchmark we noted: *'There is no systematic monitoring of 'effective implementation and consequences of legislation'. However, through debate, the work of Assembly committees and the use of question time, the Assembly is able to examine these matters in an ad hoc fashion. It would be open to the Executive to consider an arrangement whereby it reports on these matters (through, for instance, annual reports) to the Assembly. It is also a function that could be given to the Auditor-General in the context of its performance audit program'.*

The external advisor noted that the benchmark does appear to be beyond the scope of a Legislature.

Benchmarks which the Assembly partially met

Candidate eligibility – 1.2.2:

Measures to encourage the representative political participation of marginalised groups shall be drawn to accomplish precisely defined objectives.

There are no explicit measures - outside of statute - to 'encourage the representative political participation of marginalised groups' occurring under the banner of the Legislature (i.e. by way of the internal institutional arrangements of the Assembly).

Arguably, any measures that might be taken to encourage the representative political participation of marginalised groups is a matter that falls to individual and collective political actors in civic and civil life, including the Executive and individual members, rather than being an inherent function of a democratic Legislature.

Such arrangements may also, of course, occur by way of particular legislative proposals (as opposed to the utilisation of internal policies, practices and procedures of the legislature to produce such measures).

As an example, the Assembly passed the *Aboriginal and Torres Strait Islander Elected Body Act, 2008*, the object of which is very much in line with the encouragement of representative participation of a marginalised group and the objects of this Act are:

'In recognition of the rights of Aboriginal and Torres Strait Islander peoples to freely determine their political status and to freely pursue their economic, social and cultural development in line with the right to self determination:-

(a) to ensure maximum opportunity for the voice of Aboriginal and Torres Strait Islander people living in the ACT to reach decision-makers in the government and its agencies; and

(b) to ensure maximum participation of Aboriginal and Torres Strait Islander people living in the ACT in developing and implementing government policies affecting them; and

(c) to ensure coordination

by government agencies in developing policies affecting Aboriginal and Torres Strait Islander people living in the ACT without detracting from, or diminishing, the responsibilities of those agencies to provide services for the broader community; and

(d) to further the economic, social and cultural development of Aboriginal and Torres Strait Islander people living in the ACT.

Procedure and sessions – 2.6.1:

Plenary debates and votes in the Legislature shall be public.

With the exception of votes in relation to the election of the Speaker, Deputy Speaker, Chief Minister and Leader of the Opposition (which require a secret ballot - see standing orders 2, 3, 5 and 5B), all votes of the Assembly are made publicly known.

All proceedings of the Assembly are open to the public, Hansard Debates and video of proceedings are publicly available via the website.

Committees – 3.1.5: All

Committee votes and substantive decisions, and the Committee's reasons for them, are made public in an accessible and timely manner.

Minutes of all Committee proceedings, including the results of particular votes are maintained. However, not all minutes of a Committee may be made publicly available without the Committee tabling them in the Assembly. There may be occasions where it might be in the interests of the Assembly or the public that deliberations of a Committee are not made publicly available.

Upon presentation of the report of a Committee, standing order 253 requires that minutes or extracts of the relevant minutes are tabled in the Assembly.

Committees – 3.2.2: *There shall be a presumption that the Legislature will refer legislation to a Committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature.*

There is no requirement that legislation is to be referred to a policy committee for inquiry and report. However, the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) examines: 1) all Bills; 2) all amendments to any Bills; and 3) subordinate legislation.

The Committee must consider various rights issues as well as other matters provided for in the Committee's resolution of appointment.⁴ See also Standing Order 182A relating to legislative amendments receiving scrutiny from the Committee.

Committees – 3.2.3:

Committees shall scrutinize legislation referred to them and have the power to recommend amendments or amend the legislation.

As stated above, not all Bills are referred to Committees (with the exception of technical scrutiny by the (Legislative Scrutiny Committee)).

“When the CPA Study Group [in 2018] re-considered the original 87 CPA Benchmarks, it added a further 47 new CPA Benchmarks, bringing the total number of CPA Benchmarks to 132.”



The Parliamentary Chamber at the Legislative Assembly of the Australian Capital Territory

Political parties, party groups, cross-party grounds and the opposition – 4.2.2: *The Legislature shall provide adequate resources and facilities for party groups pursuant to a clear and transparent formula that does not unduly advantage the majority party.*

The Assembly does not adopt a ‘formula’ to determine the allocation of resources for party groups within the Assembly.

However, resources are generally provided on the basis that each individual non-executive MLA receives more or less the same level of support (Ministers are given additional support in recognition of their Executive functions). The Speaker, Opposition Leader and Leader of the Crossbench also receive additional support in recognition of their special roles.

The Chief Minister makes staff salary determinations in accordance with the *Legislative Assembly (Members Staff) Act 1989* (LAMS Act). The relevant determination⁵ makes provision for the staffing allocation (an amount to employ or engage staff, contractors or consultants) provided to individual MLAs and additional amounts for the Leader of the Opposition, Deputy Leader of

the Opposition, Crossbench member, Government Whip and Opposition Whip. A separate determination⁶ is made for the Speaker who also receives additional funding above that provided to MLAs.

Parliamentary staff – 5.4.1: *The head of the parliamentary service shall have a form of protected status defined in legislation or in the Constitution to prevent undue political pressure.*

The independence of the Office is protected from executive interference by way of s 8 of the *Legislative Assembly (Office of the Legislative Assembly) Act*, which provides that ‘*The Clerk and the office’s staff are not subject to the direction by the Executive or any Minister in the exercise of their functions*’.

However, other than convention and practice, there are no legislative protections affording a broader protection from political interference.

This could be remedied by the inclusion of an additional provision in the *Legislative Assembly (Office of the Legislative Assembly) Act* to protect the Office, the Clerk, and staff of the Office from broader political influence or pressure and not just

interference on the part of the Executive.

Legislative function – 6.2.5: *Only the Legislature shall be empowered to determine and approve the budget of the Legislature.*

The doctrine of the financial initiative of the Executive (embodied in s 65 of the *Self-Government Act*) prevents the Assembly from determining its budget. However, through the development of budget protocols between the Executive and the Assembly⁷ and the operation of ss 20-20AA of the *Financial Management Act*, the Assembly, through the Standing Committee on Administration and Procedure and the Speaker, have a high degree of influence over the amount of funding that is included in the standalone appropriation bill for the Office. Under the protocols, the Speaker is given the opportunity to appear with the Clerk before the Budget Committee of Cabinet.

Legislative function – 6.3.1: *Opportunities shall be given for public input into the legislative and Committee process, including the budget process.*

So far as the Assembly is concerned, the budget is examined annually by a Select Committee on estimates and as part of the public inquiry process, members of the public are invited to (and do) make submissions and give evidence.

It is not, however, a requirement that all Bills must be examined and reported on by the relevant policy Standing Committee as occurs, for instance, in New Zealand and Queensland Parliaments.

Financial and budget oversight – 7.2.4: *In addition to the draft annual budget, the Legislature shall receive and assess medium-term and annual budget strategies and be informed of the main assumptions that underlie the annual budget’s revenue and expenditure projections.*

In addition to the annual budget (which contains out-year funding strategies / budgets) and appropriation, the Treasurer also provides a mid-year budget update.

Section 20A (2) of the *Financial Management Act* provides that the Treasurer must present the budget review for a financial year to the Legislative Assembly no later than 15 February in the financial year. Section 20B(1) of the *Financial Management Act* states that the “*purpose of the budget review for a financial year is to give updated information to allow the assessment of the government’s financial performance against the financial policy objectives and strategies set out in the financial policy objectives and strategies statement for the Territory budget for the financial year.*”

Section 30E of the *Financial Management Act* provides that each directorate:

(1) Within 45 days after 31



December in each financial year, each Minister must:

- (a) prepare a half-yearly performance report for each directorate for which the Minister is responsible; and
- (b) present the report to the Legislative Assembly.

(2) The report must include:

- (a) a progress report on delivery of outputs; and
- (b) an explanation of any significant variations from performance criteria.

There is no parliamentary budget officer responsible for providing direct advice to the Assembly in relation to the assumptions, reasonableness and outlook associated with the government's budget.

Financial and budget oversight – 7.2.9: *All reports of the Supreme or National Audit Office shall stand referred to the Public Accounts Committee, or a designated Committee, for further report.*

The resolution of appointment of the Standing Committee on Public Accounts requires that it examine 'all reports of the Auditor-General which have been reported to the Assembly'.

In the period between November 2016 (when the Ninth Assembly commenced) and April 2019, there have been 26 reports of the Auditor-General. Of these, the Standing Committee on Public Accounts is conducting inquiries in relation to four of these reports. 21 reports have been 'noted' by the Committee. 14 public hearings have been conducted during the period.

While the Assembly satisfies the technical letter of the benchmark in that all reports are referred to the Committee, given it is clearly the spirit of the benchmark that the preponderance of referrals are,

in fact, substantively inquired into and reported on by the Committee, a score of 1 has been applied.

It must be noted that it is for the Public Accounts Committee, as with all Assembly Committees, to determine how it approaches its remit and there may be valid reasons behind whether or not each audit report is the subject of substantive inquiry and report. For instance, it could be the case that a Committee's attention is drawn to particular areas of audit activity and determine to focus its attention of those areas to the exclusion of others.

Representational function – 8.1.1: *The Legislature shall be organised in such a way as to enable the substantive representation of women in its work.*

The precise intention of this benchmark is somewhat unclear. The Assembly has not adopted a *specific* organising principle (or practice) that is directed towards 'the substantive representation of women in its work'. However, this is not to say that women and the interests of women in the ACT have not been 'substantively represented'.

Through the electoral process and the performance of the Assembly's democratic functions the interests of women are substantively represented by both male and female members depending on the particular issues that come before the Assembly.

In 2016, the Assembly was the first Australian Legislature where a majority of women were elected (currently 56% of Assembly members are women). Three of the Assembly's seven Speakers have been women and three of the ACT's seven Chief Ministers have been women.

Accessibility, openness and engagement – 10.1.2: *The Legislature shall be accessible and open to persons with disabilities.*

The Assembly is accessible and open to persons with disabilities. However, the Speaker's chair and the front bench of the Government and the Opposition are not wheelchair accessible.

Accessibility, openness and engagement – 10.1.6: *The Legislature shall identify demographic groups whose perspectives are not well represented in parliamentary decision-making and make efforts to increase their participation.*

On behalf of the Assembly, the Office uses various engagement techniques (some ad hoc, others systematic) to invite participation from a variety of individuals and groups, particularly through the committee system. Members themselves also undertake to encourage participation amongst various demographic groups.

Conclusion

The ACT Legislative Assembly has again undertaken this benchmarking exercise to identify those CPA Benchmarks where it either does not comply with at all, or complies with partially.

Every four years the Assembly undertakes a comprehensive review of the operation of its standing orders and continuing resolutions with a view to ensuring that the practices and procedures of the Assembly remain relevant and reflect best practice. Undertaking this benchmarking exercise will assist in enabling the Assembly to adjust its standing orders, where it

believes it is required, to more fully comply with the CPA Benchmarks.

However, the exercise has also shown that there are some CPA Benchmarks that the Legislature will, perhaps, never be able to meet. These include the requirement that representation of female staff at all levels of parliamentary administration, and the systematic monitoring of the effectiveness of legislation passed by the Assembly.

References:

¹ Based on a paper 'Rating the ACT Legislative Assembly against CPA Benchmarks for Democratic Legislatures—is A minus good enough?' by then Speaker Wayne Berry MLA and David Skinner for the 39th Presiding Officers and Clerk's Conference in Adelaide, 2008.

² The Office of the Legislative Assembly is a statutory office responsible for advising on parliamentary procedure and providing administrative support to the Legislative Assembly for the ACT.

³ Emeritus Professor John Warhurst AO, Visiting Fellow, School of Politics and International Relations, Australian National University.

⁴ <https://www.parliament.act.gov.au/in-committees/standing-committees-current-assembly/standing-committee-on-justice-and-community-safety-legislative-scrutiny-role>

⁵ <https://legislation.act.gov.au/di/2019-29/>

⁶ <https://legislation.act.gov.au/di/2019-30/>

⁷ <https://www.parliament.act.gov.au/Publications/budget-protocols>

⁸ See: <https://www.audit.act.gov.au/reports-and-publications/audit-reports#AuditReports2016> and <https://www.parliament.act.gov.au/in-committees/standing-committees-current-assembly/standing-committee-on-public-accounts>



STRATEGIC SELF ASSESSMENT AGAINST THE CPA BENCHMARKS FOR DEMOCRATIC LEGISLATURES

The National Assembly of Pakistan outlines how its assessment against the CPA Benchmarks were a complimentary step towards meeting the priorities set out in their Strategic Plan 2019-2023.

Today, at a time of increased scrutiny of Parliaments and of Parliamentarians, the focus on measuring impact and the need to demonstrate the effectiveness of Legislatures is critical. The Commonwealth Parliamentary Association (CPA) Benchmarks for Democratic Legislatures provide a key tool in assisting Commonwealth Parliaments to demonstrate their performance, increase their self-awareness and prioritise areas for development. The CPA Benchmarks are essential to developing and codifying international norms and standards around democratic legislatures.

The launch of the Benchmarks for Democratic Legislatures in 2006 by the CPA and partners was a ground-breaking step to strengthen Parliaments through the creation of a set of standards for Parliaments across the Commonwealth. The updated CPA Benchmarks constitute an invaluable international reference which can help develop more effective and inclusive democracies and the update was provided in light of the aspirations set out in Sustainable Development Goal (SDG) 16, which offers a unique opportunity to revisit the expectations of an effective and democratic Parliament. Effective Parliaments are one of the principal institutions of any functioning democracy.

Like many other Commonwealth member

Legislatures, the National Assembly of Pakistan also underwent the process of self-assessment against the CPA Benchmarks for Democratic Legislatures earlier this year. The CPA Benchmarks are totally in line with and complementary towards meeting the priorities of Parliament set out in the new National Assembly Strategic Plan 2019-2023, as both exercises aim for institutional strengthening and consolidation of democracy. The process of self-assessment is very effective to strengthen the transitioning democracy in Pakistan, as the CPA Benchmarks have provided a minimum standard to be met by all Commonwealth Parliaments and a description of how a Parliament should act, behave and function.

As we operate in a knowledge economy and an increasingly digital environment that offers ambitious new possibilities, this made it imperative for the CPA to revise and update its 'decade-old' parliamentary benchmarks (first launched in 2006) to reflect the changed landscape in which democracies now operate. The CPA Benchmarks revolve around best practices in the elections, rules pertaining to eligibility and resignations, effectiveness of Committees, the dynamics of political parties and the Opposition, the status of logistics and other facilities, parliamentary staff and the values of the Legislature including openness and ethical governance etc.

These CPA Benchmarks

indeed provide a key tool in assisting the National Assembly of Pakistan to demonstrate its performance, increase self-awareness and prioritize areas for development and future improvement. The updated CPA Benchmarks also emphasise the inclusion of measurements for our Legislature to support the implementation of the Sustainable Development Goals (SDGs).

In this regard, the Parliament of Pakistan has always been at the forefront as it has, as part of its strategic reforms, established a Parliamentary Taskforce on SDGs at the national and provincial levels, while the National Parliament has a full-fledged SDGs Secretariat to follow up on the development agenda.

The National Assembly of Pakistan strategic planning, alongside the self-assessment against the CPA Benchmarks, has enabled us to identify where we have been working well and potential areas for improvement. In addition, the final report can surely present us with the best practices within the other Commonwealth Legislatures that we can follow, operationalise and implement here.

The National Assembly Strategic Plan 2019-23 encompasses the true spirit of Parliament which advocates the norms of social justice, welfare and equality. Well organised and amply resourced Parliaments are essential to a vibrant democracy,

maintaining peace, upholding the rule of law and human rights, advancing gender equality and youth participation while eventually increasing economic prosperity and promoting social justice which is exactly what the CPA Benchmarks cover as well. The strategic plan presents an overarching reforms package which is aimed at moving away from the traditional piecemeal approach to a more holistic approach.

The reactivation of respective caucuses in the National Assembly of Pakistan on women, youth, sustainable development and parliamentary diplomacy have proved phenomenal in taking the agendas of respective demographic and development groups in the country. Moreover, the Women's Parliamentary Caucus in Pakistan has been lauded on regional and international forums, like the CPA and IPU, as one of the best parliamentary advocacy models for women's political and socio-economic empowerment.

The 'Green' Parliament, the establishment of the SDGs Secretariat and Legislative Drafting Council, strengthening institutions like the Pakistan Institute for Parliamentary Services (PIPS), and programmes like in-house training and human resources reforms have been some of the successful achievements of the strategic reforms over the last few years.



Several important strides have already been made in light of the recently launched framework over the last year. In the wake of reorganization and human resource reforms including a new media directorate – including the social media section – which has been established; over 300 employees whose promotions were long due have been promoted to ensure meritocracy; training and capacity building programmes have been redesigned for Secretariat employees and MPs for ensuring best performance standards.

Parliamentary innovations have been introduced and consequently the Special Committee on Agriculture has been constituted to oversee the interests of poor farmers whose interests were long overlooked despite being a predominant contributor to the country's economy.

An important boost has also been steered in the field of parliamentary diplomacy by introducing the 'Look Africa' policy.

The National Assembly of Pakistan successfully hosted the 5th CPA Asia Regional Conference last year in July-August 2019. It was a matter of

“The CPA Benchmarks self-assessment has proven quite instrumental as it has provided the Members of the National Assembly and staff with an opportunity to review key documents and provisions.”



Above: The Speaker of the National Assembly of Pakistan, Hon. Asad Qaiser addresses the launch of the National Assembly Strategic Plan (NASP) 2019-2023 in Islamabad on 12 February 2020.

great honor for Pakistan that in addition to Sri Lanka and the four Provincial Assemblies, the parliamentary delegations from Malaysia, the UK, Cameroon and Uganda and the Legislative Assemblies of Gilgit-Baltistan and Azad Jammu and Kashmir also attended the conference as special guests. The successful holding of this conference has been yet another milestone in Pakistan's successful pursuits of effective parliamentary diplomacy.

One of the very significant goals outlined in the strategic plan is to effectively communicate, and positively engage with the public, as also suggested in the CPA Benchmarks. To achieve this, the National Assembly of Pakistan has introduced voluntary internship and civic engagement programme, linkages with academia and an open-door policy for an ordinary citizen to witness the proceedings of the House and particularly the performance of their respective MPs. A 'Common Man Gallery' has been set up for this within the National Assembly chamber.

The role of Parliamentary Committees in screening the procedures of the government is so vital that they are described as 'little Legislatures' and 'the eyes, the ears, the hand and very often, the brain

of the House'. Hence, it is imperative to have a robust Committee system, with well-equipped Parliamentarians and Secretariat. In order to create useful linkages with academia for informed policy interventions, the National Assembly of Pakistan has initiated the process of signing MoUs with focused think-tanks, comprising of noted experts from reputable academic institutions, to provide aid and support to various Parliamentary Committees.

In order to improve the efficacy of the strategic plan, robust implementation and monitoring and evaluation mechanisms have also been put in place. In this regard, Logical Framework Analysis (LFAs) for individual branches of the Secretariat have been developed through multi-pronged dialogue approach and budgeted action plans in line with the priorities set out in the strategic plan have been orchestrated. Periodic progress review has been carried out to revise and update the actionable measures and deliverables.

The CPA Benchmarks self-assessment has proven quite instrumental as it has

provided the Members of the National Assembly and staff with an opportunity to review key documents and provisions therein, including the Constitution of Islamic Republic of Pakistan, Rules of Procedures and Conduct of Business in the National Assembly, the Strategic Plan 2019-23 itself, *The Elections Act 2017*, the Annual Performance Reports of the National Assembly and other related laws, estimates and expenditure, sample Committee reports as well as other materials.

It is hoped that the National Assembly Strategic Plan 2019-23 framework complemented by the CPA Benchmarks assessment report will help the National Assembly of Pakistan in devising a roadmap to ensure representative, participatory, responsive and inclusive decision making at all levels and contribute to strengthening democracy and rule of law while thereby establishing parliamentary supremacy in Pakistan.

With thanks to Salma Joveria, Deputy Director IR, National Assembly of Pakistan for providing this article.



COVID-19, THE COMMONWEALTH AND THE URGENCY OF ACTION ON ROAD TRAFFIC INJURY

The Commonwealth Road Safety Initiative highlights the fact that Commonwealth countries lose more than half a million people a year in road traffic crashes.



Rt Hon. Lord Robertson of Port Ellen, KT, GCMG is Chairman of the FIA Foundation, a UK charity working globally on road safety and sustainable mobility. A former Secretary-General of NATO and UK Defence Secretary, he is a Member of the UK House of Lords. He was previously a Member of the UK House of Commons for Hamilton in Scotland from 1978 to 1997.

COVID-19 has upset many plans for 2020, including the Commonwealth Heads of Government (CHOGM) summit in Kigali, Rwanda, now postponed. The pandemic has also provided urgent lessons for governments, not least the essential need for international cooperation on health issues; and the vital interconnections between health and a multitude of other policy areas: economy, trade, security, migration, climate, environment and transport.

When Commonwealth leaders do eventually reassemble in Kigali, they will be faced with a political landscape transformed. Economic shock has been immense. We do not yet know how badly the virus will have impacted Sub Saharan Africa and South Asia and must hope that the worst is avoided. But it is clear that health systems will remain under huge pressure for some time, and that the need for economic stimulus will lead countries to prioritise major infrastructure investment. In many African countries and in India, this will continue to mean roads are built and upgraded.

So it is urgent and important that when Commonwealth Heads of Government do gather another health epidemic, road traffic injury, is also addressed. It is a global scourge which kills and maims on an industrial, warlike, scale. We should of course avoid glib comparisons between highly contagious diseases and man-made killers, but some

context is perhaps useful. The 200,000 or more lives taken by COVID-19 at the time of writing (end of April 2020) is roughly equivalent to the death toll on the world's roads every 8 weeks in normal times.

In 'normal' times, because there is an acceptance of the normality of road traffic trauma which has blunted the demand for action and saps any fleeting political or donor interest. Yet it should not be normal that Commonwealth countries lose more than half a million people a year in road traffic crashes.

It should not be acceptable that, in 'normal' times, up to 40% of ICU admissions in Tanzania are for trauma, of which road traffic injury represents the lions share. It should not be a continuing reality that roads are still being built or 'upgraded' across Africa, India, the Caribbean and elsewhere in the Commonwealth that are, for want of a better description, 'designed for death', usually because of increased vehicle speed and neglect of local community needs.

Commonwealth leaders need to address this because it is in many of their countries, particularly in Africa, where a growing youth population, rapid urbanisation and dramatic motorisation could combine to herald a new and deadly chapter of the road carnage. Road traffic injury is already the world's number one cause of death for children and young people between the ages of 5 and 29. Today, more than

60% of the Commonwealth's combined population is under the age of thirty. We see the predictions that cities like Lagos and Nairobi could double in size by 2030. These new urban populations will be young, mobile and at risk on the road. Now is the time to put in place measures that will protect them.

The COVID-19 emergency enables us to see the world around us through a different lens. As the traffic has receded, we can see just how much public space is taken up by motor vehicles. The requirements of physical distancing have given new emphasis to the needs of pedestrians and cyclists and

"The COVID-19 emergency enables us to see the world around us through a different lens. As the traffic has receded, we can see just how much public space is taken up by motor vehicles. The requirements of physical distancing have given new emphasis to the needs of pedestrians and cyclists and shown how poor is the hand they are too often dealt."



shown how poor is the hand they are too often dealt. Progressive leadership, like that of Addis Ababa, in reprioritising street space for people outside of cars; like Dar es Salaam in improving transit connections for pedestrians; and Lusaka in reducing traffic speed near schools to 30km/h will be ever more vital as physical distancing remains with us for the foreseeable future.

Changes made by many cities to reduce and restrict car use in neighbourhood streets to enable safe movement and exercise must be locked in after the lockdown. Reported increases in vehicle speed on empty roads demonstrates the need for consistent and Safe System compliant speed management, ideally designing roads in a way that physically prevents speeding. As we search for the COVID-19 vaccine, let's deploy one we

do have available: the speed vaccine.

This agenda benefits road safety, which in turn will help reduce pressure on hospitals and acute care. Reduced traffic during the emergency has meant dramatic reductions in air pollution, change that we can smell and see. As early research suggests poor air quality is a risk factor for serious vulnerability to COVID-19, the 'right to breathe' becomes ever more pressing.

The need to tackle climate change has slipped from the headlines but hasn't gone away. If anything, the COVID-19 emergency has vividly described what results when our world is out of balance with nature. This interconnected agenda has a common denominator: youth, particularly in the rapidly growing and youthful cities of the African continent. If we can make our urban space safe, accessible, healthy and inclusive for young

people, we do it for all.

At the 2018 Commonwealth summit, Heads of Government *"reiterated their commitment to achieving the health-related goals of Agenda 2030, particularly Goal 3."* The Communique also highlighted the importance of the Commonwealth's emphasis on youth. Given this established mandate, the Commonwealth must now also explicitly include improving road safety in its work promoting health, youth, and sustainable development.

Legislators can play a leading role in advancing this agenda and encouraging our governments to act. At the 3rd Global Ministerial Conference on Road Safety, held in Stockholm, Sweden in February 2020, legislators from several Commonwealth countries met under the auspices of the Global Network for Road Safety Legislators. This forum, coordinated by the World

Health Organization, operates regionally and has recently also organised meetings in Nigeria and Thailand where Parliamentarians supportive of stronger global and regional action, and wishing to share experiences of campaigning for and introducing road safety legislation in their countries, convened. There is strong support within the Global Network for the Commonwealth to become more engaged and coordinated on tackling road traffic injury.

During the Stockholm Ministerial Conference, the Commonwealth Road Safety Initiative (CRSI), coordinated by the Towards Zero Foundation, hosted a luncheon with HRH Prince Michael of Kent, a leading and longstanding advocate for global road safety, for Commonwealth Transport Ministers. There, too, there was strong support for explicitly including road safety



THE COMMONWEALTH AND THE URGENCY OF ACTION ON ROAD TRAFFIC INJURY



Above: At the 3rd Global Ministerial Conference on Road Safety, held in Stockholm, Sweden in February 2020, the UK's Road Safety Minister, Rt Hon. Baroness Vere of Norbiton, gave her own endorsement for the CRSI campaign.

in the Kigali Communique as a first step to delivering some coordinated action. In a keynote speech, the UK's Road Safety Minister, Rt Hon. Baroness Vere of Norbiton, gave her own endorsement for the campaign.

The launch of the CRSI, covered in an earlier article for *The Parliamentarian* by my colleague and former UK Parliamentarian, Jim Fitzpatrick, represents an important development in encouraging the Commonwealth to further commit to road traffic injury prevention. The CRSI has brought together a distinguished group of experts in road safety who have prepared a report of ten recommendations for Commonwealth countries that warrants serious consideration. The report was released in December 2019 and includes a call for Commonwealth countries to have a priority focus on safety for young

people as well as adoption of a Commonwealth target to achieve a 50% reduction in road fatalities and serious injuries by 2030 (#50by30).

Also participating in

the Stockholm Ministerial Conference, the global charity I chair, the FIA Foundation, published a '2030 Manifesto for safe and healthy streets for children, youth and climate', which calls for rapid deployment of the 'speed vaccine' – footpaths, safe crossings, speed control – to protect young people in cities of the Global South, pointing out that the vast

majority of roads in Africa and Asia where both fast traffic and pedestrians are present have no viable footpath.

As I made clear in my speech to the Ministerial Conference, the simple message that we must get across is to 'slow down'. Reducing speed, with a specific call for default 30km/h speeds in urban areas, is the flagship policy recommendation of the Stockholm Declaration, the outcome document for the Ministerial Conference.

Endorsing our manifesto, the African Union's Youth Envoy, Aya Chebbi, argued that *"by tackling the conditions that result in road trauma, we can also fight climate change, reduce poverty, increase accessibility and protect our youth."* With the benefits of a few months' hindsight, we can also add COVID-19 to her list.

We have a compelling health and mobility agenda which fits the needs of the urban young and the exigencies of the current emergency. The Commonwealth is a logical entity to work within to promote this, allied with wider global movements. For example, the





Above: Tata Nexon, the first car in India to achieve the international charity and network of global crash test programmes, Global NCAP's five-star crash test rating.

FIA Foundation is leading a campaign, together with the Partnership for Maternal & Child Health led by former New Zealand Prime Minister, Rt Hon. Helen Clark, urging a new deal for adolescents in the global health system.

As a first step we hope to secure a Global Adolescent Summit, to address the underfunding and neglect of a wide range of youth issues – including the leading killer of young people, road traffic. Following the eventual Kigali Heads of Government meeting, a Commonwealth Youth Ministers Summit, due to be hosted by Jamaica in 2021, could be an important stepping-stone to a global meeting in 2022, with Commonwealth countries and legislators

designing and leading the agenda, including on road safety.

Taking action on road traffic injury under the auspices of the Commonwealth makes practical sense. The Commonwealth has a proven track record of encouraging knowledge sharing amongst its members. Given the wide disparity of road safety performance amongst Commonwealth countries, there is huge potential to share best practice and experience in road traffic injury prevention. And countries like the UK and Australia should also be showing solidarity with developing countries in the Commonwealth, and beyond, by making serious donor commitments to road safety, including through the new UN

Road Safety Fund, which needs their finance, their expertise, and the benefit of their voice in its governance.

It is up to all of us, as Commonwealth Parliamentarians, to take a lead and urge our governments to make serious commitments to road safety and our young people. A first specific ask is to encourage support for recognition of road traffic injury, in the context of the Commonwealth's youth agenda, in the next Commonwealth Heads of Government summit communique.

Second, support the efforts now underway at the United Nations, backed by Commonwealth countries including Australia, Canada, Kenya, Jamaica and South Africa, to elevate the adolescent health agenda and secure a Global Adolescent Summit.

Third, raise our voices in

our Parliaments and legislative chambers for practical action on road safety, emphasising the economic and cross-cutting benefits.

COVID-19 has shaken up the world, and much has changed and will change. As Parliamentarians, we will have a pivotal voice in what happens next. We must make the right policy choices, and make them now. For our cities, our streets and our youth; for our overburdened health systems and the health of our economies and our environment; for our countries and our Commonwealth.

For more information about the Commonwealth Road Safety Initiative (CRSI) please visit www.towardszerofoundation.org.

For more information about the work of the FIA Foundation please visit www.fiafoundation.org.



HALF OF THE WORLD'S VICTIMS OF SLAVERY LIVE IN THE COMMONWEALTH: WHAT CAN BE DONE ABOUT IT?

At the annual Commonwealth Day lecture organised by the Council for Education in the Commonwealth (CEC), the United Kingdom's Independent Anti-Slavery Commissioner looks at the scale of the issue of modern slavery and the role of the Commonwealth.



Dame Sara Thornton, DBE, QPM is the UK's Independent Anti-Slavery Commissioner responsible for encouraging good practice in the prevention and detection of modern slavery and the identification of victims. She was the first Chair of the National Police Chiefs' Council from 2015 to 2019. Dame Sara joined London's Metropolitan Police in 1986 and in 2000 transferred to Thames Valley Police on promotion to Assistant Chief Constable where she was Deputy Chief Constable and later Chief Constable. She was awarded the Queen's Police Medal in 2006, made a CBE in 2011 and a DBE in 2019.

Scale of the issue and the role of the Commonwealth

Modern slavery and human trafficking are a global challenge affecting every country in the world. According to the Global Slavery Index, there were an estimated 40.3 million people living in modern slavery on any given day in 2016. The report also identifies a series of interrelated factors which create vulnerability and opportunity for slavery – governance issues, lack of basic needs, conflict, inequality and climate change.

Vulnerability is then exploited by those motivated by greed or economic opportunism. It is estimated that human trafficking is a business worth US\$150 billion annually.

In the UK alone, estimates of modern slavery vary. In 2013, the UK Home Office estimated this to be between 10,000 and 13,000 people who were either modern-day slaves or who had been trafficked. But the Global Slavery Index would put this nearer to 136,000. In my Strategic Plan for 2019 to 2021, I have highlighted the challenge of assessing prevalence. I am absolutely certain that 13,000 is an underestimate and I fear this is only the tip of the iceberg.

That's just the UK. The Commonwealth is a diverse body of 54 countries with a population of 2.4 billion people. Of the 40.3 million victims of modern slavery globally, almost half of those live in the Commonwealth. Members of the Commonwealth have a shared vision to promote prosperity,

democracy and peace. A key supporter of the *Modern Slavery Act* in the UK, Lord McColl of Dulwich, once said that "*slavery undermines democracy ... as slaves have no voice.*" It is clear that there is no room for modern slavery in the Commonwealth.

The Commonwealth Human Rights Initiative (CHRI) argued that the Commonwealth has a historical, political and moral responsibility to act and that given the long standing cultural, political, historic and economic ties the Commonwealth is uniquely positioned to drive swift, co-ordinated and impactful action.¹

There is an opportunity here for the Commonwealth to lead on driving efforts to combat modern slavery, and this must be embedded within member states' commitments to improve the lives of millions globally through legislation, law enforcement and the protection of human rights. It is essential that the UK continues to engage meaningfully with the Commonwealth, a key ally in a time of global uncertainty and our changing role on the world stage.

Historical context and challenges

In the UK, 'slavery' is used as an umbrella term for activities involved when one person obtains or holds another person in compelled service. Human trafficking is the movement of people, by means such as force, fraud, coercion or deception – which the aim of exploiting them. This could be through sexual exploitation, forced

labour, slavery or servitude or the removal of organs.

It is right to acknowledge the challenge of the terminology of 'modern slavery'. Many academics have disputed that this is neither 'modern', nor indeed 'slavery' as it was commonly understood before the Act came into force. The exploitation we see across the globe is not new, although awareness and understanding of it is growing. Exploitation as rooted in inequality and the relationships between the global south and north is part of the historical legacy of the devastating trans-Atlantic slave trade and the long-term repercussions this has had on trading relationships, development, industrialisation and power structures.

Between 1640 and 1807, Great Britain was the largest supplier of slaves in the New World, responsible for transporting over three million Africans to colonies in the Caribbean and the

"There is an opportunity here for the Commonwealth to lead on driving efforts to combat modern slavery, and this must be embedded within member states' commitments to improve the lives of millions globally through legislation, law enforcement and the protection of human rights."



Americas. Many of these human beings died on the way and those who survived the journey were forced to work in conditions so inhumane that death rates due to illness and abuse soared.

When the abolitionist William Wilberforce spoke against the wickedness of slavery in his 1789 speech to the House of Commons, he challenged his fellow Parliamentarians with the famous phrase: *"You may choose to look the other way, but you can never again say you did not know."*

The UK played a leading role in this shameful period of our history. I understand why some feel uncomfortable about our promoting this terminology and why history matters. But this cannot prevent us from taking action.

The human dimension of exploitation today

Having said this, what exactly is the nature of slavery or exploitation today? There is no one type of exploitation and no definitive experience of slavery or servitude. Around the world, countries have adopted various terminologies in their own legislation (where this has been passed) and it is important to recognise this reflects a multitude of experiences.

In India, the recruitment and payment structures of workers at brick kilns underpins a cycle of exploitation and servitude. A report by Anti-Slavery International² surveying workers at brick kilns across Punjab, India, found that the recruitment and payment systems trap seasonal

migrant workers in a cycle of slavery and bonded labour year after year. Brick kiln workers are provided with a loan before they begin work, immediately entering debt bondage which is then exacerbated by withheld wages and late payments. The system of payment encourages child labour as families are forced to enlist their children to help make enough bricks for them to get paid. With workers not earning enough wages in the season before, they end up taking out a loan again the next season and the cycle begins again.

In 2013, poor working conditions in fashion supply chains hit the headlines with the collapse of the Rana Plaza factory in Bangladesh. The building housed five garment factories and at least 1,138 people were killed and another 2,500 were injured.³ The disaster woke up the world to poor labour conditions faced by millions of people, mostly girls and women, who are paid some of the lowest wages in the world. A race to the bottom driven by fast fashion and consumerism has perpetuated this system. Since the Rana Plaza disaster over 100 accidents have occurred in Bangladesh, including at least 35 textile factory incidents in which 491 workers were injured and 27 lost their lives.

On Ghana's Lake Volta, thousands of children work in the fishing industry. According to the International Justice Mission, children as young as three are enslaved in this industry, forced into the most dangerous labour

conditions. An assessment in 2013 found children are forced to rise before dawn to go out onto the lake until dark, working long hours and missing the opportunity to go to school. One boy encountered by International Justice Mission had been forced to continue hauling nets even after breaking his wrist.⁴

And in the UK many are the victims of sexual exploitation, labour exploitation, domestic servitude and criminal exploitation. The UK and other 'better-off' Commonwealth countries also need to acknowledge their responsibility in perpetuating exploitation through demands for cheap labour in supply chains.

Terminology aside, this exploitation is clearly a human rights issue. Modern slavery, servitude and human trafficking are brutal crimes, with our fellow human beings being treated as a commodity to be traded, violating their freedom and basic human dignity. It is truly man's inhumanity to man and is simply unacceptable.

Platforms of the IASC and envoy

The role of the Independent Anti-Slavery Commissioner (IASC) was created as part of the UK's *Modern Slavery Act*, which came into force in 2015. Parliamentarians from all parties and both Houses in the UK Parliament pushed for the original Bill to become law, underlining the growing awareness of this as a significant issue requiring specific legislation.

My role is to identify good practice in investigating and prosecuting offences of modern slavery and human trafficking, and to ensure that we identify good practice in looking after victims and identifying them. Since I took up the role of Independent Anti-Slavery Commissioner last May, I have

spent a lot of time meeting and listening to victims and survivors and learning about their experiences and journeys towards recovery and freedom. Given my police background I have also worked with investigators and prosecutors to improve the effectiveness of the law enforcement response.

However, protecting victims and prosecuting traffickers is not enough. We need to do much more to tackle the global systems and structures that allow the devastating crime of modern slavery to thrive. This is not an historic issue that ended over a century ago. It is still happening right across our country and in the world today in 2020, and it is essential that we work in partnership to stop this from happening in the first place.

Last year, the government appointed an international modern slavery and migration envoy, Jennifer Townson, to bolster the response to slavery as a global issue. The extent of the work of the UK's Foreign and Commonwealth Office (FCO) and the Department for International Development (DFID) is considerable, and this vital role provides increased accountability within the government and will support future cooperation with partners such as the Commonwealth.

Role of the UK Commissioner

As the UK Commissioner, I have a statutory duty to publish a strategic plan outlining my priorities, and annual reports which set out how far I have met objectives attached to these priorities. I launched my first strategic plan for the period 2019 to 2021 on anti-slavery day – 18 October 2019. As required by the *Modern Slavery Act*, this was first laid in the UK Parliament by the Secretary of State (in this case, the Home Secretary).

The United Nations Protocol
to Prevent, Suppress and



TACKLING MODERN SLAVERY IN THE COMMONWEALTH



Punish Trafficking in Persons especially Women and Children⁵, 2000, also called the *Palermo Protocol*, sets out a '3P' paradigm which serves as a framework for global efforts to combat trafficking. These '3Ps' are prosecution, protection and prevention. I have built on these for my own strategy and added another dimension on the need to improve the evidence base on modern slavery.

My strategy therefore comprises four priority areas:

- Improving victim care and support
- Supporting law enforcement and prosecutions
- Focusing on prevention
- Getting value from research and innovation

In the UK, we are seeing ever increasing rates of referral for both adult and child victims of modern slavery into the National Referral Mechanism. This is creating huge pressure on the system, especially for those support providers protecting victims in their long and often circular routes to recovery. The Home Office, which runs the NRM, has promised to reform this system and I am monitoring the impact of these reforms to ensure they result in the improvements desperately need by victims and survivors.

I have met too many victims living in safe houses who have been waiting two or three years for a decision about their trafficking status. People have

told me about their lives being put on hold and living in limbo. This compounds the trauma that these vulnerable people are already facing – with severe effects on mental and physical health, and their self-esteem. I am calling for swifter decision-making; but also routes for those in the system to become more sustainably independent including having the right to work if they feel able to. Equipping victims and survivors to become more resilient will greatly reduce the risk that they will be re-trafficked and end up back in exploitation in the long term.

I am also deeply concerned that the system is not working to support child victims of trafficking. When children are entered into the NRM, it essentially indicates a failure to protect. The numbers of children being referred in to the NRM is soaring – with significant numbers of British children caught up in devastating county lines exploitation – and I am calling for greater local decision-making and support including the full rollout of promised Independent Child Trafficking Guardians.

On the law enforcement side, there has been a marked increase in the recording of slavery offences by police across the UK. However, prosecution rates have not kept pace with this uplift in operational activity. Modern slavery is a complex crime which requires expert investigation and police

engagement with the Crown Prosecution Service (CPS) at an early stage of the investigation for advice and guidance.

The *Modern Slavery Act* in the UK established a statutory defence to protect victims who have committed criminal offences as a direct result of their exploitation. This is a very important protection for victims of modern slavery and relies on the international principle of non-punishment. However, there are cases where victims have not used this defence and been imprisoned; and there are cases where criminals have attempted to abuse this defence. I recently ran a call for evidence to better understand what is happening on the ground in respect of this defence and this will inform future work from my office.

Rescuing victims and prosecuting traffickers need to be matched by a determined focus on preventing slavery and trafficking. The *Modern Slavery Act's* Section 54 requires eligible companies with a turnover of more than £36m to report on the action they are taking to tackle modern slavery in their supply chains, however recent reports have suggested that compliance remains a significant issue.

I want to encourage an approach that goes beyond compliance and beyond audit – a statement is necessary but not sufficient. One lengthy labour exploitation case in the West Midlands region of England, saw an organised criminal gang infiltrate a recruitment agency, leading to the exploitation of hundreds of vulnerable men and women working long hours in fields and factories supplying all the major supermarkets. I have written to the CEOs of these businesses and met with many of them. My office will publish a report on the private sector response to this case and why this is illustrative of the need for businesses to better understand

how trafficking and modern slavery can take place in their supply chains, even in the UK.

The public sector is not included in the Modern Slavery Act's reporting requirements on supply chains. However, the UK Government committed to publishing a voluntary modern slavery statement in 2019 setting out the steps it is taking to identify and prevent modern slavery in central government supply chains. The UK Government also announced that from 2020/21 individual ministerial departments will be responsible for publishing their own statements.

The UK Cabinet Office has designed a number of tools and guidance documents for public sector buyers and there is also good work being led by local authorities on this. I will be scrutinising the policy response and the implementation of any new arrangements in this area.

Raising public awareness of modern slavery is still needed to improve understanding of this complex crime which is hidden in plain sight. There are opportunities to leverage consumer concern and public pressure about the wider social costs of business. I would urge us all to become more conscious as consumers – sustainability is about people as well as the planet. We are all much closer to modern slavery and human trafficking than we think. If a product or service is a 'steal', we should be asking ourselves: who is paying the real cost?

Finally, I believe that policy and practice must be informed by data and evidence. There is considerable research on modern slavery taking place across higher education, NGOs, charities and other parts of civil society. It is not clear what the impact of this research is on policy and practice. I am working in partnership with academics and researchers



to promote learning and innovation, to improve the evidence base on modern slavery, and to better connect the knowledge creators with policy makers and practitioners.

International fora and global platforms

At the 2017 UN General Assembly, the then UK Prime Minister, Rt Hon. Theresa May, MP launched a 'Call to action to end forced labour, modern slavery and trafficking'. This was a commitment to ending forced labour, modern slavery, human trafficking and the worst forms of child labour in the world by 2030 – the ambition set out in Sustainable Development Goal 8.7.

The 2018 Commonwealth Heads of Government Meeting (CHOGM) focused on the theme 'Towards a Common Future'. A firm commitment was made to achieve SDG 8.7. The then UK Prime Minister urged Commonwealth nations to sign up to the Call to Action, to fulfil the Commonwealth's potential and shape a safer, prosperous and more sustainable world for us all.⁶ Commonwealth leaders were encouraged to endorse the Call⁷ and this ambition was included in the post-summit Communiqué.⁸ However, only 11 countries in the Commonwealth to date have signed up to this crucial commitment and this is truly a missed opportunity.

Ahead of the CHOGM 2018 summit, the Commonwealth Secretariat had likewise spoken out against modern slavery, with Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC, noting that "combined action is needed ... to tackle the issue of modern slavery and promote equality of opportunity."⁹

UK newspaper, *The Guardian*, even reported that Her Majesty Queen Elizabeth II supported the sharing of best

practice in tackling modern slavery across Commonwealth including the UK's development of the *Modern Slavery Act*.¹⁰

Organisations such as the Commonwealth 8.7 Network work across civil society organisations to share best practice and provides a mechanism for members to prepare effective anti-slavery strategies ahead of the next Commonwealth Heads of Government Meeting in Rwanda [now postponed]. We need to build on these initiatives and encourage more Commonwealth members to endorse the Call to Action and take tangible action to meet SDG 8.7.

UK work internationally

The UK has funded multiple projects to end modern slavery globally through its aid programmes, including an extra £5.5million for projects across the Commonwealth announced ahead of CHOGM 2018. The package of measures included funds to boost police and prosecutors' resources and to support new legislation to increase convictions for trafficking.¹¹

Funding from the Department for International Development (DfID), the Home Office and the Foreign and Commonwealth Office (FCO) are targeting local causes of modern slavery across the world and in the Commonwealth, such as in Nigeria – where an extensive capacity-building programme with the Nigeria anti-trafficking agency has supported an improved response to protect victims of slavery. Another programme supports the integration of returning victims of modern slavery, ensuring that communities build resilience and understanding of the brutal reality of modern slavery.

The Commonwealth Parliamentary Association UK Branch has been running a

four-year multilateral project funded by the UK Government to provide practical advice and support to Commonwealth Legislatures in the pursuit of tackling modern slavery, human trafficking and forced labour. The project has been instrumental in sharing good legislative practice and has effected real change with parliamentarians across the Commonwealth developing and strengthening modern slavery-related legislation.

Their work has included supporting the development of legislation in Australia, with workshops in the UK and Australia feeding in to the drafting of an Australian *Modern Slavery Act*, which was introduced in 2018 and built on lessons learned from the passing of the UK Act – including specific legislation on trafficking in supply chains, echoing the world-leading provision in the UK Act.

Meanwhile, legislative drafting seminars with Parliamentarians across the Commonwealth have informed and influenced forthcoming legislation in Uganda and Nigeria among other countries. It is crucial that we maintain momentum and continue to support Commonwealth Parliamentarians in this vein with continued funding for such vital initiatives.

The UK's role on the world stage is changing. The time is now to lean in to established and successful multilateral platforms like the Commonwealth, where our strength is in our shared values, norms and history and our hope for a better future where inclusivity, peace and prosperity shape our societies. With opportunities to share experiences of developing modern slavery-based legislation and the UK's work to support countries around the world to tackle this global issue, the Commonwealth is well-placed to take leadership on this issue, to change the lives of millions of

men, women and children held in unacceptable servitude or slavery across the world.

And to finish with the words of William Wilberforce, "You may choose to look the other way, but you can never again say you did not know."

This article is based on the address given by Dame Sara Thornton at the annual Commonwealth Day lecture organised by the Council for Education in the Commonwealth (CEC) on 9 March 2020.

To find out further information about the work of the UK Independent Anti-Slavery Commissioner please visit www.antislaverycommissioner.co.uk.

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- ¹ Report link: <https://www.humanrightsinitiative.org/download/The%20Commonwealth%20Road%20Map%20SDG%208%206%20Dec%202018.pdf>
- ² <https://www.antislavery.org/report-slavery-india-brick-kilns/>
- ³ https://www.ilo.org/global/topics/geip/WCMS_614394/lang-en/index.htm
- ⁴ <https://www.ijm.org/ghana>
- ⁵ <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>
- ⁶ <https://www.gov.uk/government/speeches/pm-speaks-at-the-commonwealth-joint-forum-plenary-17-april-2018>
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RIDDING OUR WORLD OF MODERN SLAVERY BY 2030



Alex Norris, MP is the Labour (Co-op) Member of Parliament for Nottingham North, and has been an MP continuously since 8 June 2017. He currently undertakes the role of Shadow Minister (Health and Social Care).

When most people think of the word 'slavery', images of people shackled, abused, and imprisoned all-too-often come to mind. It's thought of as a despicable practice from a by-gone time, confined to a shameful period in Western civilisation. Yet globally, there are more people enslaved today than at any time in our history. Researchers believe that around 13 million people were captured and traded between the fifteenth and nineteenth centuries.

Staggeringly, as of last year, experts estimate that more than three times this amount are currently living as modern day slaves around the world. Of this number, over two thirds are women and around a quarter are thought to be children. Now standing at over 40 million people, the numbers are staggering and hard to fathom. To put this overall figure in context, a larger number of people than the entire population of Canada are currently ensnared in we now term 'modern slavery'.

These people are forced to work against their will, have their liberty stolen, and are treated as a commodity by their exploiters. While the world may have moved away from the transatlantic slave ships of centuries gone by, the demoralising and dehumanising practices we see – or don't see – inflicted upon over 40 million of our fellow human beings is a perennial mark of shame on

the international community.

Both in my own UK Parliamentary constituency of Nottingham North, and across the UK more widely, the majority of people are unable to properly explain what modern slavery is, or identify the many issues associated with it. The national numbers are stark: one in five people in the UK don't know what it is, while two thirds don't know how to spot the tell-tale signs of this exploitation. Perhaps most terrifyingly, one in ten people believe they may have come across a victim of this heinous crime, yet half of these wouldn't know what action to take if they did.

We all have a role to play in ridding our communities, our countries and the world at large of this scourge. We need to educate, inform, and enable people to take a firm stand against modern slavery. And we need people and countries to commit to taking a lead on this.

This is an issue I've been committed to leading on in the UK for several years now. Prior to being elected as a Member of Parliament in 2017, my work in the Trade Union movement and with the Co-operative Party led me to campaign to end this practice – and to encourage others to do likewise. What has become increasingly clear to me over many years is that it demands a truly coordinated response, at a local, national, and global level. The need for a decisive, joined-up approach has never been more clear.

Since I became an MP, my work with the Commonwealth Parliamentary Association UK (CPA UK Branch) has enabled me to help to keep this crucial issue on our national political agenda.

In 2018, I was privileged to travel to Malawi with the CPA UK Branch to meet with Parliamentarians and Malawian law enforcement agencies to share our experiences of modern slavery and to discuss the best ways through which we can stop it from happening in the future. This wasn't about mandating a 'one size fits all' approach to combatting modern slavery; it was geared towards using expertise from both our countries to find

“We all have a role to play in ridding our communities, our countries and the world at large of this scourge. We need to educate, inform, and enable people to take a firm stand against modern slavery. And we need people and countries to commit to taking a lead on this.”



Above and below: UK Parliamentarian, Alex Norris, MP, joined a CPA UK Modern Slavery Project visit to the Parliament of Malawi to see local projects combatting modern slavery in Lilongwe.

a way forward. My time in Malawi underscored to me that although many countries have different cultures and ways of living, many of the issues relating to modern slavery and human trafficking were highly comparable. Exploitation, it would seem, neither knows nor respects borders.

It's through important work like this that we can begin to help each other curb the damaging trends we're seeing with modern slavery – and redouble our efforts to stamp it out completely. Delegations such as the one I joined have fed directly into the CPA UK's new e-Handbook: *Legislating against Modern Slavery, Human Trafficking & Forced Labour*. This is

a new brilliant tool which provides Parliamentarians and Parliamentary officials with a comprehensive guide on legislating effectively against modern slavery-related crimes.

This is the second volume of the CPA UK's handbook to be published, following the first edition in 2018, which I know has become a hugely valuable resource for Parliamentarians across the Commonwealth. Modern slavery-related crimes are constantly evolving which makes it all the more vital for our domestic and international legislation to get ahead – and stay ahead – of the curve. This latest volume takes into account the very latest emerging trends in addressing modern slavery, human

trafficking, and forced labour.

I would highly recommend that Parliamentarians across the Commonwealth use this to help strengthen their existing laws and create new legislation so that we can start to reduce the devastating number of victims these crimes have around the world. The last volume of the e-Handbook was described by the UN's Special Rapporteur on Contemporary Forms of Slavery as *"the most comprehensive, insightful, and practical guide that exists in its field."*

So don't just take my word for it – this resource is a must-read for every nation across the Commonwealth. As you will read, this second volume covers themes such as best practice for Parliamentary committees and evidence hearings, the importance of raising awareness in Parliament and at a constituency-level, and the role of the media in combatting these heinous crimes.

I'm really pleased to have been able to use my experiences and work in this field to contribute to this crucial second volume. Within the e-Handbook, I explain both what we can all do at a local level to rid these crimes from our communities, and also how accountability for these offences can be strengthened at a national level. In particular,

the UK's *Modern Slavery Act* (2015) is a piece of legislation well worth celebrating. It puts key protections for individuals into law, obligates businesses to be much more transparent about these issues, and gives law enforcement authorities greater powers to catch and punish perpetrators.

Of course, as I've said, every individual country and local community will have its unique challenges. But legislation like this can be used as a basis through which countries can send a strong message to those who continue to exploit our fellow human beings. It puts them on notice that modern slavery and human trafficking is completely unacceptable in a modern society and that the state can, and will, put a stop to it.

Alongside this, there is a wealth of information out there which can help Commonwealth Parliamentarians share initiatives about how we can start to reduce the number of victims of these crimes. The Interactive Map for Business of Anti-Human Trafficking Organisations, which was created in collaboration with an extensive set of global organisations, maps the initiatives and organisations engaging with the private sector to combat human trafficking, forced labour, child labour, and modern slavery. Since it was first published, this has proven



Image credits: CPA UK Branch



TACKLING MODERN SLAVERY IN THE COMMONWEALTH

itself to be an invaluable tool in terms of our international response to these crimes.

Organisations from around the world are able to share their initiatives and practices on the map which can then be used by legislators from other nations to help them curb similar issues in their home country. I would encourage all Parliamentarians to regularly take a look at this map and to submit any initiatives

which you think others may find useful (<https://www.modernslaverymap.org/>).

Modern slavery is one of those pernicious issues which no single nation has a silver bullet solution to. Ridding our world of this scourge is going to require every country to take action to strengthen our collective resolve to changing the status-quo. The scale of the challenge ahead of us is far from insignificant

but by continuing to work collaboratively through brilliant organisations like the Commonwealth Parliamentary Association (CPA), we can – and we will – finally turn the tide on this disease which shames us all.

Modern slavery is a disease – pure and simple. It is far more widespread than most people would ever countenance and its appalling ability to blight lives across our world means

we must all act. We must prevent these crimes from being hidden by a deadly combination of fear, shame, and circumstance. Despite the scale of the challenge, I remain confident that by working together, we can stamp it out in totality by 2030. In just ten years' time, let's all make sure we can look back and say that we played our part in bringing about a better, more just world for everyone.

CPA UK Branch launches updated e-Handbook for Commonwealth Parliamentarians to raise awareness of modern slavery, human trafficking and forced labour

The CPA UK Branch has launched the second volume of the e-Handbook on *Legislating against Modern Slavery, Human Trafficking and Forced Labour*, which is a comprehensive resource for Parliamentarians and parliamentary officials on legislating effectively against modern slavery-related crimes.

The first volume, published in 2018, looked in detail at the process of reviewing and strengthening legislation from gaining cross-party support to drafting a Bill itself. Urmila Bhoola, UN Special Rapporteur on Contemporary Forms of Slavery (2014-2020), described it as “*the most comprehensive, insightful and practical guide that exists in its field.*”

Recognising that modern slavery-related crimes are ever evolving - and with growing global awareness - CPA UK has produced a second volume of the e-Handbook titled *Legislating against Modern Slavery, Human Trafficking and Forced Labour: The Role of Parliament to Scrutinise and Raise Awareness*, which takes into account emerging trends in addressing modern slavery, human trafficking and forced labour.

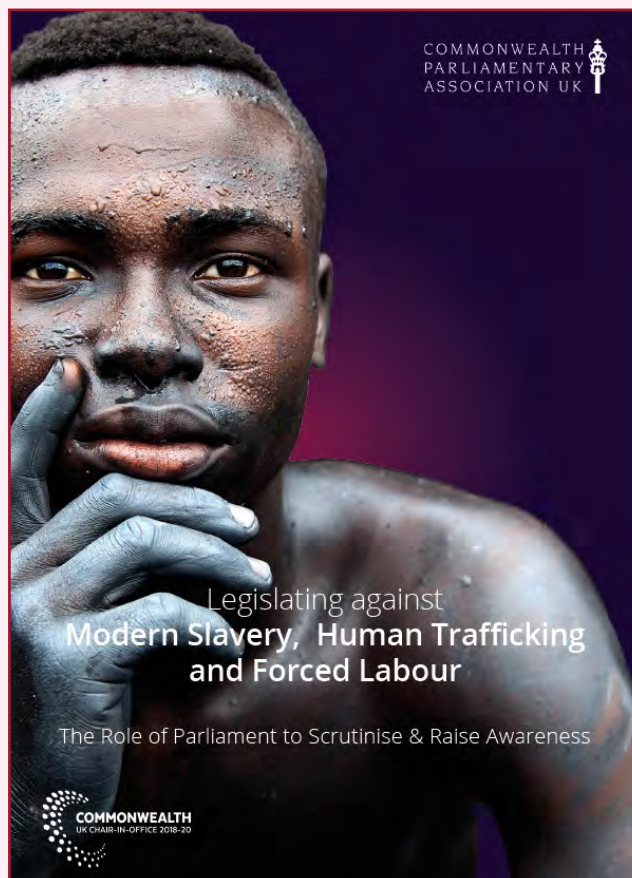
The resource covers themes such as good practice for Parliamentary Committees and evidence hearings; the importance of raising awareness in Parliament and constituencies; and the role of the media in combatting these heinous crimes. The e-Handbook contains contributions from over 40 Parliamentarians, experts and organisations from across the Commonwealth and includes a foreword from former UK Prime Minister, Rt Hon. Theresa May MP.

It has been produced under the banner of CPA UK's Modern Slavery Project: a four-year multilateral project funded by the UK Government as part of its Commonwealth fund. The project aims to encourage and facilitate a greater understanding of the national and international benefits of introducing and strengthening modern slavery-related legislation and exchange learning.

UK Parliamentarian, Darren Jones MP, who is one of the e-Handbook's contributors, stated: “*Once again, the CPA UK team have pulled together a comprehensive resource with ground-breaking multi-lateral work from across the*

Commonwealth on tackling human trafficking and, importantly, what legislators can do to have a real and meaningful impact in their own countries. I'd encourage anyone with an interest in tackling this global problem to read the e-Handbook and consider what they might do to help.”

To access the CPA UK's new e-Handbook: *Legislating against Modern Slavery, Human Trafficking & Forced Labour* please visit www.uk-cpa.org/modernslavery.





PARLIAMENTARY OVERSIGHT IN SMALL STATES

The CPA is working with McGill University, Canada in a global partnership to strengthen Parliamentary Oversight in Small States



Rick Stapenhurst is a Professor at McGill University's School of Continuing Studies. He is a consultant/ advisor to the World Bank, and he has written extensively on issues related to anti-corruption and parliamentary strengthening.

In most countries, Parliament is part of the governance system of checks and balances that helps ensure that Executive governments do not abuse their powers. To prevent any one branch of government from becoming all-powerful, to protect the minority from the majority, and to induce the different institutions to cooperate, most countries adopt a constitutional system of checks and balances.

Such an arrangement allows one arm of government to limit the actions of the others: each has distinct powers to hold the other branches responsible, as apportioned by the constitution. Amid the current COVID-19 (Coronavirus) global pandemic, where citizens look to their governments to make swift and appropriate actions to protect their lives and livelihoods, the need for robust Parliaments is greater than ever.

Without Parliament, there is the risk of arbitrary Executive government. Policies and laws could be developed to favour the rich, the powerful, and the well-connected citizens. Governments would work to ensure their longevity, by catering to the majority, to those citizens that can ensure its continuance in power, and ignoring the other citizens – the poor and the marginalized. We saw a worrying trend over increasing Executive dominance even before the COVID-19 outbreak – and now, the risks are even higher.

Hungary is a case in point, where President Viktor Orban has received indefinite powers to rule by decree.

Other than enacting legislation, developed by itself or introduced by the Executive, Parliaments represent the people – women and men, poor and rich, ethnic and religious majorities and minorities. Such citizens vote for Members of Parliament to represent their interests and to give them a voice at the highest level of the state.

Parliamentary Oversight

Parliamentary oversight has been linked to the achievement of various policy objectives, including democracy, good governance/ anti-corruption, economic and human development, gender equality and the business environment. It is beyond the scope of this article to discuss the causal dynamics in these relationships, but suffice to say parliamentary oversight enables the Executive arm of government to improve its performance, as people reap the rewards of a more accountable and responsive government and more effective policies.

While all areas of government activity can be overseen, some policy areas are more likely to be scrutinized than others. Parliamentarians, in exercising their oversight function, tend to focus on defence, foreign affairs, and public

expenditures. Here, we focus on the latter.

Parliamentary Oversight of Public Spending

There is considerable variation in the tools that Parliaments can employ to perform their oversight function, which generally reflects the differences in constitutional arrangements and the type of government (that is, presidential or parliamentary).

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PARLIAMENTARY OVERSIGHT IN SMALL STATES

Such oversight includes Parliamentary Committees, parliamentary questions, interpellations, debates, the estimates process, scrutiny of delegated legislation, Private Members' motions, and adjournment debates, along with extra-parliamentary tools such as supreme audit institutions and ombuds offices. Together, these tools allow legislators to raise issues relating to the use of governmental power, to call upon the government to explain actions it proposes to take or has taken and to require the government to justify its policies or administrative decisions.

In countries with parliamentary forms of government, the principal tool for conducting oversight of public spending is a specialized audit committee, often known as the Public Accounts Committee (PAC). Whereas the first PACs were

constituted in Norway in 1814 and Denmark, in 1849, the archetype PAC is associated with the United Kingdom Public Accounts Committee, which the UK House of Commons established in 1861.

The exact nature of the (often symbiotic) relationship between Parliaments and the auditor varies considerably. In most Commonwealth countries, the Auditor-General is a core element of parliamentary oversight, and he or she may report directly to Parliament and the PAC. In some countries, such as Australia and Canada, the Auditor-General is an officer of Parliament, which guarantees his or her independence from the Executive. In contrast, in some other countries, he or she is independent of both the Executive and the Legislature, as is the case in India. PACs are generally seen as the apex for financial scrutiny and have been promoted as a crucial mechanism to facilitate transparency in government financial operations (see Figure

Box 1: Examples of Recent Applied Research on Oversight

- Riccardo Pelizzo and Frederick Staphenurst: *'Parliamentary Oversight Tools: A Comparative Analysis'* (2012)
- Commonwealth Parliamentary Association and World Bank Institute: *'Following the Money: Comparing Parliamentary Public Accounts Committees'* (2014)
- Inter-Parliamentary Union: *'Global Parliamentary report: Parliamentary Oversight'* (2017) <https://www.ipu.org/resources/publications/reports/2017-10/global-parliamentary-report-2017-parliamentary-oversight-parliaments-power-hold-government-account>
- Canadian Audit and Accountability Foundation: *'Beyond Westminster: A Global Perspective on Public Governance and Accounts'* (2019) <https://www.caaf-fcar.ca/images/pdfs/oversight/ExternalPublications/BeyondWestminster.pdf>
- Laval University: *'Le Controle Parlementaire des Finances Publiques dans la Francophonie'* (2020)
- Rick Staphenurst, Rasheed Draman, Brooke Larson and Anthony Staddon (eds): *'Anti-Corruption Evidence: The Role of Parliaments in Curbing Corruption'* (2020)

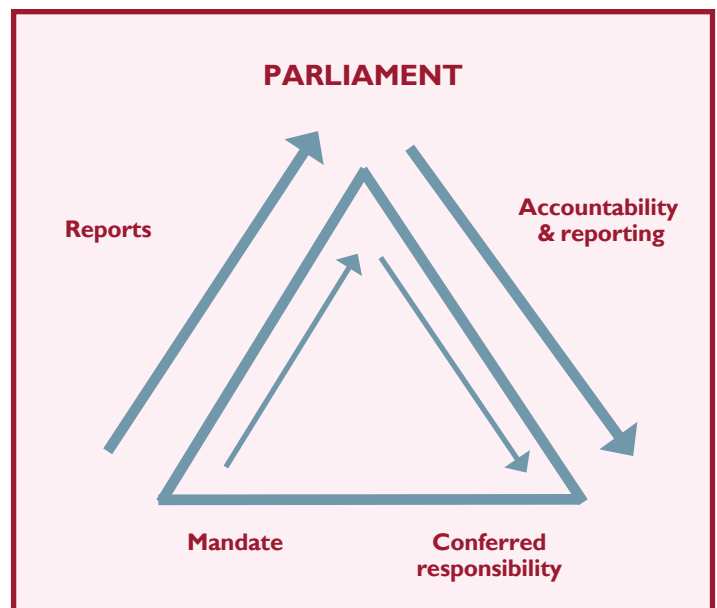


Figure 1: Fiduciary Obligation

1: Fiduciary Obligation).

Despite common origin in the British PAC, there is considerable variation in PACs' terms of reference and modus operandi around the world. Recent research shows three key factors affecting PAC performance: opportunity (as influenced by mandate and terms of reference), capacity (the skills of Committee Members and the resources, especially staff members, available to them), and motivation (initially thought to include the presence of Opposition Members on the Committee and whether the Chair was from the opposition or governing party, but more recently extended to include the political will of Parliamentarians).

Over the past decade, considerable research (and resulting programs and projects to strengthen parliamentary oversight) have focused principally on larger countries in Africa, Asia, Latin America, and elsewhere (see Box 1), with little or no research being undertaken on parliamentary oversight in small states. The result of this void is that parliamentary strengthening programs that

seek to improve development and reduce corruption by enhancing oversight in small states, typically rely on practices and procedures developed in larger countries, which have generally been proven to be non-transferable and ineffective when applied to small states. The outcomes have been disappointing, at best, with many small states performing poorly in such global indices as Transparency International's Corruption Perceptions Index and the Open Budget Index.

Global Project to Strengthen Parliamentary Oversight in Small States

The Commonwealth Parliamentary Association (CPA) recently joined forces with McGill University, Canada and several other Commonwealth and global organisations¹ to spearhead a research project – funded by Canada's Social Sciences and Humanities Research Council with matching funds from the partners themselves – which is examining the interaction between oversight and corruption in small states, emphasising what works and



what does not, and applying the results in the development of region- and country-specific case studies of 'good practice.' In so doing, project partners will help fill a significant void in global knowledge regarding parliamentary oversight and, in particular, contribute to enhanced parliamentary development and better governance.

This project, led by Professor Rick Stapenhurst from McGill University's School of Continuing Studies, builds upon and extends previous projects which looked at Public Accounts Committees around the world, parliamentary oversight in Francophone countries and, most recently, a UK Department for International Development (DFID)-British Academy project examining the role of Parliaments in curbing corruption.

Comprising three phases, the project was announced at the 37th CPA Small Branches Conference in Kampala, Uganda in September 2019. Since then, questionnaires have been mailed out to the Chairs or Clerks of all CPA Small Branch PACs. The response has been substantial, with 26 of the CPA's 43 Small Branches responding by the end of March 2020 (see Box 2). Over the coming months, the research team will follow up with other CPA Small Branches, along with small jurisdictions outside of the Commonwealth, including those in La Francophonie

(e.g., Andorra, Comoros), the Nordic region (e.g., Greenland, Iceland) and elsewhere. Concurrently, analysis of completed questionnaires will be undertaken to identify good practices that could be transferable to other small states.

The second phase will be undertaken at the request of, and in collaboration with, Parliaments which would like a more in-depth analysis of oversight and how it can be improved. We envisage one or two countries in each region where in-depth case studies might be developed.

The final phase is the distillation of the knowledge generated and the insights gained into useful and practical formats that Parliaments in small states, and those organisations working with them. This will include the development of Policy Briefs for parliamentary leaders, Handbooks and Guidebooks for MPs and parliamentary staff, teaching materials including case studies, pre-recorded lectures, and teaching notes, which will be made available through the virtual Global Network of Parliamentary Training Institutes (<http://webiset.ca/PSP/>).

CPA and McGill's Professional Development Programme for Newly Elected MPs from CPA Small Branches

For the past three years, the CPA and McGill University have been partnering to offer

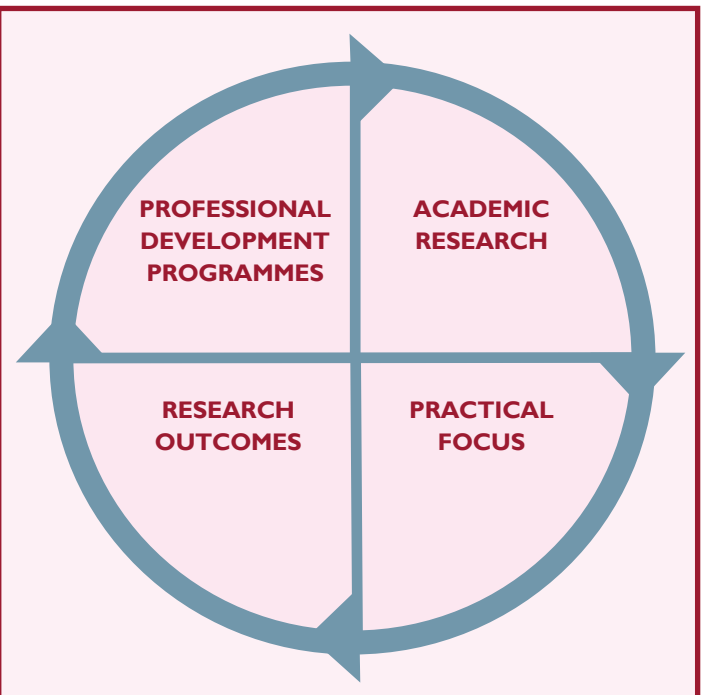


Figure 2: Virtuous Cycle Linking Research and Professional Programmes

a four-course Professional Development Programme for newly elected MPs from CPA's Small Branches. At the time of writing, approximately 70 MPs had completed this programme.²

One of the unique features of this Programme is the feedback from McGill University's parliamentary research programmes to the training programmes and from the training programmes back into the research programme, forming a virtuous cycle. Through the courses and interaction with Parliamentarians and staff, researchers learn of the critical issues affecting oversight in small states. These issues help the definition of the research

questions to be examined. Research results, in turn, are directly integrated into the subsequent iterations of the professional development programmes (see Figure 2).

An example of the practical outputs we anticipate are shown in Box 3, which presents some preliminary findings from some research undertaken in Trinidad & Tobago and Grenada, as part of the Department for International Development-British Academy research noted above. It highlights the need for Commonwealth small states to relax the 'Westminster' form of parliamentary oversight.

Box 2: CPA Small Branch Respondents, as of 31 March 2020

CPA Africa Region	CPA Australia Region	CPA British Isles and Mediterranean Region	CPA Canada Region	CPA Caribbean, Americas and the Atlantic Region	CPA Pacific Region	CPA South East Asia Region
Seychelles	Australian Capital Territory Northern Territory Tasmania	Falkland Islands Guernsey Isle of Man Jersey Malta St Helena	Northwest Territories Nunavut Prince Edward Island Yukon	Anguilla Antigua & Barbuda Cayman Islands Dominica Grenada Turks & Caicos	Cook Islands Nauru Samoa Solomon Islands Vanuatu	Perlis



Conclusion

Oversight is a critical component of parliamentary governance, and over the past decade or so, has been widely studied, at least in larger Commonwealth and other countries. This has left a serious void – *What comparators do Parliaments in smaller states have when wanting to improve oversight in general and their PACs, in particular?* Current research, spearheaded by

McGill University and the CPA, will fill this void.

Even though the small states project has only just started, it is already having an impact – the Auditor-General in the Canadian province of New Brunswick is conducting a review of the PAC there, and we are fast-tracking some of our analyses so that preliminary findings can feed into the recommendations to improve PAC performance there.

Further information in the small states research project, and on McGill University's Professional Development Programmes, is available at <https://www.mcgill.ca/scs-parliament/>. Rick Stapenhurst can be contacted at: frederick.stapenhurst@mcgill.ca.

References:

¹ Including Laval University, Quebec; the Inter-Parliamentary Union; the Canadian Audit and Accountability Foundation,

Ottawa, Canada; the Westminster Foundation for Democracy; and the African Centre for Parliamentary Affairs, Ghana.

² The CPA also supports McGill University's Professional Development Programme for Parliamentary Staff. Comprising six courses, and now in its 9th year. More than 200 staff from Parliaments across the Commonwealth and beyond have taken this programme; many participants have come from small states.

Box 3: The Westminster Model and Small States

Research shows that the issues and weaknesses in parliamentary oversight are fundamentally different in small countries and that one cannot generalize across small countries. Most international organisations and donor agencies accept this, but given the lack of evidence about how oversight in small countries works, they fall back on archetype institutions. Our research findings confirm that the lessons learned in the United Kingdom and Canada are mostly irrelevant to small states, and the experiences in one small country may not easily transfer to other small countries.

A particular problem is that the Westminster-form of parliamentary governance is not suited to small states, and certain facets need to be relaxed to reflect the contextual differences between the larger Commonwealth states and smaller island economies. For example, given the small number of elected MPs, joint House-Senate Committees could be established where Parliament comprises two chambers. Furthermore, where the number of Members is small, Ministers could be allowed to sit on Committees that do not oversee their departments. Committee membership could include appointees from the public at large, as in some Pacific islands. To overcome the lack of resources, staff from the Auditor-General's office could support the Public Accounts Committee, and limited staff resources could be supplemented by college or high-school interns.



PARLIAMENTARY EXPRESSIONS AND PRACTICES

In the first of a three-part series, this article looks at the origins and history of some of the parliamentary expressions and practices used in many Commonwealth Parliaments and Legislatures.



Ravindra Garimella is a Consultant at the Lok Sabha Secretariat, Parliament of India. He has been a regular contributor to The Parliamentarian and writes the Third Reading reports on behalf of the Parliament of India for the Journal.

PART ONE:

Introduction

Democracy is most revered, credible and accepted system of governance, the world over. The parliamentary system of democracy, which owes its origins to the 'Westminster' system of parliamentary democracy, is one of the most popular among the democratic politics.

In the context of the functioning of Parliament, we come across some often used and referred parliamentary expressions. As a parliamentary officer and Officer-At-The-Table for more than two decades, I found it relevant to compile and dwell upon some of the often-used parliamentary expressions, together with some conventions for their use.

I wish to clarify at the threshold that the expressions, procedures and conventions, discussed in this article is not an exhaustive list, *per se*. To put the matter in its perspective, during interactions all these years, with scholars, and all those interested in parliamentary procedures, there has been a keen inquisitiveness on certain aspects. Needless to say if one were to search for meaning of these expressions, one can of course find these on the internet, but not always at one place and not always sought to be explained in the manner and sequence, in which, anybody who is interested, may generally desire. At least that is how I feel based on

my experience. Hence in this article I have shortlisted certain parliamentary expressions, and dwell on these one-by-one by way of collating meanings thereto from various sources, also giving a brief background. All the sources have been credited to at the end notes.

'Catching the eye of the Speaker'

'Catching the Speaker's eye' describes the way in which Members of Parliament let the Speaker know that they want to speak during a debate or question time in the House of Commons. MPs may speak only if they are called to do so by the Speaker. MPs attract the attention of the Speaker by standing up briefly every time the next MP is about to be called.¹

To 'catch the Speaker's eye' is universally regarded as equivalent to the right to speak, and in this rather odd phraseology, a rule has been understood to be conveyed which enabled the President of the Assembly to select from the conflicting claimants who wanted to speak, the Member who would next be entitled to address the House.²

In the UK House of Commons, any MP wishing to take part in a debate in the House of Commons must attract the Speaker's attention – or 'catch their eye' – as the Speaker chooses who may speak at any given moment.

MPs rise from their seats and stand for a moment in the gaps between speeches. Whoever

attracts the Speaker's attention first will be called to speak. This applies during all parliamentary business, from questions and statements to more general debates.

Generally, more than one MP will rise from their seats and whosoever attracts the Speaker's attention first will be given permission to speak. MPs can increase their chance of catching the Speaker's eye by

"In the context of the functioning of Parliament, we come across some often used and referred parliamentary expressions. As a parliamentary officer and Officer-At-The-Table for more than two decades, I found it relevant to compile and dwell upon some of the often-used parliamentary expressions, together with some conventions for their use."



Image: UK Parliament/Jessica Taylor



Above: In the UK House of Commons, Members of Parliament need to 'catch the eye of the Speaker' - currently Rt Hon. Sir Lindsay Hoyle, MP - in order to be selected to speak in a debate.

writing to them in advance of a debate, stating that they wish to speak in it.³

Indian Parliament

This parliamentary practice on similar lines prevails in the Parliament of India too. The relevant provisions in this regard, under the heading provided for '*Methods of participation in Debate*' in the Directions by the Speaker, are as follows:

115A. (1) Any one of the following three methods may be adopted by MPs who desire to notify the Speaker of their intention to take part in a debate or discussion:

(a) The names of MPs who wish to participate in a particular debate or discussion may be supplied to the Speaker by the Parliamentary Parties or Groups.

(b) An MP who prefers to write direct to the Speaker may do so without having to go through the machinery of their Parliamentary Party or Group.

(c) An MP who may not like to give one's own name to the Speaker through his Party or to write direct to the Speaker but wishes to adopt the well-known parliamentary practice of 'catching the Speaker's eye' may stand in their own seat whenever the MP wishes to take part in a debate.

(2) Unless an MP rises in their own seat and 'catches the Speaker's eye', the Member shall not be called upon by the Speaker to speak, irrespective of whether that Member has sent one's own name through his Party or Group to which the Member belongs or written direct to the Speaker.

(3) The Speaker shall not be bound by the lists or order in which names have been given by Parties or Groups or individuals directly. The lists shall be for the guidance only of the Speaker and it shall always be open to the Speaker to make changes whenever necessary in order that the debates are regulated in accordance with the general principles laid down by the Speaker from time to time.

(4) If a Member speaks without being called by the Speaker to speak or continues to speak despite the directions of the Speaker to conclude the speech forthwith, the Speaker may direct that such speech or portions thereof, as the case may be, shall not form part of the proceedings of the House.

'Crossing the Floor of the House'

To 'cross the floor' in Parliament means to change sides: to leave one political party and join another. The expression comes from the seating arrangements

in the Chamber where the Government party sit together on one side (usually the right) and the Opposition sit together on the other side (usually to the left). A change of party allegiance can literally mean 'crossing the floor of the House' from one side of the Chamber to the other.⁴

The term floor-crossing can be used in two different ways. The definition used here is the process when one Member of Parliament (or Council) ultimately leaves his or her political party in order to join another party or become an independent candidate.

The term was first used to describe the process when Members of the UK House of Commons 'crossed the floor' to join the group of people (Members of another political party) that were seated on the opposite side of the floor.

In some cases, the term 'floor-crossing' is used to denote the singular event of voting with another party on one particular and special question. This is the case in a few countries, where the Members of Parliament vote through their seating position and are allowed to change their seat for every vote, particularly in decisions without required party discipline.

In the context of 'floor-crossing', the expression 'defection' too becomes relevant, inasmuch as 'crossing the floor' or 'floor-crossing' is tantamount to political defection by a Member of Parliament.

Speaking of the etymology of the term 'defection', the term appears to have been derived, as the dictionary definition suggests, from the Latin word 'defectio', indicating an act of abandonment of a person or a cause to which such person is bound by reasons of allegiance or duty, or to which he has willfully attached himself.

'Defection' thus connotes the process of abandoning a cause or withdrawing from it or from a party or programme. It has thus an element, on the one hand, of giving up (one's party) and, on the other, an element of joining another.

'Defection' thus is a process by which a person abandons or withdraws his allegiance or duty. Traditionally, this phenomenon is known as 'floor-crossing' which had its origin in the UK House of Commons where a legislator changed his/her allegiance when they crossed the floor and moved from the Government to the Opposition side, or *vice-versa*.

It would be of interest to note that in the early stages of their parliamentary struggles for political power in the United Kingdom, Members of Parliament resorted to 'defections' frequently and even in large numbers. In the 19th century, William Gladstone, regarded as the 'grand old man' of British Liberalism, began his Parliamentary career as a Conservative Member of Parliament when he was elected in December 1832. During Peel's second Ministry (1841-46), he 'crossed over' to the Liberal side and was made Vice-President of the Board, and later Secretary of State for the Colonies.⁵

UK Prime Minister, Winston Churchill's political career was marked by repeated 'floor-crossing'. Churchill began his parliamentary life as a Conservative. In 1904 he defected from the Conservative Party and crossed over to the Liberal Party. From 1904 to 1922, Churchill remained a Liberal. In 1922, he contested the election as a 'Lloyd George Liberal'.⁶

'Well of the House'

The 'well of the House' (or sometimes the 'pit of the House') are commonly used



terms in the parliamentary context. But if we start looking for its precise definition it's hard to find. In this context, it would be of interest to take note of following observations of Karl Kurtz⁷ in this regard.

What is the origin of the 'well of the house?' The 'well' is a term that many Legislatures use for the area in front of the Speaker's Chair or rostrum from which Members address the Chamber. (Some Senates also refer to the 'well', but less often than Houses, because the smaller size of Senates mean that Members often speak from their own desks.) But where does the term come from?

Interestingly, none of the unabridged dictionaries that I checked give a definition of 'well' that relates to a Legislative Chamber. Search engine, Google, doesn't produce an online dictionary definition of 'well' that mentions Legislative Chambers, much less any clues as to its derivation.

The closest thing to a dictionary definition of 'well' that relates to Legislatures comes from the *Oxford English Dictionary*, which provides one meaning of the word as 'The space on the floor of a law court (between the judge's bench and the last row of seats occupied by counsel) where the solicitors sit'. That's pretty close to the Legislative version of 'well'.

I consulted with John Phelps, former Clerk of the Florida House of Representatives, and Alfred (Butch) Speer, Clerk of the Louisiana House of Representatives, about this question. Together we have some ideas but no definitive answer to the question. John Phelps said that he had once asked the US Architect of the Capitol Building this question and was told that they had nothing in their files on the origin of the term.

So, here is our speculation. The *Oxford English Dictionary* says that the law court meaning of 'well' is derived from Old English meaning 'boil' or 'bubble up'. So, I wonder if the 'well' of the House is some place where debate bubbles up. But we have no idea if this is relevant. John Phelps also speculates that the 'well' of the House is the 'spring' from which ideas and debate issue.

Another meaning of 'well' is a sunken place, as in the well of a sailboat. Often the well is the lowest point in the Chamber with the Members' desks on risers in front of it and the Clerk's and Speaker's desks (or chairs) above and behind it. Is this the source of the term?

Alfred (Butch) Speer⁸ suggests: *'My idea is sparked by the Oxford English Dictionary definition for floor space in a law court. Since the House of Lords sits as a court at times, and since some colonial Legislatures (for example Massachusetts' General Court) carried that role to this hemisphere and perhaps the reference to the 'well' within a Chamber was also a carryover from that space within a law court between the judge's bench [or the Speaker's chair/rostrum] and the first row of delegates/Representatives/Senators.'*

Another suggestion from John Phelps, which he has written about on the Florida House of Representatives website, is that the 'well' is the area of the Chamber with the best acoustics for speaking, as if one were speaking 'down a well'.

All of these are plausible explanations but nowhere near a definitive answer.⁹

'Bar of the House'

The 'Bar of the House' *vis-à-vis* Parliaments in its literal sense is a barrier or marker at the entrance into the Chamber,



Above: The Bar of the House marks the boundary of the Chamber beyond which guests and visitors may not pass when the House is at work. In the UK House of Lords (Upper House), it is marked by wooden panelling and a gated railing (at the bottom of the image above).

which marks its boundaries. Although the 'Bar of the House' tradition is still observed by Westminster Parliaments all over the world, there is no standard form for the bar.

There are many examples from across the Commonwealth. In the UK, the Bar is denoted by a white line across the width of the floor of the Chamber of the House of Commons. However, there is also a bronze retractable 'Bar of the House' (made by Starkie Gardner Ltd., Merton, London, it was the gift of Jamaica to the UK Parliament). In the UK House of Lords, it is a railing. One of the bar's original

functions at Westminster was to keep unauthorised people from entering, mingling and potentially voting with Members.

In the Canadian House of Commons, the 'Bar of the House' is a brass rod extending across the floor of the Chamber inside its south entrance.

In the Australian House of Representatives, the Bar is a cylindrical bronze rail which can be lowered across the entrance.

In New Zealand, the Bar is a brass rod that can be placed across the entrance to the Chamber of the House of Representatives. Other Parliamentary Chambers also



Above: The Lok Sabha chamber at the Parliament of India.

have Bars, the above are but a few examples.

The 'Bar of the House' plays an important symbolic role. It is a barrier past which uninvited representatives of the Crown, including Members of the Upper Chamber, and other non-Members are not welcome. 'Strangers' – which includes everyone who is not a Member of the House or an official of the House, are not allowed on the floor of the Chamber. They must remain behind the 'Bar of the House'. The Bar is a point outside which no Member may speak to the House or over which no visitor may cross and enter the Chamber unless invited by the House.

The Bar also has a procedural role. In theory, a person may be brought to the 'Bar of the House' to receive thanks, to provide information or documents, to answer charges or to receive punishment. When an individual – be it a Member of Parliament or a 'stranger' – is found to be in contempt of the

House, meaning guilty of an offense against the dignity or authority of Parliament, they may be summoned to the 'Bar of the House' to answer to the authority of the House, or to be reprimanded by the Speaker in the name of the House. This was fairly common procedure in the early days of Parliament but happens rarely now.

Other contexts in which the 'Bar of the House' is relevant in the UK Parliament include:

- **An Address to the Crown and Answers to Addresses** – an Address to The Queen is the form ordinarily employed by both Houses of Parliament for making their desires and opinions known to the Crown, as well as for the purpose of acknowledging communications proceeding from the Crown.¹⁰ When Addresses have been presented by the whole House, the Speaker of the House of Commons and the Lord

Speaker in the House of Lords, report the answer of the Crown; but when they have been presented in the ordinary way, the answer is reported, in the Commons, by one of the royal household (usually a Government Whip), who appears at the 'Bar of the House' and, on being called by the Speaker, reads the Crown's answer.¹¹

- **Complaints by Officers of Either House** - formerly, when a complaint has been made by the Usher of the Black Rod to the House of Lords or by the Serjeant-at-Arms to the House of Commons (the Serjeant usually made a written report to the Speaker), the person being complained about was called in or ordered to be brought to the 'Bar of the House' forthwith or ordered to attend the House on a future day to answer the matter of the complaint.¹²
- **Penal jurisdiction of Houses of Parliament** – the

'Bar of the House' also has relevance in the context of the penal jurisdiction of Houses of Parliament. The power of the House to punish any person who commits a contempt of the House or a breach of any of its privileges is the 'keystone' of parliamentary privileges. In cases of breaches of privileges or contempts committed by Members and non-members, the House can impose these punishments: admonition, reprimand, withdrawal from the House, imprisonment and in case of its own Members, suspension from the service of the House and expulsion from the House.

- **Punishment of non-Members other than by committal (Reprimand or admonition)** - Where the offence is not so grave as to warrant the committal of the offender, he or she is generally directed to be reprimanded or admonished formally



by the Speaker or Lord Speaker. In the House of Commons, the offender, if he or she is in attendance, is brought to the 'Bar of the House' forthwith by the Serjeant-at-Arms and is there reprimanded by the Speaker in the name and by the authority of the House. The offender is then discharged. If, however, he or she is not in attendance, he may be ordered either to be taken into the custody of the Serjeant-at-Arms and brought to the 'Bar of the House' the following or at some later day, there to be reprimanded and discharged, or to attend the House on a future day to be reprimanded.¹³

- **Punishment of Members: House of Commons (Reprimand or admonition)** - In the House of Commons, it was previously the case that Members received a reprimand or admonition standing in their places, unless they were in the custody of the Serjeant-at-Arms, in which event they were reprimanded at the 'Bar of the House'. When a Member is ordered to be reprimanded or to be admonished, he or she may be called in to receive the reprimand or admonition forthwith, or they may be ordered to attend the House in their place the following or some later day. More recently, however, Members have been reprimanded (and suspended) by virtue of a resolution of the House to that effect, and have not then received the House's censure, standing in their place or otherwise.¹⁴

In the Parliament of India, the term 'Bar of the House' has had more relevance in the context

of reprimand of the contemnors. In keeping with Westminster parliamentary system of democracy, each House of the India Parliament is guardian of its own privileges. Courts of law in India have recognised that, the Houses of Parliament (or a State Legislature) is the sole authority to judge as to whether or not there has been a breach of privilege or contempt of the House. It has also been held that the power of the House to commit for contempt is identical with that of the UK House of Commons and that a court of law would be incompetent to scrutinise the exercise of that power.

What does a 'Bar of the House' look like in the India Parliament and where is it placed when an occasion arises for need to have a 'Bar of the House'? For this, we need to have a fair idea as to how the Lok Sabha Chamber looks like. The Lok Sabha (House of the People) Chamber of the Parliament of India is in a 'horseshoe' shape, more commonly seen as a semi-circle. There are six entrances (gates) into the Lok Sabha from the Inner Lobby. Each entrance/gate facilitates to form six aisles in the chamber which all converge at the 'well of the House'. Consequently, there are six blocks of seats in the Chamber. Gate number 3 directly faces the Chair of the Speaker of Lok Sabha in the main Chamber. So when an occasion arises for putting in place a 'Bar of the House', a wooden witness-box like structure is put in place at gate number 3, that forms the 'Bar of the House', when it is required.

In the Lok Sabha, there have only been two cases of persons having been summoned to the 'Bar of the House' and reprimanded by the Speaker. In one case, the late Shri R. K. Karanjia, Editor

of the weekly magazine, 'Blitz', was reprimanded on 29 August 1961 for publishing a libelous dispatch in the magazine. In another case, Shri S. C. Mukherjee, a Government Officer was reprimanded on 9 December 1970 for deliberately misrepresenting facts and giving false evidence before the Committee on Public Accounts.

In this context, it would be worthwhile to take note of a case during Fourth Lok Sabha when a Member raised a question of privilege regarding his alleged manhandling and removal by the police at Nagpur Railway Station on 27 May 1970. The Member raised the matter in the House on 18 November 1970. After some discussion, a motion was moved by another Member that the concerned Deputy Commissioner of Police and Sub-Inspector of Police of the State of Maharashtra be summoned to appear at the 'Bar of the House' on 3 December 1970 to answer the charge of breach of privilege and contempt of the House for allegedly assaulting the Member (who raised the notice of a question of privilege). Accordingly, on 3 December 1970, the concerned police officers appeared before the 'Bar of the House'. They offered their profound apologies to the House. Thereafter, the Speaker of the Fourth Lok Sabha observed that in view of the apologies tendered by the said police officers at the 'Bar of the House', the matter may be treated as closed. The House agreed and the matter was accordingly closed.

In Rajya Sabha there had been only two such instances. In one instance, three persons - joint authors of a book - were summoned to the 'Bar of the House' and reprimanded by the Chairman of Rajya Sabha on 24 December 1980 for describing in the said book, the Finance

Bill, 1980 as the *Finance Act, 1980*, before it had received the assent of the President. In another instance a former member of Rajya Sabha, Shri K.K. Tiwari was summoned to the 'Bar of the House' on 1 June 1990 and reprimanded for having cast aspersions on the Chairman of the Rajya Sabha.

This article series on Parliamentary expressions and practices will continue in the next issue of *The Parliamentarian*.

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- ⁸ Alfred (Butch) Speer, Clerk of House and Custodian of House Records, Louisiana, House of Representatives.
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- ¹⁰ Erskine May Parliamentary Practice (24th edition) p.168.
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2nd Tonga Youth Parliament serves as an empowerment tool for prospective young leaders



The recent 2nd Tonga Youth Parliament (#TYP20) galvanised young Tongan prospective Parliamentarians and leaders to actively engage in the civic and political processes and demystified the sphere of Parliamentary practice and procedure, with the theme of 'Our Parliament: Bringing Parliament to You'. Hosted by the Fale Alea o Tonga (Legislative Assembly of Tonga) and CPA Tonga Branch in Nuku'alofa, Tonga from 12 to 20 March 2020, participants debated petitions and motions in the Parliamentary Chambers.

The 28 delegates, aged between 14 and 34 years, hailed from across the 17 electoral constituencies of Tonga. The 10-day programme consisted of an 8-day orientation and concluded with a 2-day sitting for delegates to debate issues of concern.

The orientation afforded an opportunity for participants to learn about Tonga's history and political system, human rights, social issues and development, youth unemployment, climate change and civic education.

The concluding 2-day sittings provided youth delegates with a key opportunity to debate two motions in the Assembly chambers. Participants assumed their positions as Youth Parliamentarians calling for motions, that involved the potential establishment of a youth council for each electoral constituency in Tonga to address development issues predominantly affecting the youth, in addition to calling for the Legislative Assembly to direct the Government to erect a juvenile detention centre in Tonga for the custody, detention or rehabilitation of youth offenders.

Participants also debated potential legislation that would help to protect young people from the risks of cyber-bullying in Tonga. Delegates also tabled petitions that called for equal access to education with specific emphasis on the outer islands' youth needs, as well as a call for government action to improve the restrictions of unhealthy foods, especially in relation to their wide accessibility within the Tongan school system.

The 2nd Tonga Youth Parliament was opened with an engaging address from HRH Princess Angelika Latufiipeka Halaevalu Mata'aho Napua 'Okalani Tuku'aho, representing the King of Tonga. "You are in Nuku'alofa today to represent the voices





Images: CPA Tonga Branch and Parliament of Tonga

and the views of your peers from throughout the 17 electoral constituencies of Tonga,” said the Princess during her address. She further added: “I know for sure that sitting amongst you are future Parliamentarians, future church leaders, future teachers, future fathers and mothers. Maybe a future first female Prime Minister. Anything is possible! But in all, you are already influencers for the collective good of not just the youth, but for everyone.”

Ms Mele Fonua, 10th Commonwealth Youth Parliament participant and newly elected Chairperson of the Whole House Committee for the Tonga Youth Parliament said: “It is clear from this youth parliament, that the Tonga Parliament has given the opportunity for youths to learn about the Legislature and to have their voices heard at the national level.”

“The youth parliament is giving us a platform to voice our concerns, we are here representing the young people of Tonga, it’s a chance to amplify our voices and influence decision makers in our country,” said ‘Ainise ‘Ofa, elected as the Tonga Youth Parliament’s Prime Minister.

“My grandfather is a leader in my community and he always says that to be a great leader, you must do what is best for

the people, and I believe I am continuing that legacy,” added Crystal Tu’inukuafe, a Youth Parliament participant aged 20.

“Youth participation in national decision making is very important as we are the reef of today and the land of tomorrow,” said Eliki Laume, 16, Youth Parliament participant.

The 2nd Tonga Youth Parliament provided participants with an indispensable opportunity to experience the inner machinations of Tonga’s seat of governance and to network with senior Members of Parliament as well as men and women who are considered influential leaders in their respective fields.

The Tonga Youth Parliament was organised by the Legislative Assembly of Tonga with aid from the Tonga business community, the United Nations Population Fund (UNFPA), UNICEF and the United Nations Development Programme (UNDP) through its Pacific Parliamentary Effectiveness Initiative (PPEI) project funded by the Government of New Zealand.

For further information about the Tonga Youth Parliament and a look at the proceedings visit <https://twitter.com/TongaParliament>.





EMPOWERING YOUTH PARLIAMENTARIANS

How my experience at the 10th Commonwealth Youth Parliament shaped my role as Chairperson of the Whole House Committee at the Tonga Youth Parliament 2020.



Mele Fonua participated in the 10th Commonwealth Youth Parliament in India in November 2019, representing Tonga. She was the Chairperson of the Whole House Committee of the recent Tonga Youth Parliament. Mele is also the Chief Operating Officer of Tonga Youth Leaders, a youth organisation in Tonga.

"Me'a mai e 'Eiki Sea e Komiti Kakato! – The Chair of the Whole House Committee is entering!" the Serjeant-at-Arms calls, and the House falls quiet. The only sounds I hear are the massive chairs making way for their occupants to stand, as the Procedures of the House dictate. You could hear a pin drop, with the Members of the Tonga Youth Parliament (TYP) for 2020 standing in silence. Except, there were no pins, only the sound of heels echoing through the House. With my workbook clutched in one hand and my vigorously beating heart in the other, I made my way towards my seat. I bow towards the House, the MPs bow in return and I take my seat followed by the rest of the Members. *"Malo, ke tau kamata. – Thank you, let us begin."*

As I recall my memorable experience early this year as the Chairperson of the Whole House Committee of TYP, I want to acknowledge how my participation in the 10th Commonwealth Youth Parliament (CYP) in November 2019 contributed to ensuring the effective execution of my role. I learnt many things from my CYP experience, not only from the two days we spent discussing and debating in the Delhi Legislative Assembly chambers but throughout the entire journey to Delhi, India. However, there are two specific experiences for which I credit my successful participation in the TYP as Chairperson;

one, the poise and patience I developed to handle difficult situations, and two, the objectivity I learnt to make fair and impartial decisions.

When I look back at my experience at the 10th CYP, I did not realize at the time, but from the moment the plane took off, my patience and self-control were tested. Of all the participants present at the 10th CYP, I travelled the farthest - from Tonga, to Auckland, to Bali, then Dubai and finally to Delhi - over a period of almost two days with little to no sleep. Arriving in India, I exited the airport terminal only to realise that I had missed my escort. To make matters worse, my phone was completely out of battery. I could not contact the CPA staff to notify them of my arrival or the Delhi Legislative Assembly office. I waited quietly on a bench, on the verge of crying or screaming, or both. There I was, in a very unfamiliar country, climate, culture and language, far away from home, pushed to my limit to think on my feet. Overcoming a huge language barrier, I managed to get a hold of a local taxi drivers' phone, found the hotel contact information online, and was able to reach the organizers. Finally, after a challenging two hours, I was found by the Legislative Assembly staff and escorted to the Ashok Hotel. The hospitality and kindness of the staff at the hotel, the CPA staff and the Delhi Legislative Assembly staff and their commitment to making our stay comfortable quickly

made that experience a distant but imprinted memory.

This was the first time I had experienced such adversity and it really challenged my capacity to cope with difficulties posed by the natural, social and cultural environments. The ability to cope with adversity helped me to develop the skills required to react in different situations. For example as the Chairperson of the House Committee in Tonga, it was required of me to think and decide quickly when things got out of hand in the House, when the argument got heated or irrelevant or when everyone started to feel they were no longer able to communicate and in all that, to keep a cool head.

I am thankful that the 10th CYP really taught me an extra lesson on following the Rules and Procedures as guided by

"This was the first time I had experienced such adversity and it really challenged my capacity to cope with difficulties posed by the natural, social and cultural environments. The ability to cope with adversity helped me to develop the skills required to react in different situations."



Above: Over 40 Commonwealth youth delegates aged 18 to 29 years old attended the 10th Commonwealth Youth Parliament hosted by the Commonwealth Parliamentary Association and the Delhi Legislative Assembly in Delhi, India in November 2019.

Hon. Fasiha Hassan, Member of the Gauteng Provincial Legislature in South Africa, who acted as the Speaker of the 10th Commonwealth Youth Parliament. In the same way, I imitated the same confidence in guiding all the House discussions when I returned to Tonga; knowing when it was appropriate to show leniency and when to make a firm stance on following the Rules and Procedures. From experiences outside the chambers and observations inside, my 10th CYP experience shaped the way I dealt with difficult situations.

The entire 10th CYP programme was planned with such meticulous attention to detail, all thanks to the CPA staff as well as the Delhi Legislative Assembly staff. All the participants were allocated into three groups, 26 participants formed the Government of 'Commonwealthland' and another 19 formed the Opposition party; both with a pre-determined profile,

policies and agenda. The final decisions that would tip the scales however, lay with the five Independent Members of the 10th CYP, of which I was one. While both parties held caucuses to find ways to push their own agendas, we, the Independents, were able to really study both parties, their weaknesses, their strengths and how we could leverage on both to push for a more holistic and objective approach.

As an Independent member at the 10th CYP, I was given an opportunity to really listen to the arguments from both parties and shaped the way I took in information. I learned to scrutinise arguments, find weaknesses and strengths and process relevant and irrelevant information.

As the Chairperson of the Whole House Committee back in Tonga, it was my duty to referee the way debates were handled according to the procedures of the House. I had to balance the opportunities

given to each side - the Cabinet (Government) and the informal opposition - to formulate and support their arguments. Thankfully, my experience as an Independent member of the 10th CYP had formed a solid foundation for objective decision-making and I believe I displayed the level of fairness I had intended to deliver.

It is because of my experiences at the Commonwealth Youth Parliament programme that my role as Chairperson of the Whole House Committee at the Tonga Youth Parliament has contributed to shaping

young people's participation in my country. I believe youth engagement is being equally promoted by my fellow CYP10 participants, if not more so, in their own communities and countries through other unique and transformative ways. It is because of the Commonwealth Youth Parliament programme that we are all hopeful that one day, we will all clutch our workbooks in one hand, and our vigorously beating hearts in the other, making our way to our seats, in Parliament around the Commonwealth or otherwise, to work towards a common future.



Commonwealth Day 2020

CPA Headquarters Secretariat Activities

Commonwealth Parliamentary Association celebrates Commonwealth Day 2020 in its 180 Parliaments and Legislatures

The Commonwealth Parliamentary Association (CPA) celebrated Commonwealth Day 2020 across the CPA's nine Regions and over 180 Parliaments and Legislatures. The 2020 Commonwealth Day theme focuses on 'Delivering a Common Future: Connecting, Innovating, Transforming' which offered opportunities for the people, Parliaments, governments and institutions of the Commonwealth to connect and work together at many levels through far-reaching and deep-rooted networks of friendship and goodwill.

Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association, with members of the Royal Family, Commonwealth leaders and High Commissioners, attended celebrations in London to mark Commonwealth Day 2020 and attended one of the largest multi-faith celebration services in Westminster Abbey. The service was also attended by the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC and the Acting CPA Secretary-General, Mr Jarvis Matiya as well as 1,000 school children.

Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA International Executive Committee and Deputy Speaker of the National Assembly of Cameroon released a Commonwealth Day

message on behalf of the CPA and said: "Commonwealth Day holds a special significance for the Commonwealth

Parliamentary Association. It provides an opportunity to celebrate the collective achievements of our 180 Branches with the 2.4 billion people that have felt their positive impacts first-hand. I would like to take this opportunity to extend my sincerest gratitude to all member Branches of the CPA for working tirelessly in their efforts to embed our shared Commonwealth values into the heart of all that we do."

In order to commemorate Commonwealth Day 2020, the CPA Headquarters Secretariat launched a CPA Commonwealth Day Youth Engagement Pack, for the benefit of all of our CPA Branches in order to inspire Parliaments to engage their young people. The Youth Engagement Pack provides a handbook with suggestions for the different types of youth outreach and engagement programmes that Parliaments can carry out, useful supporting tools to facilitate the delivery of these programmes and a leaflet on relevant information pertaining to the Commonwealth Day 2020 theme. Visit www.cpahq.org/cpahq/CWDay2020 to download the CPA Commonwealth Day 2020 Youth Engagement Pack.

CPA Branches and Regions across the network of the Commonwealth Parliamentary Association also marked Commonwealth Day 2020 in many different ways. Commonwealth Day has been celebrated around the Commonwealth on the second Monday in March every year since the 1970s.



CPA Branch Activities

Commonwealth Day 2020: CPA Canada Branch

On 9 March 2020, the Canadian Federal Branch of the Commonwealth Parliamentary Association (CPA) celebrated Commonwealth Day 2020 by hosting an event on Parliament Hill in Ottawa. In attendance were High Commissioners from across the Commonwealth, Canadian Senators and Members of Parliament.

The formal part of the event was launched by the Chair of the CPA Canadian Branch, Hon. Yasmin Ratansi, MP, with welcoming remarks and a presentation of messages from Her Majesty Queen Elizabeth II and from the Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP. Ms. Ratansi then invited the Speaker of the House of Commons, Hon. Anthony Rota, MP and the Dean of the Commonwealth Group in Canada, the High Commission for Brunei Darussalam, His Excellency Kamal Bashah Ahmad, to give a few remarks.

In keeping with the 2020 Commonwealth theme, *'Delivering a Common Future: Innovating, Connecting and Transforming'*, the guest speakers underscored the significance of the Commonwealth family in the 21st century.



The evening's formalities were concluded with a short promotional video, prepared by the CPA Canadian Region, about the 65th Commonwealth Parliamentary Conference to be hosted in Halifax, Nova Scotia from 12-18 January 2021.

Commonwealth Day 2020: CPA Cayman Islands

The Cayman Islands Legislative Assembly hosted its annual Youth Parliament in celebration of Commonwealth Day 2020. There were 23 youth Parliamentarians aged 14 to 18 from various high schools on Grand Cayman and Cayman Brac who chose two topics to debate by way of Private Member Motions.

One Motion titled *'Regulation of the use of e-cigarettes in the Cayman Islands'* was brought by a government backbencher Member. The other Motion, an Opposition Motion, was moved by the Leader of the Opposition. This Motion asked for the voting age to be changed from 18 years to 16 years and for the implementation of a political high school course.

There were animated speeches by the youth Parliamentarians from the Government and Opposition sides in an effort to have their motions passed. The Government prevailed however, and the Opposition's Motion failed. The awards for best debaters went to Kiarilyn Reyes (the



Deputy Premier) and Reon Porter (the Leader of the Opposition). The Cayman Islands Youth Parliament was followed by a reception hosted by His Excellency The Governor of the Cayman Islands, Mr Martyn Roper, OBE and Mrs Roper.

Commonwealth Day 2020: CPA Ghana Branch

The Public Affairs Department of the Parliament of the Ghana, under the authorization of the Clerk to Parliament, organised the annual celebrations in Ghana. For 2020, an expanded debate was held among members of the Students' Parliament in selected Tertiary institutions to mark the day. The Parliament of Ghana collaborated with the Westminster Foundation for Democracy (Ghana Office) to facilitate the organisation of the celebration activities. Activities undertaken in the joint endeavour included mentorship and educational programmes at the tertiary institutions aimed at including the youth in politics and decision making. It also included the production of a significant repository of information for young aspiring Parliamentarians and the creation of an enabling environment for such young political actors to thrive. For the first time, a quiz competition to be held on a separate day was added to the celebration activities.

The debate was held at the National Theatre in Accra with the six qualifying schools under the topic of *'Ghana Beyond Aid: An Attainable Feat or A Political Slogan'* and the 1st Deputy Speaker of the National Parliament of Ghana, Hon. Joseph Osei-Owusu was the guest of

honour and delivered a keynote address during which he encouraged the student Parliamentarians to adhere to the highest standards of participation in politics and decision-making, and to work hard to contribute effectively to the development of national democracy.



Commonwealth Day 2020

CPA Branch Activities



Commonwealth Day 2020: CPA Fiji Branch

With the endorsement of the Speaker of the Fijian Parliament, His Excellency Ratu Epeli Nailatikau, a special tours programme was organised to commemorate Commonwealth Day 2020.

The theme of 'Delivering a Common Future: Connecting, Innovating, Transforming' was used during the event and corresponding activities were organised according to the theme.

The CPA Commonwealth Day Youth Engagement Pack submitted by the CPA Headquarters Secretariat also assisted the Fijian Parliament in organising events, with the toolkit supplied by CPA offering diverse options and a range of activities that could be utilised.

Students of the Fiji National University, University of the South Pacific (USP) and University of Fiji attended the event which included a tour of Parliament, a short presentation about Parliament, a meeting with some Members of Parliament and a quiz with prizes.

For Solomon Island final year USP student, Sally Kura, the visit has broadened her knowledge about the Commonwealth and also the Fijian Parliament. She said: "Back at home, I have never visited our Parliament and it's a privilege to visit this august House in Fiji. While visiting the Chamber, I noticed that Members of Parliament sit close to each other across the room, as compared to what I see on television."

University of the South Pacific student Sanjeshni Prasad was full of praise of her visit to Parliament and said that all the departments within Parliament were explained very well. "We participated in lots of quizzes which helped us to better understand Parliament and the Commonwealth. I learnt how countries are grouped together within



the Commonwealth and how they assist each other financially, especially during natural disasters."

For University of Fiji law student, Viliame Koroinivalu, the visit has helped him to learn more about the history of the Fijian Parliament and getting to meet some Members of Parliament. "For me, a highlight of my visit was meeting with some Members of Parliament. I also read about gender equality on the Commonwealth pamphlet, which caught my attention as we just celebrated International Women's Day on Sunday."

Fiji Member of the Standing Committee on Justice, Law and Human Rights, Hon. Rohit Sharma, gave a brief explanation about the role of MPs and urged students to study hard and aspire to become good citizens.

Commonwealth Day 2020: CPA Malawi Branch

The Chairperson for the CPA Malawi Branch, Ephraim Abel Kayembe, MP spoke about how the Commonwealth Parliamentary Association has contributed skills development among legislators and in providing policy development and implementation at a Commonwealth Day 2020 reception in Lilongwe. The CPA Malawi Chairperson also said that the Parliament of Malawi's involvement in the Association has helped in developing strategic partnerships with the UK, Canadian and Scottish Parliaments.

The reception to celebrate Commonwealth Day was hosted by the British High Commissioner to Malawi, Holly Tett who spoke about the many Commonwealth connections in Malawi. The work of the Queen Elizabeth Diamond Jubilee Trust was emphasized as the Trust is working to eliminate blinding trachoma in Malawi and Mozambique by the end of 2020 with the help of £50 million between 2013-19 of matched UK Government funding.

The High Commissioner also highlighted that Malawi student had benefitting from the Queen Elizabeth Commonwealth Scholarships (QECS) which has 18 awards shared across 14 host universities in 12 countries. "The famous Commonwealth Scholarships delivered under Commonwealth Scholarship and Fellowship Plan (CSFP) and Commonwealth Scholarship Commission in the United Kingdom (CSC). Over its 60-year history, the CSFP has supported over 36,000 individuals, with over 28,600 supported by the CSC."



With thanks to CPA Branches for sharing their Commonwealth Day 2020 news.
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Commonwealth Day 2020: CPA Kiribati Branch

Commonwealth Day 2020 was celebrated in Kiribati with different educational activities that engaged school students and youth members, as well as the general public, during the celebrations. The House of Parliament in Kiribati led the organisation of a one-week programme of activities around Commonwealth Day that included the formal reading of the Queen's message, a Youth Parliament, the writing of poems and several competitions for local choirs, dance, drama, art, karaoke and a quiz competition.

The main events were attended by the Minister from the Ministry of Women Youth and Sport, the Chief Justice and the Speaker of the Kiribati Parliament House, who presented certificates and prizes to Youth Parliament members and competition winners.



The formal ceremony of Commonwealth Day was delayed by one week to Saturday 21 March, due to the worldwide COVID-19 pandemic.

Commonwealth Day 2020: CPA Jamaica Branch

The Speaker of the House of Representatives of Jamaica, Hon. Parnell Charles, Sr hailed the Commonwealth Parliamentary Association (CPA) for providing an avenue for all member countries and Parliamentarians to have an equal voice regardless of country size, income, race, religion or gender. *"In fact, an arm of the CPA is the Commonwealth Women Parliamentarians (CWP), which seeks to promote greater participation by women in all our Parliaments,"* he noted.

The Speaker was addressing a Commonwealth Day event organised by the Jamaica Houses of Parliament and CPA Jamaica Branch at Kingston High School. Students joined a Commonwealth Day debate on the motion: *'This House believes that the Commonwealth is still relevant to 21st century Jamaica'*.

The Speaker later met with the winners of the Commonwealth Day Debate – Chanice Henry, Paris Rogers and Kiara Weston along with the Principal of Kingston High School, Andrea Gray Dwyer. The debate was also attended by the Clerk of the Parliament of Jamaica, Heather Cooke and the Deputy Clerk, Valrie Curtis.



The most important outcome of the event was that the activity was, for the most part, self-directed and engaged by an audience of over 100 students who would not otherwise have been exposed to material about the Commonwealth. Key messages of the shared values of the Commonwealth and sustainable national development were also highlighted.

Commonwealth Day 2020: CPA New Zealand Branch

The Speaker of the House at the Parliament of New Zealand, Rt Hon. Trevor Mallard, MP welcomed the Governor-General of New Zealand, Her Excellency Rt Hon. Dame Patsy Reddy to the Banquet hall at Parliament House on Commonwealth Day 2020 on 9 March 2020. The Governor-General delivered The Queen's Commonwealth Day Message and also highlighted on the New Zealand theme for this year, *'A Sustainable Future'*, a message reflected by the Speaker when he read out the New Zealand Prime Minister's message. He spoke about how technology is bringing the Commonwealth closer together than ever before, and the need for New Zealand to be kaitiaki (guardians) for the smaller Pacific Commonwealth neighbours in this environmental climate.

Following the speeches, the Governor-General met the Dean of the Diplomatic Corps, HE Mr Leasi Papali'i Tommy Scanlan, High Commissioner of Samoa to New Zealand before she met other High Commissioners, Members of Parliament and invited guests. The New Zealand representatives from three



previous Commonwealth Youth Parliaments, Eva Maffey, Jasper James and Sarah Gwynn were also involved in the Commonwealth Day celebrations and it was attended by local school children.

Commonwealth Day 2020

CPA Branch Activities



Commonwealth Day 2020: CPA Northern Territory Branch

The Legislative Assembly of the Northern Territory acknowledges Commonwealth Day by displaying the flags of the Commonwealth in the main hall of the Assembly for the month of March. In addition, the Legislative Assembly's Parliamentary Education Service coordinated a week-long programme with Government House to celebrate Commonwealth Day. At Parliament House, students undertook a five-stage activity focusing on the 2020 theme of Commonwealth Day, the history of the Commonwealth, along with a snapshot of the broad range of countries across the globe who adhere to the values of the Commonwealth. In addition, students visited Government House and participated in a tour of the historic building and learnt about the role of the Administrator of the Northern Territory. During Commonwealth week, 470 students from nine different schools across Darwin and Palmerston participated



in the programme. Many of the participating students indicated ancestry to other Commonwealth countries or having been born in a Commonwealth country other than Australia.

Commonwealth Day 2020: CPA Pakistan Branch

The Pakistan Institute for Parliamentary Services (PIPS), in collaboration with the National Assembly of Pakistan, held a special seminar on 'Delivering a Common Future: Connecting, Innovating and Transforming' to mark Commonwealth Day 2020.

The Speaker of the National Assembly of Pakistan, Hon. Assad Qaiser addressed the seminar and spoke about the importance of the Commonwealth in promoting international cooperation. He said: *"We face many challenges in the world, in which the coronavirus has become a major threat to the world. We can all be determined to meet all these challenges together."*

The Commonwealth Women Parliamentarians Chairperson, Hon. Shandana Gulzar Khan highlighted the gender pay gap campaign #EachforEqual and the role of Parliamentarians in combatting climate change at the Commonwealth Day 2020 seminar in Pakistan.

Other speakers at the seminar including: Hon. Syed Fakhar Imam, MNA, who emphasised that South Asian countries need to work hard on human development; Executive Director, PIPS, Mr Muhammad Anwar spoke about their work in bringing Parliaments together and connecting them; and CPA Regional Secretary for the CPA Asia Region, Shamoon Hashmi, Joint



Secretary at the National Assembly of Pakistan spoke about the different and diverse parliamentary practices in the Commonwealth and wider CPA network.

Commonwealth Day 2020: CPA Gibraltar Branch

The Deputy Chief Minister of Gibraltar, Hon. Dr Joseph Garcia, MP, who is the Minister with responsibility for relations with the Commonwealth, gave a Commonwealth Day 2020 address in which he outlined that Gibraltar intends to take 'full advantage' of opportunities in the Commonwealth. Dr Garcia said: *"This is the first Commonwealth Day with Gibraltar outside the European Union. In that context, it is perfectly logical that we should look to increase our level of engagement with the Commonwealth and its institutions going forward. The message this Commonwealth Day has to be that as one door has closed, other doors have opened for Gibraltar."*



*With thanks to CPA Branches for sharing their Commonwealth Day 2020 news.
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Commonwealth Day 2020: CPA St Helena Branch

Commonwealth Day 2020 was celebrated on St Helena with an assembly held at Prince Andrew School on Monday 9 March 2020 on the Commonwealth Day theme of *'Delivering a Common Future: Connecting, Innovating, Transforming'*. The assembly was led by Head Teacher, Penny Bowers, and Student Council President, Colby Thomas, who read the Commonwealth Secretary-General's message, and the Vice-President of the School's Student Council, Kelly Yon, who read the Commonwealth Affirmation.

Children's Champion, Councillor Derek Thomas, delivered a short speech and said: *"This year's theme was chosen because the governments and people of our diverse family – 54 Commonwealth countries – connect at many levels through extensive and deep-rooted networks of friendship and goodwill. Together the countries and people of the Commonwealth tackle climate change and its impacts. We work to find sustainable ways of using the natural resources of our planet, its land and ocean, so that our environment is protected. In support of this planning for the future, our long-term vision for St Helena by 2050 is for St Helena to be dynamic, forward and outward looking."*

The Governor of St Helena, Dr Philip Rushbrook, read The Queen's Commonwealth Day message and, following the assembly, the Speaker of Legislative Council, John Cranfield, raised the Commonwealth Flag as part of the *'Fly a Flag for the Commonwealth'* initiative. Commonwealth Day assemblies were also held at the three Island Primary Schools and were attended by Elected Members.



Commonwealth Day 2020: CPA Scotland Branch

Although no formal events were held, the Scottish Parliament marked Commonwealth Day 2020 with the flying of the Commonwealth Flag outside of the Parliament building and a social media campaign to highlight the close Commonwealth links between Scotland and many Commonwealth countries and some of the CPA work that MSPs had been involved in over the year.

In addition, the CPA Scotland Branch Executive Committee worded a Parliamentary Motion, which was lodged by Hon. Margaret Mitchell, MSP, and this was signed by MSPs from across the Parliament.



Commonwealth Day 2020: CPA UK Branch

To mark Commonwealth Day 2020, the CPA UK Branch facilitated a debate in the UK House of Commons on the Commonwealth in 2020, where several Members commended the work of CPA. The debate was led by the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, Rt Hon. James Duddridge, MP (a former CPA UK Branch Chairperson) and 27 Members of Parliament spoke in the debate.

In addition, several members of the CPA UK Branch Executive Committee and CPA UK staff attended the Commonwealth Day Observance Service in Westminster Abbey along with the CPA UK Branch's Joint Presidents, the Speaker of the House of Commons and the Lord Speaker.



REFLECTIONS ON 25 YEARS WORKING WITH THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

The Deputy Chief Executive of the UK Branch of the Commonwealth Parliamentary Association looks back over 25 years working with CPA and the wider international parliamentary community.



Helen Haywood is the Deputy Chief Executive of the UK Branch of the Commonwealth Parliamentary Association. She has held a number of other posts throughout her career with CPA UK.

This year, I am celebrating 25 years working for CPA UK. It sounds like a long time – particularly as some of my younger colleagues were not even born when I started working here – but I can genuinely say it has flown by. I am certainly the ‘old’ (and hopefully wise) one in the office. It does help being able to take the long view in recognising when innovation and freshness can improve what you do, but also bringing some historical context from an organisation which has remained a fixture of parliamentary life for over 100 years.

I started working for CPA UK in 1995. Newly out of University I was looking to move to London – but I had no clear idea what I wanted to do. Sitting in my parents’ kitchen in Yorkshire in northern England – I remember it well – I spotted a small advert in their national daily newspaper for an interesting-sounding job in the UK Houses of Parliament. I rang the number – and here I am 25 years later. Okay, there was a bit more to it than that, but it really was one of those fateful moments on which life pivots.

Lots of people start out in similar circumstances, but they do not stay for 25 years. So why did I? For a start, working in Westminster is forever interesting. If you are a current affairs addict like me, walking into the UK Parliament every morning and seeing the newsmakers walking through the corridors is always exciting. I then walk into the medieval Westminster Hall – with its

900 years of history on which to ponder as the sun shines through the stained-glass windows – and it has already been a good start to the day.

In common with me, many Commonwealth Parliamentarians want to learn about the UK parliamentary experience. The building is iconic and its history rich – but the debates, the questions, the scrutiny, the comment and the political manoeuvrings are perennially fascinating. When meeting Commonwealth visitors to the UK, my common refrain is that there is always something interesting going on at Westminster. Currently, it is the common challenge of holding the Executive to account during a time of global pandemic.

Before that it was ‘Brexit’, when all eyes were on Westminster and everyone became experts on parliamentary practice and procedure. The Westminster expenses scandal was a landmark event and a catalyst for significant change in UK parliamentary culture. The reputation of politicians in the UK was permanently damaged by exposure of some dreadful behaviour, corruption and illegal activity. Although it was a watershed moment bringing in a new generation of UK Parliamentarians, they have to defend themselves against ongoing negative preconceptions.

Personally, I have huge respect for the Parliamentarians with whom I have worked, who

for the most part are highly motivated, principled, obliging and consummate hard workers. For example current and recent former Members of CPA UK’s Executive Committee, like Roberta Blackman-Woods, Maria Miller, David Hanson, Lord (George) Foulkes and Lord (Alan) Haselhurst have invested huge amounts of time, effort and personal integrity into strengthening the CPA, leveraging its potential and promoting it as a force for good.

The other significant motivation in my job is working with a wide range of Commonwealth countries and territories, with their enormous diversity and yet with so much in common and so much to learn from each other. I have visited many fascinating and beautiful Commonwealth countries over the last quarter of a century, for which I am the envy of friends and family. I have been lucky enough to attend CPA Annual

“ It does help being able to take the long view in recognising when innovation and freshness can improve what you do, but also bringing some historical context from an organisation which has remained a fixture of parliamentary life for over 100 years.”



Conferences in Uganda, Bangladesh and Tanzania, CPA Regional Conferences in Guernsey (my first) and the Falkland Islands (my most recent), and other multilateral and bilateral activities in the Pacific, Australia, South Asia, India, Africa and the Caribbean. I really cannot think of a place I have visited which has not been incredibly rewarding – giving me glimpses of richly diverse cities, cultures, climates and landscapes. I have been party to discussions on human rights in Cameroon, access to EU markets in Namibia, good governance in the Cayman Islands, restorative justice in Rwanda, peacebuilding in Sri Lanka, misinformation and fake news in Guernsey – the list goes on. There is always common ground and shared values, and an enthusiasm to share experiences and explore pathways to positive change.

I should also mention the fantastic cast of CPA UK Branch colleagues with whom I have worked over the years. I have served under four CPA UK Branch Secretaries (now Chief Executive) starting with Peter Cobb, OBE who retired shortly after I started. His successor, Andrew Pearson, was hugely supportive and gave me my first management opportunity.

Andrew Tuggey was the driving force behind a big step change for the organisation, recognising its potential in the field of parliamentary strengthening, and leading CPA UK's restructuring and growth. Jon Davies has brought fantastic knowledge, insight and diplomacy from his Foreign Office career and continues to lead innovative work delivered by a talented, enthusiastic and valued workforce. They are all men - CPA UK Branch has never had a woman at its helm – but it has employed a range of impressive and inspirational women. I have learned a great deal from many wonderful colleagues, and they have inevitably influenced my decision to continue working at CPA UK.

Some of the most rewarding work I have done is with women Parliamentarians and with the Commonwealth Women Parliamentarians (CWP) network. For me this work started in East Africa working with women's caucuses KEWOPA in Kenya, TWPG in Tanzania and UWOPA in Uganda. It was inspiring and rewarding to facilitate constructive interactions between female agents of change from different parts of the world. Today, I am much involved in the excellent work of the British Islands

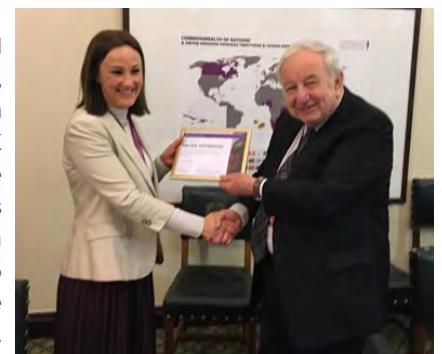
and Mediterranean Region Commonwealth Women Parliamentarians, where the network is very active, insightful and responsive. I really enjoy working with people – Parliamentarians, activists and academics - who are influential in ensuring that women's representation remains a priority issue.

I have also experienced quite a few elections, both in the UK and around the Commonwealth – more in recent years than expected. Elections are always a period of renewal, and one of the reasons why the CPA remains relevant. People have often asked what different governments and Parliaments have meant for my work, and it has been interesting to observe how differences in foreign policy translate into how UK Parliamentarians engage with the CPA. For example, interest in the Commonwealth

has increased as Britain negotiates its exit from the European Union; although planning CPA activities outside Westminster when there is no working majority is problematic. International cooperation is always important, but recent events make it even more so.

I think the balance of change and continuity has been at the heart of my career longevity. Although many would not associate Westminster and the CPA with change, the place I work today is beyond recognition from 25 years ago – notwithstanding the immutability of Westminster Hall. That goes for CPA UK itself and Westminster more widely. For example, in 1995 less than 10% of UK MPs were women. Today is it 34%, and for me they are some of the most dynamic and inspirational MPs. The growth of the UK Parliament's digital capability has also been significant, improving our ability to reach further, work faster and to innovate in how we engage with stakeholders. Throughout, CPA UK has kept pace and stayed relevant. It has provided me with a rich and varied career, with challenge, interest and reward. I did not expect to be here after 25 years, but I am pleased to be. I hope my contribution has helped to strengthen democracy across the Commonwealth, and that CPA UK will continue to do so for years to come. Whether I am part of that, or not, remains to be seen.

Right: Rt Hon. Lord Foulkes of Cumknock, Vice-Chairperson of the CPA UK Branch Executive Committee presents Helen Haywood with recognition of her 25 years working for the CPA UK Branch.



International Women's Day 2020: Commonwealth Women Parliamentarians highlight gender equality and women's representation in Parliaments

Commonwealth Women Parliamentarians (CWP) marked International Women's Day 2020 by highlighting the importance of gender equality and the urgent need to increase women's representation in Parliaments. International Women's Day (8th March) is a global day celebrating the social, economic, cultural and political achievements of women. The day also marked a call to action for accelerating gender parity, with the theme of International Women's Day 2020 calling for a more gender-balanced world and the difference individuals can make - #EachForEqual.

To mark International Women's Day 2020, the CWP Chairperson, Hon. Shandana Gulzar Khan (Pakistan) released a video message online in which she highlighted the CWP's work in women's representation across the Commonwealth and representing women's voices in Commonwealth Parliaments. To view the CWP Chairperson's video message please visit www.cpahq.org/cpahq/iwd.

The CWP also released their annual review to coincide with International Women's Day which provides a review of CWP activities across the Commonwealth during the past 12 months.

Commonwealth Women Parliamentarians across the nine regions of the Commonwealth Parliamentary Association celebrated International Women's Day 2020 with a wide range of events and activities. For example, ahead of International Women's Day 2020,

the Commonwealth Women Parliamentarians (CWP) New Zealand Joint Chairs, Louisa Wall, MP and Jo Hayes, MP launched the newly refurbished Women's Suffrage Room at the Parliament of New Zealand at an event attended by the New Zealand Prime Minister, Rt Hon. Jacinda Arden, Deputy Speaker, Hon. Anne Tolley MP and the CWP Alumni Initiative Champion, Dr Lesley Clarke.

The CWP Jersey Branch Chair, Deputy Jess Perchard hosted an International Women's Day event in St Helier with Parliamentarians and local women's organisations on the theme of 'changing the narrative'.

Women Parliamentarians and Commonwealth High Commissioners also attended a high-level panel discussion hosted by the Commonwealth Secretariat at Marlborough House in London, UK at which the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC spoke about gender equality in the workforce and closing the gender pay gap for women in the Commonwealth.



CWP Alumni Champion promotes initiative on visit to the New Zealand Parliament

The Commonwealth Women Parliamentarians (CWP) Alumni Initiative champion, Dr Lesley Clark has been promoting the alumni initiative during a visit to New Zealand. Lesley Clark attended the International Women's Day 2020 celebration breakfast at the Parliament of New Zealand Parliament in Wellington to relaunch the refurbished NZ Suffrage Room.

"It was a privilege to attend this event alongside the Prime Minister of New Zealand, Rt Hon. Jacinda Arden and so many current and former women MPs. New Zealand was the first country in the world to give women the right to vote in 1893 and the Suffrage Room documents the inspiring history of women's political participation in New Zealand, which now has 49 women in their Parliament, comprising 40% of MPs," Lesley Clark said.

During her visit, the CWP Alumni Champion also had a lunch meeting with the CWP New Zealand Co-Chairs, Jo Hayes, MP and Louisa Wall, MP and made a presentation on the CWP Alumni Initiative to former and current women Members of Parliament.

"The CWP New Zealand Branch has a very active peer mentoring program, as part of the work of the CWP for the wider Pacific Region, which currently supports women MPs in Fiji, Tonga, Niue and the Cook Islands. Our discussions focused on the contribution that former women MPs could make to the current mentoring program, or other ways in which they could support serving women MPs. I look forward to supporting members of the CWP New Zealand Branch and the CWP Pacific



Region Steering Committee as they continue to explore ways of progressing the CWP Alumni Initiative to meet the expressed needs of Pacific women MPs."

The CWP Alumni Champion is available to meet with other CWP Regional or Branch Steering Committees to discuss their involvement with the CWP Alumni Initiative, either in person if resources are available, or by video/phone link. Please contact the CPA Headquarters Secretariat hq.sec@cpahq.org to facilitate this.



CWP Pacific Region meet for Regional Conference in Niue to discuss effective political participation for women

Commonwealth Women Parliamentarians (CWP) from the Pacific Region met for their Regional Conference, from 24 to 28 February 2020 in Niue, to discuss gender equality and effective communication, with MPs attending from across the Region, led by CWP Pacific Regional Chair, Hon. Anahila Kanongata'a-Suisuiki, MP (New Zealand).

As one of the smallest jurisdictions in the Commonwealth, it was felt that this would be a special opportunity to have many of the Pacific Region's women leaders visit Niue and to network with local women leaders. Niue is self-governing in free association with New Zealand and has followed a Westminster-style Legislature with a 20-member Assembly. The Assembly currently has five women Members of Parliament and a strong women's parliamentary caucus/CWP group, Matakau He Tau Ekepule Fifine Ha Niue with both current and former women MPs as well as women business, community and public-sector leaders who share the vision of gender equality.

Delegates travelled from across the region – from the Cook Islands, Kiribati, Fiji, New Zealand, Nauru, Niue, Tonga, Tuvalu, Solomon Islands, Samoa – and were welcomed by the Speaker of the Niue Legislative Assembly Togiavalu Pihigia, showing his support for the importance of male champions in increasing women's participation in politics.

The CWP Pacific Chairperson spoke about the aims of the Region in furthering the strategic intentions of women; carrying out a review of women MPs' communications and social media with some new tools for action; developing resolutions to take forward to the wider Parliamentary and interparliamentary community; continuing peer-to-peer and mentoring relationships between women in the Region; looking at ways of fostering new relationships with experts, women of influence and young women leaders; developing mitigation strategies for bullying, harassment, and sexism; and advocating for best practice and codes of conduct in Parliaments.



Guest speaker, Dr Karlo Mila, MNZM, is the programme director of the Mana Moana experience and is of Tongan, Samoan and Palagi descent, who shared her poetry focusing on Pacific culture, heritage and worldview, including her poem for the Commonwealth.

Regional updates from each CWP Branch gave delegates the opportunity to share updates and progress on many issues including gender equality; women in leadership; international instruments, violence and prevention, economic empowerment, health, education, and decision-making.

Delegates attended workshops on a wide range of topics and the Regional Conference also included a visit to Niue High School to promote understanding of democratic governance and increasing girls and women's participation in leadership; and a meeting with Niue-based senior women officials, business and civil society leaders.

The CWP Pacific Steering Committee members discussed the challenges of international engagement and called for a stronger commitment to ensuring gender-balanced delegations at CPA conferences. A key achievement of the Regional Conference was the establishment of a new CWP Pacific Region Facebook page.

Historic election in Kiribati as four women MPs voted into Parliament and first woman Speaker elected

A recent election in Kiribati in the CWP Pacific Region has seen the election of four new women Parliamentarians – making history with the highest number of women in the Parliament of Kiribati to date. This was followed by the election of the first woman Speaker in Kiribati.

Fourteen new MPs – including the four women MPs – were elected in Kiribati in the recent election which saw most of the Ministers in the current caretaker government keep their seats. The 44-seat Kiribati Parliament for 2020 will swear in all MPs for their first session in some months.

One of the first acts of the new Kiribati Parliament was the election of the new Speaker. Members of Parliament voted in the

country's first female Speaker of Parliament, former Opposition Member, Tangariki Reete. Ms Reete is a former Minister of Women, Youth and Social Affairs and had entered politics in 2008, in the footsteps of her father. In Kiribati, the Speaker of the House does not need to be a Member of Parliament.

The Commonwealth Women Parliamentarians (CWP) Pacific Region has been working to strengthen the networks for women seeking election in the Pacific Region which has some of the lowest levels of women's representation in Parliaments.

CWP British Islands and Mediterranean Regional Conference takes place in the Falkland Islands

The Commonwealth Women Parliamentarians (CWP) British Islands and Mediterranean (BIM) Regional Conference, was hosted by the Falkland Islands Legislature and the CPA Falkland Branch in February 2020 and was attended by over twenty delegates.

The CWP Regional Conference was opened in the Falkland's capital, Stanley, by the Deputy Speaker of the House, Hon. Claudette Prior, MBE and were welcomed by Falkland Islands Member, Hon. Leona Roberts, MLA, a member of the CPA International Executive Committee. Delegates attended from Cyprus, Gibraltar, Guernsey, Jersey, Malta, Scotland, St Helena, England and Wales.

The conference was held at the Harbour Lights Cinema and delegates heard from local speakers from the Falkland Islands on subjects including combatting stereotypes in small communities; gender-based violence; encouraging women to stand for public office.

The visitors also had the opportunity to get to know more about the Falklands itself with a visit to Fitzroy Farm to see the resident sheep population and traditional farming methods. Delegates also attended a small service of Remembrance



at the Welsh Guard's Memorial, attended a CPA Roadshow at the Falkland Islands Community School, as well as a session entitled 'Mentoring of Women in Parliament' by Hon. Samantha Sacramento, MP (Gibraltar) with guest speakers and former Members of Parliament, Roberta Blackman-Woods (UK) and Patricia Ferguson (Scotland). The final visit was to Bluff Cove to see the famous penguins in their natural habitat.

CWP British Islands and Mediterranean Region issue statement condemning gender-based violence

Whilst women Parliamentarians from across the CWP British Islands and Mediterranean Region met in the Falkland Islands to learn and share experiences about breaking down gender stereotypes, especially in small communities, the CWP Regional Steering Committee also discussed the worrying prevalence of violence against women, including domestic abuse, sexual crimes and femicides.

The CWP British Islands and Mediterranean Region have been proactive in discussing violence against women, with White Ribbon Day (the International Day for the Eradication of Violence against Women marked on 25 November) being a key date in the calendar to raise awareness. Several recent cases were highlighted including that of an alleged rape victim in Cyprus whose treatment within the criminal justice system raised concerns and sparked protests in Cyprus and other countries.

In response, CWP members issued a statement, ahead of International Women's Day 2020, which condemned failures of systems to protect many women, alarm at the number of cases across the region and a commitment to work together and with other organisations to protect women through legislation, scrutiny and awareness raising.



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With thanks to our *Parliamentary Report* and *Third Reading* contributors: Paras Ramoutar (Parliament of Trinidad and Tobago); Stephen Boyd (Federal Parliament of Australia); Dr Jayadev Sahu (Parliament of India); Gabrielle de Billy Brown (Federal Parliament of Canada); Luke Harris (Parliament of New Zealand); Ravindra Garimella (Parliament of India); Neil Iddawala (Parliament of Sri Lanka); Katey Stickle (Legislative Assembly of British Columbia); and Michael Berry (Parliament of the United Kingdom).



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AUSTRALIAN PARLIAMENT'S RESPONSE TO THE CORONAVIRUS CRISIS

The Parliament of Australia sat on 23 March and 8 April 2020 to pass critical legislation to support the economic and social response to the Coronavirus crisis. The Budget which is normally delivered in May was deferred until 6 October 2020.

The sittings were a sombre occasion. The number of Members and Senators in attendance was reduced and they were spaced further apart to observe social distancing. Hand sanitizer was located throughout the chambers.

The Prime Minister, **Hon. Scott Morrison, MP**, addressed the House stating that 'we gather today at a time of great challenge for our nation and, indeed, the world. We are a strong nation and a strong people, but in the months ahead this will put us all to the test, as at no time like this since the Second World War. But together, Australia, we are up to this challenge. The Coronavirus that is sweeping the world will continue to change the way we live, but we must not allow it to change who we are as Australians. I know - we all know - that Australians are very concerned at this difficult time. It is the understandable fear of the unknown, and there is much that is not known about the Coronavirus, but we must not let that fear overtake us. We must focus instead on what we do know, what we can control.'

Mr Morrison outlined the gravity of the challenge commenting that 'so, together, and with the rest of the world, we face this unprecedented challenge, a once-in-100-years event, a global health pandemic that has fast become an economic crisis the likes of which we have not seen since

the Great Depression. Life is changing in Australia for every Australian. Life is going to continue to change. For many - young and old - 2020 will be the toughest year of our lives.'

In relation to the economic support package passed on 23 March 2020, the Prime Minister advised that 'yesterday, the Treasurer and I announced an economic support package, a safety net package, unprecedented in our nation's history in its scale and coverage. Measures announced to date total some, together with the Reserve

Bank, \$189 billion in economic support, around 10% of the size of our economy. The measures we have announced are focusing on those who are on the frontline, those who will be feeling the first blows of the economic impact of the Coronavirus as it wreaks its havoc. So we'll supercharge our safety net - doubling, effectively, the jobseeker payment and allowing Australians to draw on those resources they have put aside for such a time as this - to support the most vulnerable with additional payments to

pensioners and carers and the disabled, to provide a lifeline to small and medium-sized businesses. We will be working together with the banks - and I thank them also - to keep those businesses afloat wherever possible, to keep as many employees as they can, but with the pledge in our support to them that when we pass this virus, those businesses that have had to stand people down will stand them back up again on the other side. This will give them that assurance, give them that encouragement, as they have to stand staff



down, commit to do all they can on the other side to stand them back up again. This is the unwritten contract that is being undertaken between Australian employees and employers as we speak, to provide also a legal shield to protect both businesses from closures and individuals, to preserve our economy and to boost our recovery on the other side.'

Following the measures introduced on 23 March 2020, it became clear that the government would need to do more to support the economy in the form of wage subsidies. On 8 April 2020, Mr Morrison stated that 'since the Parliament last met, we have taken many actions on many fronts. People coming back from overseas now have to self-isolate for 14 days in a designated facility. The national Cabinet has further tightened restrictions on public gatherings, and these are taking some time to get used to. We've expanded the Coronavirus testing criteria to include people with fever or acute respiratory infection and under key categories. Australians should be very proud that we have one of the most comprehensive testing regimes in the world. We have one of the highest rates of testing in the world. Today

"The sittings were a sombre occasion. The number of Members and Senators in attendance was reduced and they were spaced further apart to observe social distancing. Hand sanitizer was located through out the chambers."

some 313,000 tests for the virus have been conducted across Australia. This is more than double the number since we last met.'

In relation to childcare arrangements, Mr Morrison stated that 'we want those working with children, and particularly our essential workers, to have confidence in their childcare arrangements. The government is providing business continuity payments to support childcare services to stay open. This means around one million Australian families will be able to receive free childcare. The investment complements the more than \$1 billion the government expects the sector to receive through the JobKeeper payment.'

In relation to the government's wage subsidy policy, Mr Morrison stated that 'today, we will put before the Parliament our JobKeeper package. JobKeeper will keep Australians in jobs and it will keep the businesses that employ those Australians in business, both now and into the future. The \$130 billion economic lifeline will provide payments of \$1,500 per fortnight to an estimated six million eligible workers through their employer.'

Mr Morrison concluded that 'we have a long way to go. Through the actions we have taken to date, we have bought Australia valuable time to chart a way out over the next six months. But there are no guarantees, and it could well take far longer. Our country will look different on the other side, but Australians will always be Australians. We have navigated the road in, and we can now see some encouraging signs. We do stand in a place today far better than most nations around the world because of the efforts of all Australians.'

On 23 March 2020, the Leader of the Opposition,

Hon. Anthony Albanese, MP, commented that 'each day we become more unnerved and uncertain about where this is heading. But this is our new reality in a world partly shut down by the COVID-19 pandemic - a reality that joins us all together while, at the same time, forcing us to be physically apart. And it's a reality growing more confronting by the day. Most of our lives have not been directly affected by war, hunger or financial strife. They were stories our parents and grandparents told us. We listened to those stories and we pictured them in black and white. We thought we were the lucky generations. We now face an enormous threat, and it's in colour. It is happening right now. It is global. Fear and panic, of course, feed on uncertainty and inconsistency and, at the moment, those ingredients abound.'

In relation to the government's legislative measures, Mr Albanese stated that 'the legislation today is not perfect. We would do more and do it sooner, but we will advance our arguments. This is not a time to prevent measures which, however imperfect, are necessary to be implemented. We do need unity, and, above all, we need resolute action. We cannot succumb to the illusion that time is on our side. It is not. We will get to tomorrow only if we respect the urgency for action today. We need to be clear and unequivocal. You've heard all the messages: stay home, keep calm and wash your hands. Make no mistake: anything that feels like an overreaction right now isn't. Let this be our rule: if we think we're going to take action next week, we should take that action today. The last thing we want to do is to be looking back on this time in the near future and saying, 'If only we had

done more and done it sooner.' Clearly more can be done and more should be done.'

In relation to the government's measure to allow early access to superannuation, Mr Albanese stated that 'selling your super at the bottom of the market will risk squandering people's hard-earned retirement savings. It's also the case that if the superannuation industry is forced to sell assets at the bottom of the market that is not sensible economics. We say to the government that we have been as supportive as possible and we will not be moving amendments where there is any doubt. We will give the benefit to the government. We are not looking for arguments; we are looking for solutions. But, on some of these measures, please listen to the arguments. Recognise that we, on this side of the Parliament, do represent, by the way, the largest political party in this Parliament - the largest. Our views should be taken into account even though we will, as we've said, vote for the package if our amendments are not successful. We've given that commitment. But I believe we are right on that issue, and the government should consider alternative measures to put dollars in the pockets of low-income workers other than by doing it at the expense of the quality of life in their retirement.'

On 8 April 2020, the Leader of the Opposition stated, in relation to the job keeper support package, that 'we have called for a wage subsidy for many weeks. We regard the keeping of a relationship between employers and their employees as essential, to minimise unemployment and ensure that we can transition from this economic downturn as quickly and as strongly as possible. I congratulate the government on changing its

view on wage subsidies since we last met.'

Mr Albanese stated that 'I recognise that many of the measures being advanced by the government to intervene in the economy stand in direct contravention to their rhetorical position over many years, including, of course, their opposition to much of the economic stimulus program of the Rudd Labor government that protected Australians through the global financial crisis. Australians can feel comfort that the government has been prepared to act in a way which, I'm sure, makes it feel uncomfortable. They deserve credit for listening to the views of Labor, unions and the business community on the wage subsidy issue. Even though we have concerns about some elements of the package and would like to see it improved, and we will make suggestions to improve it, we will support the legislation even if our suggestions are not adopted.' Mr Albanese noted that a key concern about the

package was that over one million casual workers would not be eligible for job keeper payments.

New Deputy Leader of the National Party elected

In the wake of the sports rorts scandal, the then Deputy Leader of the National Party, **Senator Hon. Bridget McKenzie** resigned, and the National Party scheduled a meeting for 4 February 2020 to elect a new Deputy Leader. However, the former Leader of the Nationals, **Hon. Barnaby Joyce, MP**, thought that the meeting would be a good opportunity to challenge the current Leader of the National Party and Deputy Prime Minister, **Hon. Michael McCormack, MP**. The timing was highly criticised because on the same day, the Parliament of Australia was dedicating condolences to the summer bushfires.

Prior to the 4 February meeting, the then Minister for Resources and Northern Australia, **Senator Hon. Matthew Canavan**, an ally of Mr Joyce,

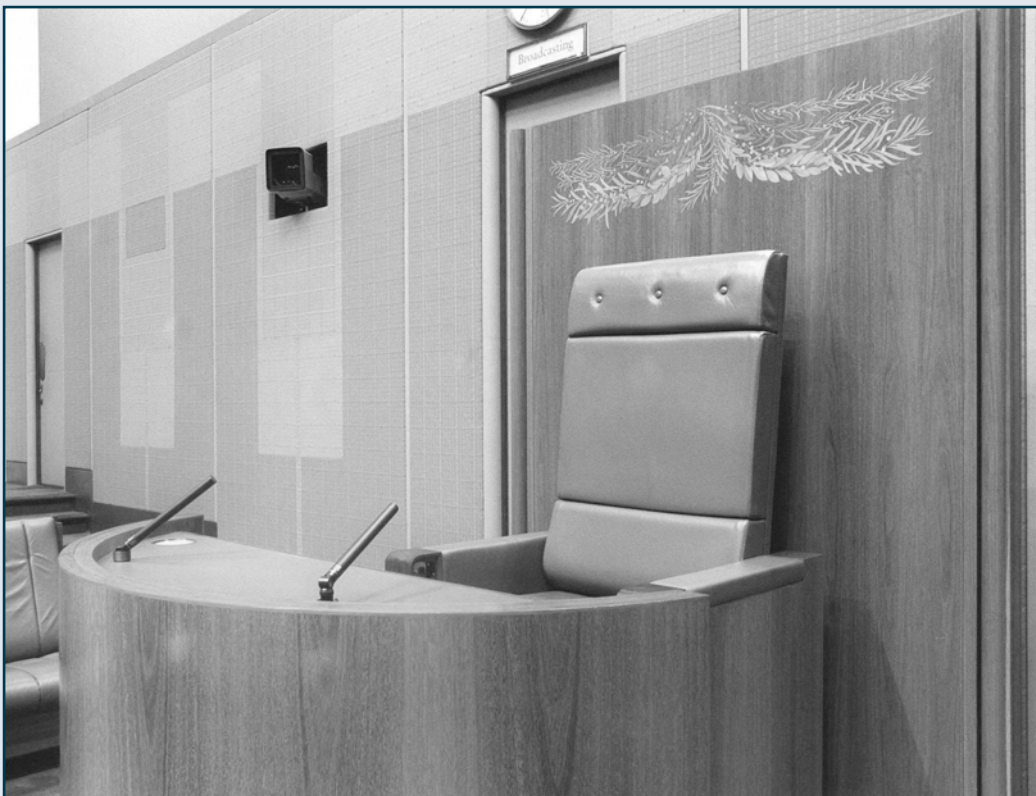
resigned his position. At the party room meeting, another ally of Mr Joyce moved a spill motion against Mr McCormack which then brought on yet another leadership contest in the Australian Parliament. Mr Joyce failed, and he and Senator Canavan were both consigned to the backbench. Unfortunately, the image of Australian politicians fighting over the spoils of leadership continues.

For the vacant deputy position, the then Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, **Hon. David Littleproud, MP**, was elected as the new Deputy Leader of the National Party.

Following the leadership contest, Mr McCormack stated that 'well, it's a great honour and a privilege to continue to serve as the Leader of the National Party ... Never, never before has there been such an important time for the National Party to continue the representation we have done for 100 years. The challenge is there, of

course with the fires, with the ongoing drought. I commend David Littleproud as the newly elected Deputy Leader for the role that he has played this very worrying and troubling summer in drought, in bushfires, and everything else that has beset regional Australia.'

Mr Littleproud stated that 'this is about hope this is about vision for our people in regional and rural Australia. This is about now back to business. The shenanigans are over. It's time to get back to looking after those people that are facing drought, that are faced up to these fires. It's time for us to focus on them, not us. The party has to focus on that. We will, we've got a commitment from everybody in that room that we have a responsibility as being elected from regional and rural Australia to stand up here in Canberra to be able to articulate clearly their needs and their wants and their desires because regional and rural Australia has a great future.'



Left: The 'modern' Speaker's Chair in the House of Representatives in the Parliament of Australia has been in use since the new Parliament Buildings were opened in 1988.

A historic Speaker's Chair can also be found in Old Parliament House that was in use between 1926 and 1988 and was presented to the Australian Parliament by the United Kingdom Branch of the then Empire Parliamentary Association (later the Commonwealth Parliamentary Association). This historic Speaker's Chair was a replica of the Speaker's Chair in the House of Commons at Westminster.

New Ministerial Arrangements

The Prime Minister, **Hon. Scott Morrison, MP**, announced new Ministerial arrangements following the leadership changes in the National Party. The new Deputy Leader of the Nationals, **Hon. David Littleproud, MP**, takes on the role of Minister for Agriculture in addition to his other portfolios of drought and emergency management. The Prime Minister stated that *'the Hon. Darren Chester, MP, will be entering Cabinet, but he will continue to do the wonderful and outstanding job he's been doing as Minister for Veterans Affairs and Minister for Defence Personnel. I'm advised that this is the first time Veteran Affairs has been back in Cabinet since the late Ben Humphreys in 1993. And I think that sends a strong message about our commitment to veterans in this government. The Hon. Keith Pitt, MP, will take on the role and enter Cabinet as Minister for Resources, Water and Northern Australia, highlighting again the importance of all of those portfolio matters and their presence around the Cabinet table. The Hon. Mark Coulton, MP, will continue to serve as a Minister, as Minister for Regional Health, Regional Communications and Local Government. The Hon. Mr Andrew Gee, MP, will come into the Ministry as Minister for Regional Education, Decentralisation and Minister assisting the Minister for Trade and Investment. The Hon. Michelle Landry, MP, will continue to serve as an Assistant Minister for Children and Families and will also serve as Assistant Minister for Northern Australia. And you won't find a stronger champion than Michelle Landry other than Keith Pitt, for northern Australia, when it comes to ensuring the needs of northern Australia are addressed. And*

the Hon. Kevin Hogan, MP, will come into the Assistant Ministry where he will be the Assistant Minister to the Deputy Prime Minister.'

Election of new Deputy Speaker

Hon. Kevin Hogan, MP, of the National Party, was elected as the Deputy Speaker at the start of the Parliament. However, when the new Ministerial arrangements were announced on 6 February 2020, Mr Hogan was appointed to the Ministry which created a vacancy for the Deputy Speaker. In Liberal/National Party Governments, the position of Deputy Speaker is usually allocated to a member of the National Party. The Deputy Speaker is elected on the floor of the House.

On 9 February 2020, **Mr Llew O'Brien, MP**, resigned from the Nationals in protest over the party's failure to elect **Hon. Barnaby Joyce, MP**, as Leader in a failed leadership attempt on 4 February. Although, importantly, Mr O'Brien advised that he was retaining his Queensland Liberal/National status and would attend combined party meetings. On 10 February 2020, an election for the Deputy Speaker took place with the government nominating their chosen candidate, Nationals Member, **Mr Damian Drum, MP**. In a surprise move, the Labor Party nominated Mr O'Brien for the position of Deputy Speaker and a secret ballot was held with Mr O'Brien victorious with 75 votes to 67. It was an embarrassing defeat for the Prime Minister, **Hon. Scott Morrison, MP**, and demonstrated the level of dissent and lack of unity within the Liberal/National coalition. It is estimated that five votes came from the government benches to give Mr O'Brien victory.

The Prime Minister, in congratulating Mr O'Brien

stated that with 'two government Members to choose from, I'm pleased to see that government Members received the full confidence of all Members of the House... There is no shortage of government Members in this House to ensure that we continue to deliver on the promises we made to the Australian people.'

The Leader of the Opposition, **Hon. Anthony Albanese, MP**, stated that *'no amount of marketing or spin can hide the humiliation for the government from that ballot. I congratulate the Member for Wide Bay on receiving such strong support from his colleagues in the House of Representatives. I asked a question earlier today; indeed, it was the first question of question time, which went to the stability of the government. I think we've just seen the stability of the coalition on full view for everyone to see; government Members running against each other for a position of Deputy Speaker of the House of Representatives. For the Prime Minister to stand up and to say that this was somehow a win.'*

The Deputy Prime Minister and Leader of the Nationals, **Hon. Michael McCormack, MP**, congratulated Mr O'Brien and concluded *'that's democracy.'*

Leader of the Australian Greens retires

On 3 February 2020, the Leader of the Australian Greens, **Senator Richard Di Natale** announced that he would step down as leader of the Australian Greens and leave Parliament after serving as Leader for almost five years. He cited family reasons for his departure. Senator Di Natale stated that *'it's not a decision I have come to lightly, because leading this incredible movement for nearly five years has been one of the biggest*

honours of my life. But my boys are nine and 11 years old now and they've only ever known their dad as a busy and tired, and sometimes grumpy, politician. They are growing up quickly and I want to spend more time by their side.' He also placed his wife ahead of his career stating, *'my wife has been a huge support for me in my career and I want to be able to support her in her career.'* Senator Di Natale has been a Senator for Victoria since 2010.

New Leader of the Australian Greens elected

On 4 February 2020, **Mr Adam Bandt, MP**, was elected the new leader of the Australian Greens following Senator Richard Di Natale's resignation. In 2010, Mr Bandt was the first member of the Greens to be elected to the House of Representatives. Upon taking the leadership, Mr Bandt first thanked Senator Di Natale for his contribution. In setting the agenda, Mr Bandt stated that *'we are in the middle of a climate emergency and long running jobs and inequality crises. People are angry and anxious because the government has no plan for the big problems facing the country. That is why Australia needs a Green New Deal. A Green New Deal means government leading the country in transforming our economy, creating new jobs and industries powered by clean energy and delivering universal services like dental into Medicare and genuinely free education. This is what I will be fighting for. We are a smart and wealthy country and if we have the guts to take on the big corporations and the weak politicians they have in their pockets, we can solve the problems we face.'*



Coronavirus Economic and Social Response Legislation - Part One

On 23 March 2020, the Australian Parliament sat for one day to pass emergency legislation in response to the Coronavirus crisis. The Treasurer, **Hon. Josh Frydenberg, MP**, presented eight Bills which were then debated in cognate. Mr Frydenberg stated that *'the Bills I introduce today represent the most significant set of measures to support the Australian community and the Australian economy outside of wartime. We confront an enemy without a flag or a face, and we are deploying every weapon in our arsenal to defeat it. This is a Team Australia moment, and we call upon all sections of the Australian community to join in this struggle. The measures in these Bills represent a decisive and unprecedented response to the economic challenges posed by the Coronavirus. The global and domestic economic environment has deteriorated. We now expect the economic shock from the Coronavirus to be deeper, to be wider and to be longer. Our response, totalling \$189 billion, or around 10% of GDP, will provide the hope and support millions of Australians need at this difficult time.'*

The Treasurer stated that *'the Coronavirus Economic Response Package Omnibus Bill 2020 is designed to keep Australians in jobs and businesses in business, and build a bridge to the recovery. These measures are consistent with our principles. They are targeted, they are temporary, they are scalable, and they are based on our existing tax and transfer system.'* Mr Frydenberg explained that the package of Bills targets four key areas including:

- households, through two separate \$750 payments to social security, veteran and other income support recipients and eligible concession card holders - around half of whom are pensioners; and a new time limited Coronavirus supplement of \$550 per fortnight to new and existing jobseeker payment, youth allowance jobseeker, parenting payment, farm household allowance and special benefit recipients. For the period of the Coronavirus supplement, there will be expanded access to these income support payments and faster claims processing.
- cashflow assistance to help small and medium size businesses to stay in business, keep their employees and retain apprentices and trainees.
- investment support to 3½ million eligible businesses employing 9.7 million Australians, by lifting the instant asset write-off threshold to \$150,000 until 30 June 2020, and by providing a 15-month investment incentive by accelerating depreciation reductions; and
- support for regions and communities that have been disproportionately affected, including those heavily reliant on industries such as tourism, agriculture and education. This is a decisive response and it will put Australia in the strongest possible position to secure our economy and return to strong and inclusive growth once the health challenge of the Coronavirus has been overcome.

In relation to the aviation industry, Mr

Frydenberg stated that *'the sector is facing an unprecedented and sustained period of falling international and domestic aviation demand. The government will provide \$715 million to support the aviation industry as it grapples with these challenges. The Bill will refund aviation fuel excise and refund or waive charges levied by Air Services Australia on domestic airline operations. The Bill also includes funding to reimburse domestic and regional aviation security charges. The provisions will apply to charges paid by domestic airlines since 1 February 2020, providing an upfront benefit of \$159 million to our airlines to provide immediate relief.'*

The government decided to allow people to have early release of their superannuation. Mr Frydenberg stated that *'we're establishing a new temporary compassionate ground of early release of superannuation for individuals and sole traders impacted by the economic consequences of the Coronavirus. This will allow impacted individuals to access up to \$10,000 of their superannuation, tax free in 2019-20, and up to a further \$10,000 in 2021. Applications must be made within six months of royal assent of this legislation and will be able to be made online via the myGov portal.'*

Mr Frydenberg concluded that *'these are extraordinary times demanding extraordinary measures, and I thank the opposition for facilitating the passage of these Bills through the Parliament.'*

Senator Hon. Kristina Keneally, Deputy Leader of the Opposition in the Senate, confirmed that Labor would be supporting the Coronavirus legislative response package. Senator Keneally stated *'now is not the time to stand in the way of this package of measures, because Australians need support now ... There are reports that 88,000 people in hospitality alone have lost their jobs over the last few days and another 200,000 more could be lost in the next 12 weeks. That is some 280,000 people without a pay packet. That's the equivalent of the MCG [Melbourne Cricket Ground] filled almost three times.'*

In relation to health and emergency services personnel, Senator Keneally stated that *'nurses, doctors, anaesthetists, aged-care workers and disability workers are showing up to work to fight the Coronavirus and protect some of the most vulnerable*

in our community from it. Australian Border Force officers are enforcing border measures. Our state and territory police forces are also playing an integral and ever-increasing role. We thank them for their dedication and sacrifice, for the fact they are risking their health and wellbeing for the wider Australian community.'

Senator Keneally commented that Labor is working constructively with the government to address the crisis but will hold the government to account where necessary. Senator Keneally stated that *'Labor is concerned that the government's latest response has not substantially addressed some of the gaps we identified in the original stimulus and it raises additional concerns, which we will work through with the government. Foremost amongst these concerns: there is no substantial support to protect jobs and no guarantee that businesses receiving support will keep workers on. We are also gravely concerned that the Coronavirus supplement may not be available for some Australian families struggling to put food on the table, particularly given there has been no change to the income test.'*

Labor's most serious concern about the package was the early release of superannuation. Senator Keneally stated that *'drawing from superannuation should only be done as a measure of last resort. If people are at that point now as a result of coronavirus, it is a sign that the government must do more to help them. We should not be encouraging people to draw from their superannuation at the bottom of the market. In addition, charities, food banks and organisations that provide essential services to vulnerable Australians really need more substantial support. We cannot ignore the absence of a coordinated whole-of-economy plan and the lack of sufficient support and planning for essential and strategic industries - like the airline industry, the childcare sector and the arts.'*

Coronavirus Economic Response Legislation – Part Two

On 8 April 2020, the Australian Parliament sat again to pass further response measures to the Coronavirus pandemic. These measures focused on supporting jobs and maintaining a connection between employees and employers. The Treasurer,

THIRD READING: AUSTRALIA

Hon. Josh Frydenberg, MP, stated that *'this Bill introduces a \$130 billion JobKeeper package to keep businesses in business and Australians in a job. This is the single biggest rescue package that our nation has ever seen. It is anticipated that over the next six months the JobKeeper payment will support the jobs and livelihoods of around six million Australians, many of whom will need this critical economic lifeline. I'm pleased to note to the House that, despite these major spending pressures, Standard & Poor's has reaffirmed today Australia's AAA credit rating.'*

The Treasurer stated that *'extraordinary times call for extraordinary measures and this new \$1,500 a fortnight payment will provide job security at a time when it is needed most. This is a level of support like this country has never, ever seen before. The \$1,500 flat payment is the equivalent of about 70% of the median wage and represents about 100% of the median wage in some of the most heavily affected sectors, such as retail, hospitality and tourism. It will be available to full-time and part-time workers, sole traders and, in the case of casuals, to those who have been with their employer for 12 months or more and importantly will apply to the many Australians working in the not-for-profit sector. Combined with the government's previous actions, this totals \$320 billion or 16.4% of GDP in economic support to Australian businesses, households and individuals affected by the coronavirus to get them through to the other side and to put Australia in the best position possible to bounce back stronger than ever.'*

The Shadow Treasurer, **Dr Jim Chalmers, MP**, commented that *'the immediate economic priority is triage. The wage subsidies in these Bills, which are all about maintaining the link between employers and workers, are important in that regard, along with additional support deployed fast enough and in sufficient quantities to prevent business closures, to protect jobs, to support the vulnerable and to prevent a bad quarter or two becoming a lost year or two, or worse.'*

Dr Chalmers noted that *'the core of the legislation we are considering here was first*

proposed in Australia by the Labor Party and by the labour movement, drawing on experience overseas. For more than a week the government said it was impractical and unworkable, and that they wouldn't be going down this path - a week wasted on politics as usual, shooting down an idea because of where it came from and who proposed it. That kind of thinking is frustrating and corrosive at the best of times, but at times of crisis it is downright destructive. So, naturally, we welcome the government's change of heart on wage subsidies. It is not just a victory for the labour movement; it is a victory for all of those who send us here to represent their interests.'

The Leader of the Australian Greens, **Mr Adam Bandt, MP**, commented that *'in many respects I think the government has made some significant steps that I never expected this government would make, but it is clear that in other respects they have had to be dragged there. There was advocacy from the Greens and community groups that means in some states we now have eviction bans for renters. This was because of Greens amendments that passed New South Wales and Tasmanian Parliaments.'*

Mr Bandt stated that *'the largest group being left to languish are renters. The government are bending over backwards to secure the rights of landlords and property owners. They are working hard to find a pathway for commercial arrangements to continue, even when commercial land value right now is reduced to zero. But what about a roof over someone's head? What about the human right to housing? The government, it seems, couldn't care less. The issue keeps slipping off the national cabinet agenda. We heard a proud announcement today how far advanced the Cabinet is on a code for commercial tenants but still nothing for residents. People are being evicted right now, people are being threatened with eviction right now and it keeps going in the too-hard basket. Unless the government acts and acts in the next couple of days, this will reach crisis proportion. This must be a matter of priority to ensure that there is a national eviction ban and that there are rental holidays for those who need them.'*

PARLIAMENTARY REPORTS FROM TRINIDAD AND TOBAGO

Trinidad appoints Road Recovery team post-COVID-19

Two former Trinidad and Tobago Finance Ministers have formed a group of 20 business, corporate, civic and labour team leaders to develop the 'Road to Recovery Team - Post-COVID-19' Plan.

The Prime Minister of Trinidad and Tobago, **Dr Keith Rowley** said that the team would begin to work immediately to define an economic and social strategy following the nation's lock down in the wake of the COVID-19 pandemic.

Former Finance Ministers, **Winston Dookeran** and **Wendell Mottley**, are also on the team and the team's remit is to complete their initial report by the end of May 2020.

The Prime Minister will chair the team with the Minister of Public Utilities, **Robert Le Hunte** and **Professor Gerry Brooks** serving as Vice-Chairs. The Prime Minister said that the important first step in developing the recovery roadmap must be to identify and analyse the constraints that will continue to exist for some time. He said that a potential social and economic reboot would have to be implemented, following a readiness assessment overseen by the Chief Medical Officer of Health, **Dr Roshan Parasram** and health experts, which could state non-essential businesses and institutions re-open first.

"There is a continuing need to prioritise limited resources to protect economically vulnerable groups and support those sectors related to people's livelihoods. Furthermore, there must be sufficient food and daily necessities available for the population. Alleviating the negative inputs on the livelihoods and the economy must be given as much attention as stopping the virus so as to

prevent severe damage of the economic and social systems over the medium term," the Prime Minister told the media.

At the same time, he said, the populace must be encouraged to think what they must do differently, once the 'Stay at Home' order is relaxed given that health and behavioural patterns will need to change.

Admitting that in the medium to long-term, it would include increasing Government efficiency by reducing bureaucracy, while government spending in relation to returns would also be required as the pandemic exposed many frailties in the economy.

The Prime Minister pointed out that according to the World Bank's Semi-Annual Report on the Latin America and Caribbean Region, Trinidad and Tobago was more prepared for the crisis than most of its Caribbean counterparts, adding that proper planning for life after COVID-19 needed to be thoroughly considered.

"In view of the lessons learnt from COVID-19, the deficiencies and structural rigidities in the economy must be examined as the basis for remodelling and creating a new economy," he added.

Meanwhile, the President of the Supermarket Association, **Rajiv Diptee** said because of COVID-19, grocery prices will continue to skyrocket. *"People always assume that it's the supermarkets are that raising prices, but there has been a plethora of increases from suppliers."*

Diptee said that supermarkets can normally access discounts or specials on certain items from suppliers, but with COVID-19, there have been major disruptions in international supply chains.

Trinidad to release 388 low-risk prisoners because of COVID-19

The Trinidad and Tobago Attorney-General, **Faris Al-Rawi** has announced that some 388 low-risk prisoners will be released from prison to assist in the overcrowding of the nation's prisons. He told the media that only non-violent criminals, convicted of minor crimes, will be released. *"We will not release those charged with blood crimes. The court will hear from all aspects of the alleged crime and the crimes. The victim's voice will be heard and factored into the courts decisions."*

The Attorney-General said that the release will be done in a controlled manner taking into account the input of the Commissioner of Police, Director of Public Prosecutions, Court Registrar, Public Defenders' Division and the Chief Justice.

He pointed out that the Commissioner of Police and the Director of Public Prosecution will provide victim impact statements for all cases, and that only low risk criminals will be considered for release. These include traffic offenders, failure to pay child's maintenance, obscene language, possession of marijuana (less than 30 grammes) and the cultivation of marijuana.

The Attorney-General said that the government had come up with a concept paper having looked at what was being done in prisons in other CARICOM countries and in Europe and the Middle East.

He said that out of the concept paper, a careful formula was proposed to allow for the release of the prisoners, noting that the government already had experience in the release of prisoners, noting that since last December, 516 prisoners had been released.

"We are still very firm that serious offences, especially the possession of a firearm, automatic weapons and weapons of war are seriously circumscribed," he said. He said that those on remand, who are awaiting bail, will be brought before the court to get bail and those who get bail for minor offences, but could not get bail, will also be considered for release.

COVID-19 causes stress to the Trinidad 2020 budget

The 2020 Budget Plans for Trinidad and Tobago are now being recalibrated because of the impact of the COVID-19 pandemic, the Minister of Finance, **Colm Imbert** told the first Trinidad Parliament held in around six weeks.

The Finance Minister pointed out that both COVID-19 and the crash in oil prices have ignited the 2020 Budget deficit from TT\$5.3 billion to TT\$15.5 billion. The country's fiscal deficit for 2020, which was originally set at TT\$5.3 billion, is now projected to reach TT\$15.5 billion, some TT\$10.2 billion higher. *"In calculating the revised budget deficit, the Government noted that the collapses of the recent oil prices to one US cent per barrel."*

With the projected TT\$9.2 billion revenue loss, the government estimates a loss of TT\$3.8 billion in taxes on incomes and profits, and losses of TT\$750 million from the Business Levy and Green Levy Fund, TT\$600 million from taxes on goods, services and international trade, TT\$2.5 billion in royalties and production sharing, and TT\$1.2 billion in profits from state enterprises, among other areas.

The Finance Minister said, *"There is no question that the fiscal year 2020 will be*

exceptionally difficult even if the pandemic fades in the second half of the year, allowing for a gradual lifting of containment measures and a re-opening of the economy.” He noted that Government’s objective is to keep the economy moving, stimulate economic activity, provide financial assistance to individuals and businesses and keep as many people employed as is possible, including all workers in the public sector.

“We cannot allow the pandemic to destroy our economy and, therefore, while a realization of priority areas for spending is inevitable, it’s our intention to maintain our original expenditure target of TT\$53 billion for fiscal 2020,” he said.

Opposition MP critical of Government introducing Bill during COVID-19 pandemic
Opposition MP, **Dr Roodal Moonilal** has criticized the Government for bringing in the Administration of Justice (Monitoring) Bill when citizens are bathing in Lysol and

wearing masks. He was at the time contributing to the Bill, when he felt that Government should have been focusing on the COVID-19 pandemic.

“Instead of dealing with legislation to bring relief to people who became jobless and businesses that had shut its doors as a result of the crisis, this irrelevant Bill came up for consideration. I shudder to think that this Government called us out today and this has nothing to do with COVID-19. This will get me angry, Madam Speaker”, the United National Congress MP for Oropouche East said in Parliament on Monday 27 April 2020.

The MP said that if it was not linked to the pandemic, the Opposition should not have been dragged here with masks and hand sanitizer and all the risks associated with congregations like these.

On the Order Paper for the first sitting of the 41-member Parliament after a closure of six weeks, the Minister of National Security, **Stuart Young** told MPs that the Bill would become effective once there was parliamentary support, and

that the Government used its majority to have it passed.

Dr Roodal Moonilal chastised the Government for doing nothing with the Bill, which was originally set out by the People’s Partnership Government in 2012, charging that those many in Parliament had serious reservations about its implementation. He also said that for over four years the Government had been unable to implement the electronic monitoring system and has brought it to the House at a time when the country was grappling with a national crisis. *“In a time when we are driven by this pandemic, when we look around it is a dramatic reflection of a catastrophe that has befallen us, we are here today to deal with electronic monitoring and not issues directly revolving the COVID-19 management.”*

As a result of the Bill, the Attorney-General, Farris Al-Rawi said that some 300 ankle bracelets will be used on perpetrators of domestic violence.

Trinidad’s Upper House passes Revenue Authority Bill

Trinidad and Tobago’s much publicized Revenue Authority Bill has been passed in the Senate with six Senators from the Opposition party, United National Congress, voting against it. The Government’s 16 Senators and nine Independent Senators voted for the Bill. The Bill is now on the Order Paper of the Lower House, the House of Representatives, for debate, but with the latest pandemic disruption a time frame has yet to be given.

The Bill seeks to establish the Revenue Authority of Trinidad and Tobago which will be an autonomous revenue collection body and will absorb the primary functions of the Board of Inland Revenue (BIR) and the Customs and Excise Division (CED).

The Minister in the Ministry of Finance, **Senator Hon. Allyson West** said that every member of society in some form or fashion is stepping forward to Government to ask for financial assistance. Although the Bill went through the Committee Stage without amendments, there were requests for some clarifications.

Independent **Senator Amrita Deonaraine** inquired how employees would be treated if an agreement with the Chief Personnel Officer (CPO) is not reached amicably.

Minister West noted that the Service Commission would receive instructions to identify the various positions that are in line with the qualifications and experience of those employees who chose to remain in the Public Service. Minister West added that training for the new position in the Revenue Authority has not yet commenced in the absence of the full passage of the Bill, but in the interim, it is mapping out the operations, the Ministry found that more people would be needed than what currently exists in the BIR and CED.





Election Access Fund Bill and Electoral Amendment Bill

The Election Access Fund Bill passed its Third Reading on 11 March 2020. **Ms Chlöe Swarbrick, MP** (Green) said: “we are enabling the impartial and politically independent Electoral Commission to administer a fund to remove barriers faced by the deaf and disabled candidates in our general elections and our by-elections.”

Hon. Dr Nick Smith, MP (National) said the Bill is “a step in the right direction for including a wider range of people in this important institution that has responsibility for the lawmaking and the governance of our country. I want to compliment Chlöe Swarbrick and the way in which she has managed the legislative process around this Bill, being a strong advocate for the rights of people with disabilities but also understanding the importance of electoral law.”

Mr Paul Eagle, MP (Labour) echoed compliments for Ms Swarbrick, also noting the work of a previous Green MP: “I was really proud that she took a piece of work that one of her colleagues, Mojo Mathers, had started. Many others had thought about it, but she’s actually the one that’s got it to the finish line.”

Mr David Seymour, MP (ACT) shared in the cross-party support for the Bill: “first and foremost, because it is good public policy, but, secondly, because it is something that makes us a more inclusive, humane, and compassionate society.”

The Election Access Fund Bill received the Royal Assent on 16 March 2020.

The Electoral Amendment Bill passed its Third Reading on 4 March 2020, after a party vote of 63 to 57. **Hon. Andrew Little, MP** (Labour) said the Bill made “some small changes to our electoral laws but some very significant ones in terms of the impact on people’s lives. The people I’m thinking about in particular are the roughly 19,000 people who turned up to a polling booth in the 2017 election but, unlike many of their compadres and compatriots who had turned up to polling booths in the two weeks before, who could both enrol and cast a vote for the general election, those people couldn’t. ... Then I think of the thousands of others who turned up but whose electoral roll details were wrong - the wrong address because they’d moved several times ... their votes weren’t counted at all. So this will restore the democratic right to those people. ... we’re also allowing the Electoral Commission to determine that they can put polling booths in places like supermarkets and malls.”

Hon. Dr Nick Smith, MP (National) said: “the most contentious issue in this Bill is the issue of same-day enrolment and voting. ... The incentive that is being created is: don’t bother enrolling. You can turn up any old time and vote and enrol at the same time.”

However, **Hon. Ron Mark, MP** (NZ First) said: “there are those people who - for a range of reasons - do not get enrolled on time. Maybe they’ve just returned from five

or six years’ OE* and they’ve come back, they haven’t engaged, they’ve forgotten to do it, polling day’s upon them, they rush on down only to find that they’re not on the electoral roll and they cannot vote.”

Some of the Bill had Opposition support. **Mr Chris Penk, MP** (National) said: “I would summarise the Bill as good, bad, and ugly.” Noting he supported: “the broadening of an ability to vote in different places that are currently subject to a blanket prohibition.”

The Electoral Amendment Bill received the Royal Assent on 10 March 2020.

*Overseas Experience is a New Zealand term for an extended overseas working period or holiday.

Abortion Legislation Bill

The Abortion Legislation Bill passed its Third Reading on 18 March 2020. The Bill amends the law to decriminalise abortion, aligns the regulation of abortion services with other health services, and modernises the legal framework for abortion set out in the *Crimes Act, 1961* and the *Contraception, Sterilisation, and Abortion Act, 1977*.

Hon. Andrew Little, MP (Labour) set out the aims of the Bill, to “shift abortion out of the criminal law framework, in which it sits at the moment, and place it in a health framework, where it properly belongs.” The existing legislation allowed pregnant people to access abortions, but only after satisfying two consultants that continuing the pregnancy would result in serious danger to the patient’s life or physical or mental health. After 20 weeks, abortions could be obtained after satisfying two consultants that the procedure was necessary to save the life of the patient or prevent serious permanent injury to their physical or mental health. Mr Little stated: “the requirements of the 1977 Act are onerous and bureaucratic, and, for most women, securing an abortion requires them to maintain a fiction about their mental health.”

The Bill was subject to a personal vote, meaning MPs could vote with their conscience rather than along party lines, and a range of views were expressed across the House. **Ms Agnes Loheni, MP** (National) argued that the Bill “dehumanises the unborn baby by framing abortion via termination as a health issue.”

Hon. Amy Adams, MP (National) countered: “I have an absolute belief that

women have the inalienable right to control their own reproductive systems and to determine, ultimately, whether or not they have a child ... I think there is no place for a Parliament to be specifying and legislating what the appropriate medical treatment is in any given case."

The New Zealand First Party proposed an amendment calling for the issue to be the subject of a referendum, but this was voted down. **Mr Darroch Ball, MP** (New Zealand First) felt that the issue *"should be decided upon by the people of New Zealand, not decided upon by 120 temporarily empowered politicians."*

Other MPs discussed the inequalities of the existing legislation, and the delays it caused. **Ms Jan Logie, MP** (Green) commented: *"women in low-income or rural communities have been required to see up to seven health professionals to be able to access abortion care services, while some women in other suburbs - wealthier suburbs, I might say - have been able to go to one place and have their care sorted in one place very quickly and easily."*

MPs also raised the issue of disability rights and the possibility of sex-selective abortions. **Mr Simeon Brown, MP** (National) argued that the law would allow for *"discrimination against unborn baby girls purely on the basis of their sex"* and added that *"persons with Down-syndrome, dwarfism, and spina bifida can be legally targeted purely on the basis of their disability."*

The Bill originally sought to establish 'safe areas', with the aim of preventing intimidation and obstruction outside clinics, but this was amended during the Committee of the Whole House. **Mr David Seymour, MP** (ACT), while supporting the Bill, said *"it would have been a mistake to decriminalise abortion while criminalising speech. It would have been a terrible constitutional precedent for this House to make a law where a Minister, a politician, can strike out, with a pen, freedom of expression - a right guaranteed to New Zealanders in the Bill of Rights."*

The Bill passed with 68 votes to 51 and received the Royal Assent on 23 March 2020.

COVID-19 Response (Taxation and Social Assistance Urgent Measures) Bill and COVID-19 Response (Urgent Management

THIRD READING: NEW ZEALAND

Measures) Legislation Bill

On 25 March 2020, Parliament returned six days early from an adjournment break to pass legislation under urgency and to approve other measures in response to COVID-19 before the country entered a 33-day lockdown the following day.

Before passing the legislation, the House first authorised a substantial increase in expenditure in the 2019-20 financial year. The Imprest Supply (Third for 2019/2020) Bill went through all stages, with debate at its Second Reading only.

The Minister of Finance, **Hon. Grant Robertson, MP** (Labour) explained: *"The Bill will approve capacity for \$52 billion of spending on our immediate COVID-19 response."*

That amount of money represents about 17% of New Zealand's GDP before the COVID-19 shock to the economy, the Opposition finance spokesperson, **Hon. Paul Goldsmith, MP** (National) pointed out, and was *"the biggest blank cheque in the history of the country."* The National Party nevertheless supported the expenditure increase in the current crisis, and the Bill passed with the support of all five parties in the House.

Having secured the authority for additional expenditure, the House then considered two further legislative measures, which passed all stages, with debate at their Third Readings only.

The COVID-19 Response (Taxation and Social Assistance Urgent Measures) Bill aimed to provide some tax relief to businesses and individuals impacted by the COVID-19 outbreak and to address the broader impacts of the pandemic on New Zealand's economy. Mr Robertson outlined the detail of the new tax measures, one of which would allow the Inland Revenue Department *"to share information with other government departments to assist those agencies in their response to the COVID-19 outbreak."*

Although the Bill passed with the support of all parties in the House, Opposition parties did sound a note of caution. Referring to the new information-sharing powers, ACT Party Leader, **Mr David Seymour, MP** said, *"We need to be cautious about such matters that normally would be a major issue of people's*

privacy and civil liberty being dealt with at this time." Similarly, Mr Goldsmith conceded that passing legislation under urgency meant that there was no opportunity to *"[make] sure that things have been done properly and we're not having unintended consequences."*

The COVID-19 Response (Urgent Management Measures) Legislation Bill was an omnibus Bill to introduce a freeze on rent increases and tenancy terminations, and extra powers for District Court Judges, the Secretary for Education, local government, and the Civil Defence Emergency Management Group for the duration of the COVID-19 crisis.

Hon. Chris Hipkins, MP (Labour), speaking on behalf of the Minister of Finance, highlighted the importance of the tenancy restrictions: *"New Zealanders need to stay in their homes as we go into this lockdown, and we cannot have families being made homeless and unable to self-isolate during that period of time."* He also reminded the House that the provisions in this Bill were in addition to other financial support the government was providing - *"the most significant financial support package in our peacetime history"* - which included *"\$9.3 billion in wage subsidy, meaning affected businesses receive support directly from the Government to keep paying their staff; \$126 million in COVID-19 leave and self-isolation support for the people who are unable to work because they're sick, they're self-isolating, or they're caring for dependents; and \$2.8 billion in income support for our most vulnerable."*

The Bill passed with the unanimous support of all parties.

Before adjourning the House until 28 April 2020, the New Zealand Parliament voted unanimously to establish a new Select Committee, the **Epidemic Response Committee**. The Committee, to be chaired by the Leader of the Opposition and with majority Opposition membership, would have the job of scrutinising the actions of the Executive while Parliament remained adjourned under the lockdown. Please turn to page 112 to read more about this Committee.

THE EIGHTH PARLIAMENT OF SRI LANKA IS DISSOLVED

The Eighth Parliament of Sri Lanka was dissolved on 2 March 2020, by a proclamation issued by the President with the new Parliament to be summoned on 14 May 2020. The President had since December 2019 pledged to dissolve Parliament when it completed four-and-a-half years. When he dissolved Parliament, there were no COVID-19 cases in Sri Lanka, despite a growing crisis in China, Europe, and East Asia. During this period, political parties and election monitors called for elections to be postponed until the threat had abated. After nominations, the

Election Commission informed that elections would be postponed.

Noteworthy facts during Eighth Parliament of Sri Lanka

The Eighth Parliament of Sri Lanka was convened on 1 September 2015 by a proclamation made by the (then) President. According to Article 62 of the Constitution, the Eighth Parliament consisted of two hundred and twenty-five Members elected in accordance with the provisions of the Constitution. Composition of the Eighth Parliament with six recognized political parties was as follows:

United National Party (UNP) - 106 Members; United People's Freedom Alliance (UPFA) - 95 Members; Ilankai Tamil Arasu Kadchi (ITAK) - 16 Members; People's Liberation Front (JVP) - 6 Members; Eelam People's Democratic Party (EPDP) - 1 Member; Muslim Congress (MC) - 1 Member.

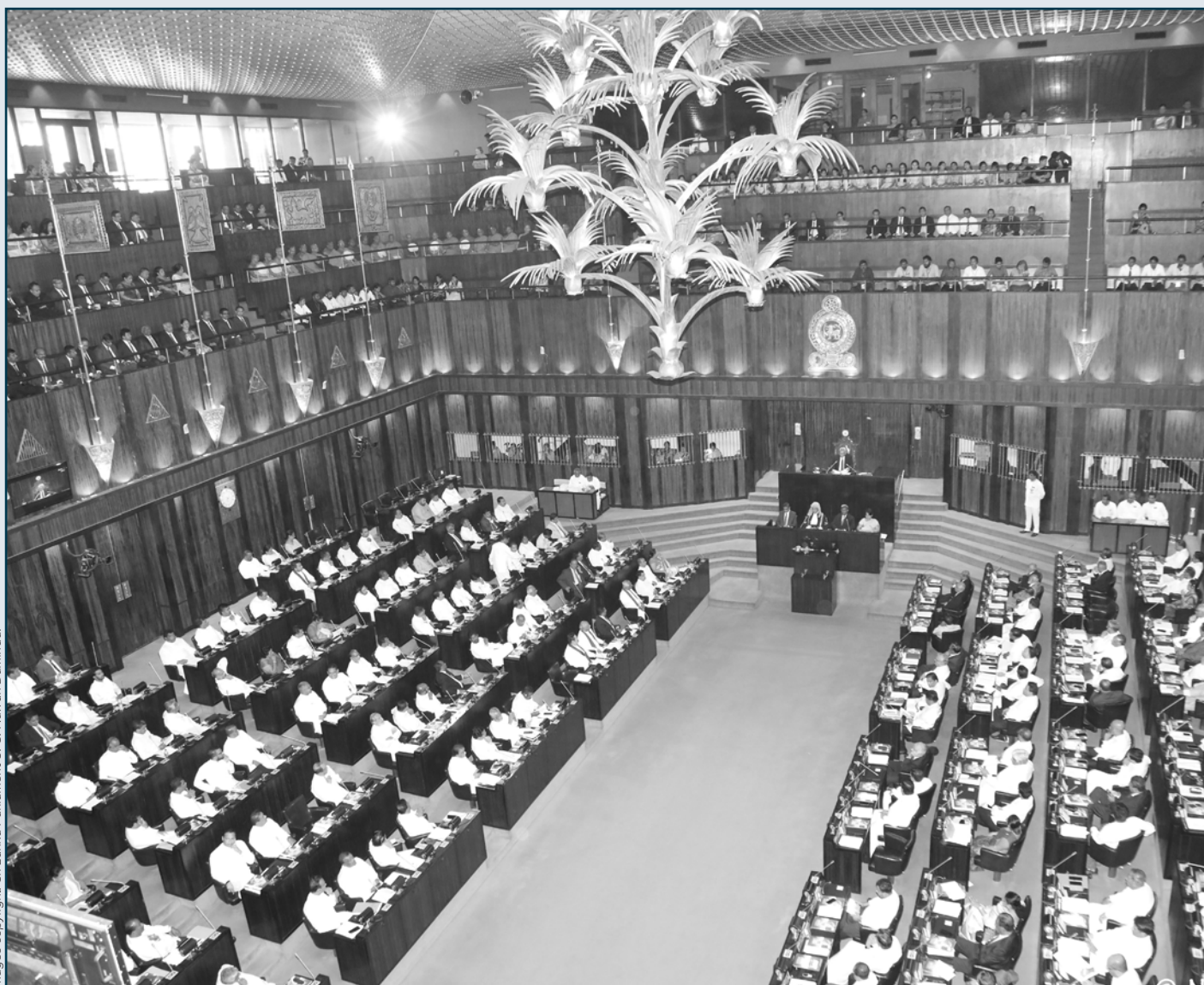
Since none of the parties obtained the clear majority of 113 Members, a national Government was formed for the first time in the Parliament's history.

The United National Party (UNP) formed a national Government with the United People's Freedom Alliance

(UPFA) because it had obtained the highest number of seats in Parliament. As determined by Article 46(4) of the Constitution of Sri Lanka, the number of Ministers in the Cabinet would not exceed 48 and the number of Ministers who are non-Cabinet Ministers and the number of Deputy Ministers should not exceed 45.

Some of the key statistics during the Eighth Parliament of Sri Lanka were:

- There were 62 new Members of Parliament in this term.
- 12 women Members of Parliament were elected.



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- 4 Members of Parliament died
- 1 Member of Parliament was disqualified under Article 91(1)(d)(xiii) of the Constitution*
- 1 Member of Parliament resigned before making the affirmation before Parliament
- 6 Members of Parliament resigned.

52-day Government during the Eighth Parliament

During the Eighth Parliament of Sri Lanka, a 52-day government took place from 26 October 2018 to 16 December 2018. An interim Order was issued by the Court of Appeal preventing the then newly appointed Prime Minister from functioning in his office as the Prime Minister and all other newly appointed Ministers in their portfolios and this was followed by the Supreme Court confirming the Order.

Premature dissolution of Parliament and landmark judgment of the Supreme Court

A Proclamation to dissolve the Eighth Parliament with effect from midnight Friday 9 November 2018 and to meet for the new Parliament on 17 January 2019, following elections on 5 January 2019, was published in the Gazette Extraordinary Notification. Ten petitions were filed in the Supreme Court of Sri Lanka requesting a Declaration that the aforementioned Proclamation, issued by the then President, infringes the petitioners' fundamental rights contained in Article 12(1) of the Constitution of Sri Lanka.

On 13 December 2018, the Supreme Court of Sri Lanka, a full Bench comprising Seven Judges of the Supreme Court, unanimously ruled that the Gazette Extraordinary Notification to dissolve

Parliament should be quashed and was without force or effect in law. The Supreme Court further held that the fundamental rights of the petitioners had been violated as a result of the said Gazette Notification.

Legislation approved during the Eighth Parliament

During the period of the Eighth Parliament from Tuesday 1 September 2015 to Monday 2 March 2020, the Sri Lanka Parliament passed 131 Acts of Parliament, which included two Private Member Bills.

Examples of legislation approved during the Eighth Parliament

- *Microfinance Act, 2016* - this piece of legislation provided for the licensing, regulation and supervision of companies carrying on microfinance business; and set up standards for the regulation and supervision of microfinance of Non-Governmental Organizations.
- *National Research Council of Sri Lanka Act, 2016* - provided for the establishment of the National Research Council of Sri Lanka for the purpose of fostering and sustaining a Science and Technology Research Culture and Community in Sri Lanka and facilitating research programmes that will contribute to the National Development Agenda.
- *Right to Information Act* - this was a significant piece of legislation which provided for the Right of Access to Information; to specify grounds on which access may be denied; to establish the Right to Information Commission; and to appoint Information Officers.
- *Office on Missing Persons (Establishment, Administration, and Discharge of Functions) Act, 2016* - provided for the establishment of the Office on Missing Persons to search and trace Missing Persons; to provide assistance to relatives of Missing Persons; for the setting up of a database of Missing Persons.
- *National Audit Act, 2018* - provided legislation for the powers, duties and functions of the Audit Service Commission, the establishment of the office of the National Audit Office and the Sri Lanka State Audit Service; and to specify the role of the Auditor-General over public finance.
- *Office of Reparations Act, 2018* - this piece of legislation provides for the establishment of the Office for Reparations; to identify aggrieved persons eligible for reparations, and to provide for the provision of individual and collective reparations to such persons.
- *1990 Suwaseriya Foundation Act, 2018* - this provides for the establishment of the 1990 Suwaseriya Foundation; and the Government having identified pre-hospital care ambulance services as an essential service in enhancing the standard of living of people in Sri Lanka by delivering comprehensive, speedy, reliable and quality pre-hospital care services, established with a grant from the Government of India a pre-hospital care ambulance service free of charge initially in Western and Southern Provinces.
- *National Innovation Agency Act, 2019* - this legislation provides for the establishment of the National Innovation Agency; and to promote

better understanding on Social Innovation, Science and Technology Innovation; Defense Innovation; Eco Innovation and Service Innovation; and their impact on the economy.

- *International Convention for the Protection of All Persons from Enforced Disappearance Act, 2018* - this piece of legislation is to give effect to the International Convention for the Protection of All Persons from Enforced Disappearance; and to ensure the right to Justice and Reparation to Victims of Enforced Disappearance.
- A new set of Standing Orders introduced during the Eighth Parliament, after 25 years, introduced a new Sectoral Oversight Committee system, Prime Minister's question hour, and many more new innovations.

*In keeping with the Nineteenth Amendment to the Constitution, Article 91(1)(d)(xiii) of the Constitution clearly states that no person shall be qualified to be elected as a Member of Parliament or sit and vote in Parliament, if he/she is a citizen of Sri Lanka who is also a citizen of any other country. A Writ Petition by resident individuals of the Electoral District of a particular Member of Parliament filed in the Court of Appeal under CA (Writ) 362/2015 challenging that Member of Parliament to show the authority under which she claimed to hold the office as an eligible Member of Parliament in the Legislature.

The Supreme Court of Sri Lanka, a fuller Bench comprising five Judges of the Supreme Court unanimously upheld the Judgment of the Court of Appeal on 3 May 2017 and its order in the nature of a Writ of Quo Warranto declaring that Member of Parliament was not entitled to hold office as a Member of Parliament.

CORONAVIRUS PANDEMIC PROMPTS PROCEDURAL INNOVATIONS IN THE UK PARLIAMENT

Like other Parliaments and Governments across the Commonwealth and beyond, the United Kingdom has been responding to the COVID-19 (Coronavirus) pandemic. This includes the impacts on the economy and the National Health Service (NHS).

The UK Prime Minister, **Rt Hon. Boris Johnson, MP**, delivered the first daily Coronavirus press conference on Monday 16 March 2020. The Prime Minister said during the conference that “*now is the time for everyone to stop non-essential contact with others and to stop all unnecessary travel. We need people to start working from home where they possibly can.*” Mr Johnson also outlined that those who develop symptoms should self-isolate, as should members of their household.

The daily press conferences held during that week unveiled further significant measures. On Tuesday 17 March, the recently appointed Chancellor of the Exchequer, **Rt Hon. Rishi Sunak, MP**, announced a historic package of emergency state support for businesses, including £330bn of government-backed loans and more than £20bn in tax cuts and grants for companies threatened with failure.

On Wednesday 18 March, it was announced that all schools in England were to close, following the same measures being announced in Wales and Scotland, where education is a devolved competence. On Friday 20 March, the Prime Minister ordered all pubs, restaurants, gyms and other social venues to close. In an unprecedented move, the Chancellor announced that the Government would pay up

to 80% of wages for workers who would otherwise be made redundant. Companies would continue to pay salaries and then claim back those costs from the UK Government.

Coronavirus Bill proceedings

On 19 March 2020, the Coronavirus Bill was introduced in the House of Commons. It was an extensive Bill, spanning over 320 pages when first introduced. The Bill contained temporary measures designed to either amend existing legislative provisions or introduce new statutory powers to mitigate impacts of the virus.

Some of the areas addressed in the Bill included: removing barriers to allow recently retired NHS staff and social workers to return to work; reducing the number of administrative tasks that emergency service workers have to perform; altering statutory duties on local authorities regarding care for people with critical needs; powers prohibiting mass gatherings and quarantine powers for the police; changes to death management systems; and providing statutory sick pay from day one of being ill (as opposed to day 4, as previously).

The Bill was fast-tracked through Parliament, passing both Houses in four sitting days.

In the House of Commons, a number of amendments were tabled including one amending the two-year expiry of the Bill. **Rt Hon. David Davis, MP** raised his concern at the Committee stage that “*the Public Health (Control of Disease) Act 1984... was designed for exactly the position we are in now: dealing with pandemics and epidemics... The other Act is the Civil Contingencies Act 2004... the Government could have*

used that.” He added that his amendment “*proposes that instead of the sunset being two years...it would be one year.*”

Rt Hon. Penny Mordant, MP, Paymaster-General, responded in the debate by telling the House that the UK Government have “*listened to people’s concerns about the need for periodic reviews of these powers. The Government have therefore tabled an amendment to the Bill that will enable the House of Commons to take a view every six months on whether the provisions of the Act need to be reviewed.*”

This and other Government amendments were accepted without a division. The Bill was sent to the House of Lords and was considered over the 24 and 25 March 2020. Fourteen amendments were tabled but the Bill passed the Lords unamended. The Coronavirus Bill received Royal Assent on 25 March 2020.

Procedural changes due to COVID-19

A number of changes were made in terms of Parliamentary procedure prior to the extended Easter recess which began on 25 March 2020, when both Houses of Parliament rose a week early, following the conclusion of proceedings on the Coronavirus Bill.

On 23 March 2020, the Speaker of the House of Commons, **Rt Hon. Sir Lindsay Hoyle, MP**, made a short statement outlining changes including divisions being staggered so that limited numbers of MPs walk through the lobbies at any one time. On 24 March 2020, the Leader of the House of Commons, **Rt Hon. Jacob Rees-Mogg, MP** tabled a motion to change

the House of Commons’ Standing Orders to allow Select Committees to use videoconferencing to hold virtual meetings and evidence sessions. This motion was agreed to without division.

The House of Lords faces the difficulty of its high average age of Members (average age 69 years). The Lord Speaker, **Rt Hon. Lord Fowler**, made a statement on 19 March 2020, announcing that he, as someone aged over 70, would be following UK Government advice and self-isolating. He remarked in his statement to the House that “*my strong view from my own experience is that the best course to take in the present crisis is to follow the clear direction of Public Health England... This is not only for their own good - or I should say ‘our’ own good - but for the benefit of those in our National Health Service... So reluctantly I will withdraw from the House for the time being, but thanks to modern technology I will still be... continuing my duties as Lord Speaker.*”

Before the Easter recess, the House of Lords adjourned for five-minute intervals between business to allow for Members to leave and enter the Chamber whilst social distancing. The House also agreed to a motion on 25 March 2020 moved by the Leader of the House of Lords, **Rt Hon. Baroness Evans of Bowes Park**, for the House only to consider Government Bills until 21 May 2020, and the ‘usual channels’ agreed to reduce sitting days to three days per week.

When the UK Parliament returned after the Easter recess, both the Houses began virtual proceedings for non-legislative business. On 21 April 2020, the



House of Commons agreed to the motion tabled by the Leader of the House, to permit 'hybrid-scrutiny' proceedings. This motion allowed Members to take part in Oral Questions, Urgent Questions and Ministerial Statements virtually, whilst some Members could remain in the chamber under social distancing rules. The Minister would continue to answer questions from the despatch box in the Chamber. The House also agreed only to sit on Mondays to Wednesdays each week.

"This motion allowed Members to take part in Oral Questions, Urgent Questions and Ministerial Statements virtually, whilst some Members could remain in the chamber under social distancing rules."

On Wednesday 22 April, MPs took part in the first ever hybrid Prime Minister's Questions. Similarly, the House of Lords agreed to a motion for non-legislative business, including Oral Questions, Ministerial Statements and debates (but not decisions) on Statutory Instruments to take place virtually. Proceedings on legislative business would still take place in the Chamber, but with few Members in attendance. The first virtual proceeding, Oral Questions, took place on Tuesday 21 April 2020 with the Lord Speaker (virtually) presiding.

Two further procedural motions were agreed by the House of Commons on 22 April 2020. The first was for hybrid 'substantive' proceedings to take place. Substantive proceedings include motions in the name of a Minister of the Crown; permitting the presentation of Bills; and subsequent proceedings on Public Bills introduced by a Minister of the Crown. The House of Commons also agreed to the motion to sanction 'remote divisions' in respect of business

taken in hybrid substantive proceedings. The motion provided that the Member in charge of an item of business may designate it as subject to decision by a remote division and whether divisions should be deferred remote divisions with leave of the Speaker. Three hybrid Second Readings took place during the week commencing 27 April 2020 in the House of Commons, including the Second Reading of the Finance Bill. At the time of writing, testing of remote divisions continues.

Prime Minister taken ill

On 27 March 2020, the UK Prime Minister, **Rt Hon. Boris Johnson, MP** announced that he had tested positive for COVID-19 (Coronavirus) after experiencing a high temperature and cough, and that he would be self-isolating. He continued to act as Prime Minister, chairing meetings using video-conferencing technology. On 5 April 2020, it was announced in a statement from 10 Downing Street "*on the advice of his doctor, the Prime Minister has tonight been admitted to hospital for tests.*"

This is a precautionary step, as the Prime Minister continues to have persistent symptoms of coronavirus ten days after testing positive for the virus." On 6 April 2020, a further statement announced "*over the course of this afternoon, the condition of the Prime Minister has worsened, and, on the advice of his medical team, he has been moved to the Intensive Care Unit at the hospital. The PM has asked Foreign Secretary Dominic Raab, who is the First Secretary of State, to deputise for him where necessary.*"

On 12 April 2020, Boris Johnson was discharged from hospital and stayed at Chequers, the official country residence of the Prime Minister, for convalescence. He returned to his full duties on 27 April.

Labour Party leadership election

After four and a half years as Leader of the Opposition, **Rt Hon. Jeremy Corbyn, MP** stepped down. Mr Corbyn announced his resignation the day after Labour's general election defeat in December 2019. The Labour Party conducted a leadership contest with three MPs on the final ballot. The electorate was made up of Labour's members, affiliated supporters (such as affiliated trade union members) and registered supporters. The Special Conference, scheduled for 4 April 2020, to announce the result was cancelled due to the COVID-19 outbreak.

Instead the announcement was made on the same day via the Labour Party website. **Rt Hon. Sir Keir Starmer MP**, previously Shadow Secretary of State for Exiting the European Union, was announced as the winner and new Leader of the Opposition, with 56% of first preference votes, beating **Rebecca Long-Bailey, MP** and **Lisa Nandy, MP**.

CANADIAN PARLIAMENT'S RESPONSE TO THE COVID-19 PANDEMIC



Since March 2020, the work of the Parliament of Canada has been focused on the response to the COVID-19 pandemic.

The Senate and House of Commons Administrations announced a series of preventative measures, including limiting building access, suspending guided tours and postponing all activities involving outside visitors. Parliamentary travel has also been suspended. First intended to last until May, these measures have been prolonged until 24 June 2020.

The Senate and the House of Commons temporarily adjourned on 13 March 2020. They were recalled by the Speakers twice on the same days for extraordinary meetings: 24 March and 11 April. In addition, the House of Commons met on 29 April to debate a Bill which was considered before the Senate on 1 May. In all cases, Parliamentarians were invited to debate government Bills addressing the COVID-19 pandemic. In order to respect social distancing recommendations and to protect Parliamentarians, and with the agreement of the different Senate groups and political parties, a limited

number of Senators and MPs participated in each sitting.

While sittings were intended to resume during the week of 20 April 2020, the Senate announced on 17 April that it would extend its adjournment until 2 June 2020. The House of Commons, on the other hand, looked at the various options available to resume sittings in the context of the pandemic. On 20 April 2020, it adopted a motion setting up the new parameters under which MPs would meet three times a week in a Special Committee chaired by the Speaker of the House of Commons, **Hon. Anthony Rota, MP**.

Composed of all MPs, this Special Committee will meet in the Chamber on Wednesdays, albeit with a limited number of Members, while the meetings on Tuesday and Thursday will occur by videoconference. The quorum for this new Special Committee has been set at seven MPs present. The first meetings under this agreement were held during the week of 27 April 2020.

Meanwhile, the work of Parliamentary Committees, which was initially put on hold, has since started again. On 24 March 2020, a

motion adopted in the House of Commons lead to two Committees holding weekly meetings via teleconference or videoconference: the Standing Committee on Finance and the Standing Committee on Health. As per the wording of the motion, these meetings must be *“for the sole purpose of receiving evidence concerning matters related to the government’s response to the COVID-19 pandemic.”*

During the sitting of 11 April 2020, the House adopted a new motion to add three Committees to this list: the Standing Committee on Government Operations and Estimates; the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities; and the Standing Committee on Industry, Science and Technology. In addition, the Standing Committee on Procedure and House Affairs was instructed to study *“ways in which Members can fulfill their parliamentary duties while the House stands adjourned,”* including potential modifications to procedure and the creation of a ‘virtual’ Parliament. On 20 April 2020, the Standing Committee on

Indigenous and Northern Affairs was also instructed to study the response to the pandemic.

Also on 11 April 2020, the Senate adopted a motion calling on the Standing Senate Committee on National Finance and the Standing Senate Committee on Social Affairs, Science and Technology to study different aspects of the government’s response to the pandemic. In addition, the motion sets out the mandate of a newly formed Special Senate Committee on the Lessons Learned from the COVID-19 Pandemic and Future Preparedness. As per the wording of the motion, this Special Committee can hold its first meeting *“no earlier than the start of October 2020.”*

Changes in Party Leadership

Due to COVID-19, the Leadership race for the Conservative Party of Canada, which was supposed to end on 27 June 2020, was put on hold on 26 March until further notice. On 29 April 2020, the Leadership Election Organizing Committee announced that the election would move to a postal ballot which must be received by 21 August 2020. As of 1 May 2020, four people had completed the necessary steps to become a verified candidate including two current MPs: **Erin O’Toole, MP** and **Derek Sloan, MP**. A former MP, **Hon. Peter MacKay**, also entered the race to become successor to **Hon. Andrew Scheer, MP**, who remains Leader in the interim.

The Leadership contest for the Green Party of Canada remains underway. Two contestants, neither of which are Parliamentarians, are currently in the running to succeed **Elizabeth May, MP**. The winner will be announced

at the next Party Convention, which will take place between 2-4 October 2020, in Charlottetown, Prince Edward Island.

Changes in the Senate

On 31 January 2020, **Hon. Marc Gold**, the Government Representative in the Senate, announced two new Members of his team: **Hon. Raymonde Gagné** was named Legislative Deputy to the Government Representative in the Senate and **Hon. Patti LaBoucane-Benson** was appointed Government Liaison in the Senate.

On 4 February 2020 two new Senators were sworn in: **Hon. Judith Keating**, representing the province of New Brunswick, and **Hon. Brent Cotter**, representing the province of Saskatchewan. Both Senators have joined the Independent Senators Group.

On 1 February 2020, **Hon. Serge Joyal** retired, having served since 1997.

On 8 February 2020, **Hon. David Tkachuk** retired, having served since 1993.

On 8 April 2020, **Hon. Tom McInnis** retired, having served since 2012.

As of 1 May 2020, the standings in the Senate were: Independent Senators Group 50, Conservative Party 21, Canadian Senators Group 13, non-affiliated 12 and vacant 9.

Legislation

Some Bills not related to the COVID-19 situation received Royal Assent before the Parliament adjourned. On 13 March 2020, the last day of regular sittings, the *Canada—United States—Mexico Agreement Implementation Act* received Royal Assent. Appropriation acts for the 2019-2020 and the 2020-2021 fiscal

years were also adopted on the same day.

As indicated in the previous issue of *The Parliamentarian*, the federal government had agreed to introduce legislation to modify the medical assistance in dying legislation following a decision from the Quebec Superior Court. This Bill, which was introduced on 24 February 2020, was up for debate when the House of Commons adjourned in March.

The Minister of Justice, **Hon. David Lametti, MP**, introduced a Bill which would restrict eligibility for judicial appointment to candidates who participate in continuing education on matters related to sexual assault law. This follows debate on a Private Member's Bill introduced by now former MP, **Hon. Rona Ambrose** during the 42nd Parliament. The Bill had passed the Committee report stage in the Senate but lacked time to be adopted before dissolution in September 2019.

Speaker of the House of Commons

Hon. Anthony Rota, MP, the Speaker of the House of Commons, inaugurated, on 29 January 2020, a suggestion box outside his office. All Members can now propose ways to improve the House of Commons, which can be done anonymously.

Emergency debate

In February, a series of rail blockades across the country in support of Indigenous Peoples halted both freight and passenger traffic. On 18 February 2020, the House of Commons held an emergency debate on the topic as well as on the larger issue of the relations between the Crown and Indigenous Peoples.

THIRD READING: BRITISH COLUMBIA

Municipal Affairs and Housing Statutes Amendment Act, 2020

Introduced on 24 February 2020, Bill 10, *Municipal Affairs and Housing Statutes Amendment Act, 2020*, is designed to create an interim business property tax relief program by enabling municipalities to adopt bylaws to provide immediate tax relief to small businesses, non-profits and arts and culture organizations.

Hon. Selina Robinson, Minister of Municipal Affairs and Housing, explained during the Second Reading debate that rapidly rising land values and escalating property tax assessments, based on frameworks tied to land values, have led to significant increases in commercial property taxes which impact many small businesses who lease business space, particularly in large urban centres. The Bill is intended to benefit commercial lease tenants who are paying taxes on potential land resale values while not realizing that benefit. The legislation would authorize municipalities to adopt bylaws to exempt eligible commercial properties from higher property taxes where there is at least one lease tenant responsible for all or a portion of the property taxes.

Minister Robinson noted that under the legislation, municipalities would have the flexibility to determine which businesses and organizations are most in need of tax relief. She stated that this is interim legislation designed to provide relief for the 2020 tax year, while work continues with local governments and other select stakeholders to find a permanent solution.

In his Second Reading comments, **Todd Stone, MLA**, Official Opposition Critic for Municipal Affairs, Housing and TransLink, noted that the Bill would create an administrative burden for municipalities which would be required to examine thousands of different properties to determine which are eligible for the different levels of relief. As an alternative approach, he advocated the use of a split assessment which would create a new commercial subclass to enable local governments to tax the unused airspace above small businesses at a zero or near-zero rate. He added that in 2019 an intergovernmental working group recommended implementing a split assessment classification and that he had introduced a Private Member's Bill (Bill M201, *Assessment (Split Assessment Classification) Amendment Act*) a few weeks earlier based on this approach.

The Leader of the Third Party, **Adam Olsen, MLA**, agreed that addressing the issue of increased property taxes is urgent, but stated that there is an older and deeper problem that needs to be addressed with regard to the challenges that local governments face in generating revenues. He explained that many local governments are heavily reliant on property taxes and referenced challenges facing tenants when the designation or zoning of their rented or leased properties are changed. He noted that split assessment could

THIRD READING: BRITISH COLUMBIA (CONTINUED)

provide immediate relief but stated that the challenge for local governments goes beyond unused airspace and requires a long-term solution. He expressed support for the legislation as an interim measure.

The *Municipal Affairs and Statutes Amendment Act, 2020* received Third Reading on 2 March 2020.

Employment Standards Amendment Act (No. 2), 2020

The Legislative Assembly of British Columbia adjourned on 5 March 2020 for a scheduled two-week constituency break. On 11 March, the World Health Organization declared COVID-19 a global pandemic and shortly thereafter, British Columbia declared a provincial state of emergency. The Legislative Assembly held an abbreviated one-day sitting on March 23 to consider and adopt urgent budgetary and legislative measures to address the pandemic.

The *Employment Standards Amendment Act (No. 2) 2020* is designed to amend the Employment Standards Act to better support workers during the COVID-19 pandemic, and in the long term, by ensuring that no worker in British Columbia can lose their job for following the orders of the provincial health officer. Pursuant to the Standing

Orders, a Bill must receive three readings on different days prior to being passed. After the Bill received First Reading, **Hon. Mike Farnworth, MLA**, Minister of Public Safety and Solicitor General, sought, and was granted, leave of the House to permit the legislation to proceed through all stages on that day.

During the Second Reading debate, Minister Farnworth explained that the legislation is designed to amend the *Employment Standards Act* to provide unpaid job-protected leave to employees in British Columbia during the COVID-19 crisis, an unprecedented public health emergency affecting countries around the world. He outlined eligible COVID-19-related situations under which this leave may be requested by an employee including: diagnosis of COVID-19; quarantine or self-isolation; direction by an employer to stay home because of concerns about exposure to others; inability to return to British Columbia because of a travel or border restriction; and providing care to a minor child or dependent adult, when a school, daycare or similar facility has closed. Furthermore, the legislation would allow government, by regulation, to extend this leave to other COVID-related situations. The leave would be available for as long

as one of these circumstances applies to the employee and will be retroactive to 27 January 2020, the date that the first COVID-19 case was confirmed in British Columbia. Minister Farnworth noted that the legislation also contains another entitlement that is not specific to COVID-19 which is to provide employees with up to three days of unpaid, job-protected leave each year for personal illness or injury.

Official Opposition Member, **Mike de Jong, QC, MLA**, agreed with the urgent need to address the impact of the COVID-19 pandemic and advised that the Official Opposition supported the legislation. However, he noted that there may be unintended consequences to passing the legislation in an expedited manner and expressed hope that there would be an opportunity to examine its impact at a later date. With respect to the content of the Bill, Mr de Jong spoke about the challenge of balancing the desire to protect employees with the reality that many businesses are facing difficult circumstances in struggling to keep their staff employed. He pointed out that Ontario and Saskatchewan had opted for more general provisions in their legislation, as opposed to the COVID-19 specific provisions in this Bill, and questioned why government adopted this approach. Mr de Jong also asked about the provision by which sections of the legislation could be rescinded by regulation and whether government intended to do so after the ending of the threat posed by COVID-19.

Sonia Furstenuau, MLA, House Leader for the Third Party, expressed support for the legislation and its expedited passage, stating that it would assist people who need to stay home in order to address the COVID-19 pandemic. She questioned how the legislation might apply to people who have not been ordered to stay home but still want to stay home to protect their health. In addition, she noted that British Columbia is an outlier in Canada in not providing guaranteed sick leave to employees, and praised the inclusion of three days of sick leave in the Bill.

The *Employment Standards Amendment Act (No. 2) 2020* received Third Reading on 23 March 2020.



PARLIAMENTARY DISCIPLINE AND DECORUM IN LOK SABHA

The Parliament of India reassembled for the second part of its Budget Session on 2 March 2020. Opposition Members were on their toes demanding immediate discussion on the recent Delhi riots in which 53 people lost their lives. Lok Sabha proceedings were repeatedly disrupted for days as Members from Opposition parties stuck to their demand for a debate on the Delhi riots.

The Lok Sabha Speaker, **Shri Om Birla** expressed his sadness at MPs coming to the Well of the House and interrupting proceedings. He said it should be the collective effort and collective responsibility to ensure maintenance of peace and harmony in the country and also the dignity of Parliament. The Speaker observed he is in favour of a discussion over the issue in the House and once normalcy is restored, he would discuss it with MPs. He said MPs should not show placards and raise slogans inside the House and appealed to the Leaders of the parties to act responsibly on this count. As the House continued to be disrupted, the Speaker said he would not like to run the House in such a situation and asked MPs to decide whether they want the House to run as per rules and conventions.

On 3 March 2020, the Speaker said that the House runs with the cooperation of MPs and warned them not to cross the Floor to avoid suspension. He again said MPs should not come to the House with placards. Amidst disruptions, Shri Birla announced the government's willingness to have a discussion on 11 March. He requested the Members to discuss issues in the House and not disrupt the proceedings. He believed

there may be agreement or disagreement in the House, but issues should be discussed. The Opposition Members, however, continued to disrupt proceedings demanding immediate discussion on the Delhi riots. When the Lok Sabha met next day, the Speaker was not in the Chair. The Minister of Parliamentary Affairs, **Shri Pralhad Joshi** said the government was ready for discussion on 11 March, but the Opposition is interested in disruption not discussion. He requested that MPs to allow the House to function so as to complete many important constitutional matters. As the House continued to be disrupted, it was adjourned.

The Speaker kept away from the House on 5 May also. The proceedings continued to be disrupted and many Members went to the Well of the House. The Presiding Officer observed that the Speaker was very sad about the things that happened day before yesterday and disruption of the House does not give any credit to anyone. He said the Speaker has every right to express his anguish and one can't challenge that. He requested the protesting Members to go back to their seats and allow the House to function.

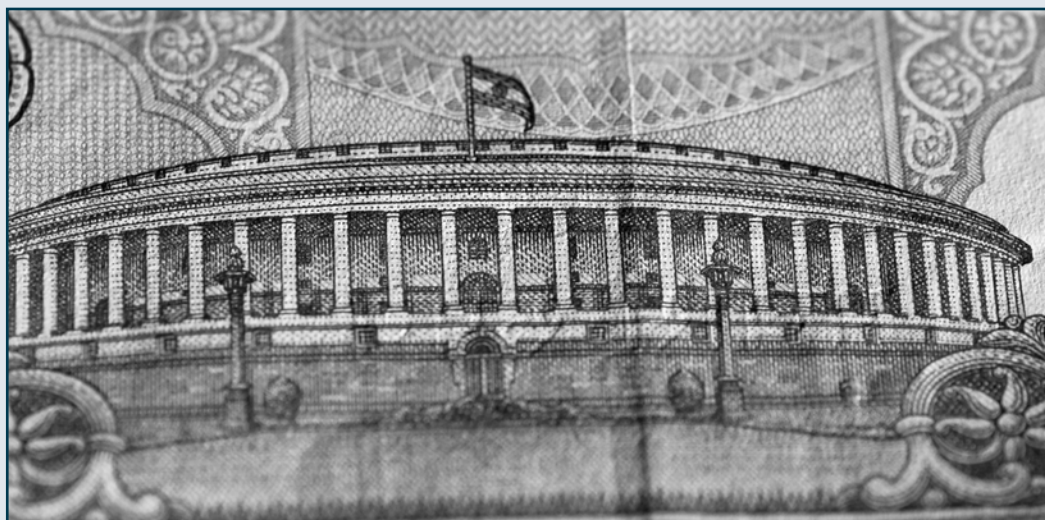
The junior Parliamentary Affairs Minister, **Shri Arjun Ram Meghwal** said the Government is ready to talk to the Opposition and also for discussion. As the House was not in order, Shri Meghwal requested the Presiding Officer to pass the listed Mineral Laws (Amendment) Bill, 2020 without any discussion. When the Bill was being piloted some Members from the Opposition snatched away papers from the Presiding Officer's table and the House had to be adjourned again.

When the House reassembled, the Presiding Officer named seven Congress Party Members under Rule 374 of the Rules of Procedure and Conduct of Business in Lok Sabha for gross misconduct, and on a motion moved by the Parliamentary Affairs Minister and adopted by the House, the seven Members were suspended from the service of the House for the remainder of the Session. Several Opposition Members made submissions requesting the Chair on 6 May to revoke the suspension. The Chair, however, announced the Speaker's decision to constitute a Committee of MPs under his chairmanship to investigate all the incidents that occurred in the House from 2 to 5 March

2020 and submit a report. Subsequently, the House was adjourned till 11 March.

The proceedings of Lok Sabha were disrupted when the House met on 11 March and the House had to be adjourned time and again. When the House reassembled in the afternoon, the Speaker was in the Chair. Several Members made submissions requesting the Speaker to revoke the suspension. Thanking the Speaker for coming back to the House, Members from different political parties highlighted the need to maintain the honour and dignity of the Chair and decorum and etiquette in the House.

In his observation, Speaker Shri Birla said Indian democracy is hailed the world over. The Parliament of India is a temple of democracy and is obliged to address the needs and aspirations of the people. All Members share the view that there ought to be healthy debate, interaction and discussion in the House and they have placed this responsibility upon the Speaker. He said the episode that occurred in the recent past has saddened him in person. He assured the Members that he will try hard to get various issues debated by holding



talks with both treasury and opposition Members. He said in the all-party meeting held earlier in the day, many parties have expressed their commitment that their Leaders shall never come to the Well of the House. He said the Speaker will come and go but the dignity attached to the Chair shall continue to exist forever. He assured the Members that he will never allow the erosion of the trust MPs have reposed in him. Disagreement is the essence of democracy and there can be a difference of opinion when Members put forth their views reflecting their party lines. It may contain sarcasm, comments, yet it must not be indecorous in nature. He asked the Members not to come to the Well of the House or show placards. He observed all the Leaders have unanimously agreed that they would essentially uphold the dignity of the House and it will be his efforts to ensure that such situation does not arise in future. Stating that any erosion of the dignity of the House may lead to the erosion of public trust in democracy, the Speaker asked the Members to trust the Speaker and maintain the dignity of the House.

Thereafter, the House adopted a motion moved by Shri Meghwal terminating the suspension of the seven MPs with immediate effect. Later in the day, the Lok Sabha had a detailed discussion on the recent law and order situation in some parts of Delhi.

Lok Sabha Speaker's Initiative against COVID-19

The second part of the Budget Session of Parliament that commenced on 2 March was to conclude on 3 April 2020. After having consensus across party lines keeping in view the situation arising out of the spread of COVID-19 across the world including in India, the



Session was curtailed, and both the Houses were adjourned *sine die* on 23 March 2020.

The Parliament of India has taken several measures to contain the spread of the disease. On 6 March 2020, the Union Minister of Health and Family Welfare, **Dr Harsh Vardhan** made a detailed presentation in Lok Sabha on Coronavirus and the steps taken by the Government of India to contain the disease. He said the focus is on adherence to core capacities for disease preparedness and response which include surveillance, laboratory diagnosis, hospital preparedness, logistics management, capacity building of healthcare staff and risk communication to the community. He said the scale and extent of interventions have increased in alignment with the evolving situation of COVID-19 across the world and India in particular. Thereafter, several MPs sought clarifications and made suggestions.

On 12 March 2020, the External Affairs Minister, **Dr S. Jaishankar** informed the Lok Sabha that the

global Coronavirus situation is being monitored on a continuous basis by a Group of Secretaries headed by the Cabinet Secretary and a Group of Ministers, headed by the Minister of Health and Family Welfare. He said in many respects, India has been ahead of the curve in taking precautionary measures.

The Speaker of Lok Sabha, **Shri Om Birla** is in the forefront of Parliament's fight against the pandemic COVID-19. On 17 March 2020, he chaired a meeting with senior officials of Ministry of Health and Family Welfare, Municipal Authorities, Central Public Works Department, Central Government Health Scheme and other agencies in order to review the measures taken to tackle the spread of the virus in the Parliament House Estate and surrounding areas. During the meeting, Shri Birla was briefed about the steps taken to ensure detection, prevention and containment of Coronavirus. Shri Birla was informed about the measures taken to ensure social distancing and curtailment of all non-essential

visits to the Parliament House Estate, starting with thermal scanning at all points of entry, ensuring complete cleanliness in and around Parliament House, including adequate arrangements of hand sanitizers, napkins and soap. The officials also informed the Speaker that lists of dos and don'ts are being circulated to all Members of Parliament in order to spread awareness.

Shri Om Birla conducted an inspection of the preparations made in the Parliament House Estate on 20 March 2020. Thereafter, he said all officials and non-officials, including members of the media and visitors to the Parliament House Estate, have been sensitized to maintain proper hygiene and practice social distancing to prevent the spread of the disease. He emphasised that awareness and restraint are key to prevention of the disease and hoped that the nation would fight COVID-19 with the collective efforts of all citizens.

Later, in a follow-up meeting held in his Chamber, Shri Birla directed the Municipal Authorities and allied agencies, working within the Parliament,

to ensure sanitation in and around Parliament House Estate. Earlier, in the Lok Sabha, Shri Birla said that the House is with the Prime Minister Shri Narendra Modi's observations made in his special address to the nation on 19 March in which the Prime Minister called for a *Janata Curfew* on 22 March 2020. He said the beauty of Indian democracy is that the entire nation unitedly fights the challenges like COVID-19. In order to prepare the country to deal with the COVID-19, the Prime Minister, **Shri Narendra Modi**, in his address to the Nation on the 19 March 2020, had urged the people to voluntarily participate in the Janta Curfew for 14 hours from 7 AM to 9 PM on 22 March 2020.

The Lok Sabha Speaker thanked the officers and staff of Lok Sabha Secretariat for contributing their one day's salary to the Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund (PM CARES Fund). The Fund has been set up as a public charitable trust, keeping in mind the need for having a dedicated national fund with the primary objective of dealing with any kind of emergency or distress situation, like the one posed by the COVID-19 pandemic, and to provide relief to the affected. The Lok Sabha Speaker, in view of the economic crisis arising out of the Corona pandemic, has given 30% of his monthly salary to the Consolidated Fund of India for the next one year.

As a part of Government's continued efforts to contain spread of COVID-19, the Union Government has decided not to operate the Members of Parliament Local Area Development Scheme (MPLADS) for two years (2020-21 and 2021-22). These funds will be used to strengthen Government's efforts in

managing the challenges and adverse impact of COVID-19 in the country. Under the MPLAD Scheme, every MP is allocated Rs five crore per year to be spent for developmental purposes in the constituency.

Two Ordinances have been promulgated by the President of India to raise resources to meet the urgent needs arising out of the COVID-19 pandemic. The Salary, Allowances and Pension of Members of Parliament (Amendment) Ordinance, 2020 was issued on 9 April 2020 amending the *Salary, Allowances and Pension of Members of Parliament Act, 1954* which reduces the salary of MPs by 30% for a period of one year. The Act entitles a Member of Parliament (MP) to receive a salary of Rs 1,00,000 per month during his term. The President issued another Ordinance on the same day namely The Salaries and Allowances of Ministers (Amendment) Ordinance, 2020 reducing the sumptuary allowance (for expenditure incurred in entertaining visitors) by 30% for a period of one year. The reduction will apply from 1 April 2020.

The President promulgated the Epidemic Diseases (Amendment) Ordinance on 22 April 2020 to amend the *Epidemic Diseases Act, 1897* which provides for the prevention of the spread of dangerous epidemic diseases. The Ordinance amends the Act to include protections for healthcare personnel combating epidemic diseases and expands the powers of the central government to prevent the spread of such diseases.

Prime Minister Modi, in his address to the nation on the 24 March 2020, appealed for a three-week lock down starting midnight till 14 April 2020, as it was the only known effective measure in controlling the

spread of the virus. The Prime Minister asked the people to have resolve and restraint in order to fight the Coronavirus. Following the complete lock down announced by the Prime Minister, the Lok Sabha Secretariat remained closed till 14 April and attendance of officers and staff was subject to exigency of work. Officers and staff were allowed access to e-office application to enable the facility to work from home. A minimum number of officers and staff were asked to attend the office and follow social distancing norms and various other precautionary measures. The normal working hours per day was relaxed and officers and staff were required in office only to complete urgent and essential work. Officials residing far away from office or in the vicinity of containment zone or with certified medical conditions were allowed to continue working from home.

Following the announcement by the Prime Minister on 14 April 2020 to extend the complete lock down in the entire country till 3 May 2020, the Lok Sabha Secretariat also issued orders to follow the Consolidated Guidelines issued by the Ministry of Home Affairs regarding preventive measures to be taken to achieve social distancing to contain spread of COVID-19 till 3 May 2020. The Secretariat also issued appropriate orders for compulsory wearing of facial masks by officers and staff while in the office and while commuting to and from the office. Officers and staff were also advised to maintain social distancing at various places in Parliament House Estate including Receptions, Rooms, corridors, canteens, Medical Centres, Banks, Post Offices, Coffee Board, Tea Board, etc. As a precautionary measure the services of the Reading Room for Members in Parliament

House, the Parliamentary Library, the Staff Library and the Sales counter were suspended till 3 May 2020. All catering units in Parliament House Estate were also closed until further orders.

Speaker Shri Birla, in a video conference with Presiding Officers of State Legislatures on 18 April 2020, discussed about the situation created by COVID-19. Stating that Parliament and State Legislatures are with the government in fight against the disease, he said MPs and Members of State Legislatures are playing a leading role in the national efforts to stop the pandemic. On a call by Lok Sabha Speaker during the video conference, several State Legislatures have established control rooms for immediate assistance. A control room has also been set up in Lok Sabha Secretariat to facilitate a quick interface between MPs, MLAs and the public for emergency assistance in the fight against COVID-19.

After a comprehensive review, and in view of the lock down measures having led to significant gains in the COVID-19 situation in the country, the Ministry of Home Affairs (MHA), Government of India issued an order under the *Disaster Management Act, 2005* on 1 May 2020, to further extend the lock down for a further period of two weeks with effect from 4 May 2020. The Ministry issued new guidelines to regulate different activities in this period, based on the risk profiling of the districts of the country into Red (hotspot), Green and Orange Zones. The guidelines have permitted considerable relaxations in the districts falling in the Green and Orange Zones. The Lok Sabha Secretariat has also issued appropriate directions regulating the attendance of its officers and staff during the lock down period.



The Taxation Laws (Amendment) Bill, 2019

The *Finance (No. 2) Act, 2019 (the Finance Act, 2019)* was enacted on the 1 August 2019, inter alia, to provide the rate of income-tax, surcharge and health and education cess (the 'cess' or a 'tax on a tax') to be levied on the income of the financial year 2018-19 and also to provide the rate of income-tax, surcharge and cess to be applicable for deduction of tax at source and payment of advance-tax during the Financial Year 2019-20.

Subsequent to the enactment of the *Finance Act, 2019* in view of various developments, a view emerged that there is an urgent need to take additional fiscal measures in India so as to boost the investment and growth in the economy for which the Government had already announced certain measures. Some of these measures related to amendments to the *Income-tax Act, 1961 (the Income-tax Act)* and to the *Finance Act, 2019*.

It was also noticed that many countries, the world over, had reduced corporate income-tax to attract investment and create employment opportunities, thus, necessitating the need of similar measures

in the form of reduction of corporate income-tax payable by domestic companies in order to make Indian industry more competitive. Therefore, it was felt that a fiscal stimulus through reduction of corporate income-tax rate of domestic companies may be provided so as to attract the investment, generate employment and boost the economy of the country.

In view of the above, the India Government felt that it became necessary to amend certain provisions of the *Income-tax Act*, and the *Finance Act, 2019*. However, as the India Parliament was not in session and in view of the urgency felt in the matter, the Taxation Laws (Amendment) Ordinance, 2019 was promulgated on the 20 September 2019.

The Taxation Laws (Amendment) Bill, 2019 which sought to replace the aforesaid Ordinance is in line with the Taxation Laws (Amendment) Ordinance, 2019. However, in view of representations received from various stakeholders to provide certainty, it had been proposed to make certain further amendments to the *Income-tax Act* and the *Finance Act, 2019*.

The Amending Bill met with broad approval

during its discussion in both Houses of Parliament. The Amending Bill was passed by Lok Sabha on 2 December 2019 and by Rajya Sabha on 5 December 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 11 December 2019.

The Unlawful Activities (Prevention) Amendment Bill, 2019

The *Unlawful Activities (Prevention) Act, 1967* was enacted to provide for more effective prevention of certain unlawful activities of individuals and associations, and for dealing with terrorist activities, and for matters connected therewith. The said Act had been amended in the years 2004, 2008 and 2013 to add certain provisions relating to various facets of terrorism.

The National Investigation Agency faced many difficulties in the process of investigation and prosecution of terrorism-related cases. With a view to overcome such difficulties being faced by the National Investigation Agency in the investigation and prosecution of terrorism-related cases due to certain legal infirmities and

THIRD READING: INDIA

also to align the domestic law with the international obligations as mandated in several Conventions and Security Council Resolutions on the issue, the India Government took a consolidated view to amend the said Act (hereinafter referred to as the Parent Act). Accordingly, the Government brought forward the Unlawful Activities (Prevention) Amendment Bill, 2019.

Debate

During the discussion on the Bill in Parliament, the main views that emerged were:

- There is a need to take stringent action against terrorist activities in the country. This amending legislation would strengthen the National Investigation Agency which remains always vigilant for the security of the country.
- There were a number of channels through which economic assistance was provided to the terrorists and there was an urgent need to restrict the activities of such people. There is a need to take legal action not only against an organisation but also an individual. This amending legislation would help in achieving this.
- There is a better need for coordination with the States and an all-inclusive structure is needed at the national level through cooperation of multi agencies and joint task forces. Many more offences such as espionage, money laundering, drug trafficking, hijacking, bioterrorism, narco-terrorism etc, which also needed to be covered under the ambit of scheduled offences. Prevention is more important than execution and prosecution.
- Prosecuting agencies must work in close coordination with the other allied agencies like the Investigation Bureau, Directorate of Revenue Intelligence etc, to ensure that they are equipped to prevent rather than merely to prosecute.
- National security is the moral responsibility of any Government. If there are terrorists, there has to be zero tolerance.
- There are general cases of innocent

people being subjected to stringent anti-terrorism laws, who are finally proven not guilty and acquitted. It is the responsibility of the Government to provide proper rehabilitation and compensation to them. The Government should ensure a proper monitoring system to see how the National Investigation Agency is being held accountable.

The Minister in charge of the Bill in his reply at the outset thanked all Members for their active participation in the debate and suggestions. The Minister in his reply *inter alia* emphasized that the country needed much tougher laws in order to uproot terrorism. At the time of formulation of anti-terrorism laws was a good initiative. The entire House needs to unanimously express its solidarity in fight against terrorism.

The Amending Bill has provisions delineating situations in which a particular individual shall be declared a terrorist. If a person perpetrating or participating in terrorist activities, nourishing terrorism, providing finance for promoting terrorism and instilling the literature and philosophy of terrorism in the mind of the youth is declared a terrorist, then there need be no objection to this.

The Minister also stated that terrorism lies in the mind of the individual, not in the terrorist organisations. It is the group which constitutes an organisation. If terrorism lies in the mind of a person, it cannot be checked just by putting a ban on the organisation. The Minister felt that it is the primary responsibility of the Government to uproot terrorism and as such the provision to declare an individual as a terrorist was imperative to be included in the Bill. Such provisions already exist in other countries of the world. In addition to that, the procedure for declaring an individual terrorist had been carefully drafted so that it cannot be misused. The provisions dealing with the rights

of seizure and attachment under Section 25(f) do not go against the principles of cooperative federalism.

The Minister also drew attention to the provision regarding producing persons under the law before a competent authority within 24 hours. The only change that had been made is related to remand period which had been extended from 14 days to 30 days because various dimensions are associated with the complex crime investigation cases taken up by the National Investigation Agency. However, the burden of proof still lies with the National Investigation Agency. The Minister assured the House that the Amending Bill was only meant to end terrorism and it would never be misused. The Minister finally stated that it is the prime duty of the Government to provide strong legislation for the agencies which are engaged in the security of the people and the borders of the country so that they can combat terrorism effectively.

The Amending Bill was passed by Lok Sabha on 24 July 2019 and by Rajya Sabha on 2 August 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 8 August 2019.



CPA Patron, Officers, Executive Committee, Regional Representatives, Commonwealth Women Parliamentarians (CWP) Steering Committee and CPA Regional Secretaries



PATRON:
Her Majesty Queen Elizabeth II
Head of the Commonwealth

VICE-PATRON:
Vacant (Canada Federal)

CPA Executive Committee

Executive Committee Members' dates of membership are indicated below each name.
Correct at time of printing. *Terms extended as no CPA General Assembly held in 2018 and 2020.

Officers

PRESIDENT: (2019-2021)*:

Hon. Anthony Rota, MP,
Speaker of the House of
Commons (Canada Federal)

VICE-PRESIDENT: (2019-2021)*:

Rt Hon. Aaron Mike Oquaye, MP,
Speaker of Parliament (Ghana)

**CHAIRPERSON OF THE
EXECUTIVE COMMITTEE**

(2017-2021)*:

Hon. Emilia Monjowa Lifaka, MP
Deputy Speaker (Cameroon)

VICE-CHAIRPERSON

(2019-2021)*:

Hon. John Ajaka, MLC
President of the Legislative
Council (New South Wales)
*Regional Representative,
Australia Region (2016-2021)**

TREASURER (2019-2022):

Hon. Datuk Shamsul Iskander
Md. Akin, MP (Malaysia)

**COMMONWEALTH WOMEN
PARLIAMENTARIANS (CWP)**

CHAIRPERSON (2019-2022):

Hon. Shandana Gulzar Khan,
MNA (Pakistan)

**CPA SMALL BRANCHES
CHAIRPERSON**

(2019-2022):

Hon. Niki Rattle, Speaker of
Parliament (Cook Islands)

*The CPA Coordinating Committee
comprises the CPA Chairperson,
Vice-Chairperson, Treasurer,
CPA Small Branches Chairperson
and Commonwealth Women
Parliamentarians (CWP) Chairperson.*

Regional Representatives

AFRICA

Hon. Bernard Songa Sibalatani,
MP, Vice-Chairperson of the
National Council, Namibia
(2016-2021)*

Hon. Lazarous Chungu Bwalya,
MP, Zambia
(2016-2021)*

Hon. Dr Makali Mulu, MP
Kenya
(2017-2021)*

Rt Hon. Sephiri Enoch
Motanyane, MP, Speaker of the
National Assembly, Lesotho
(2017-2021)*

Hon. Mensah Bonsu, MP
Ghana, (2019-2022)

Rt Hon. Dr Abass Bundu, MP
Speaker of the Parliament of
Sierra Leone, (2019-2022)

ASIA

Hon. Dr Fehmida Mirza, MP
Pakistan, (2016-2021)*

Hon. Dr Lal Chand Ukrani, MPA
Sindh, (2017-2021)*

Hon. Karu Jayasuriya, MP
Speaker of Parliament
Sri Lanka, (2019-2022)

**Executive Committee Members' terms extended as no CPA General
Assembly held in 2018 and 2020.*

AUSTRALIA

Hon. John Ajaka, MLC, President
of the Legislative Council, New
South Wales, (2016-2021)*, *Also
CPA Vice-Chairperson.*

Hon. Bruce Atkinson, MLC
Victoria, (2017-2021)*

Senator Hon. Scott Ryan,
President of the Senate
Australia Federal, (2019-2022)

BRITISH ISLANDS AND MEDITERRANEAN

Hon. Stuart McMillan, MSP
Scotland (*stand-by Branch for
Northern Ireland*), (2016-2021)*

Hon. Leona Roberts, MLA
Falkland Islands, (2017-2021)*

Hon. Ian Liddell-Grainger, MP
United Kingdom, (2019-2022)

CANADA

Hon. François Paradis, MNA,
Québec, (2016-2021)* *To complete
term started by other Member.*

Hon. Kevin Murphy, MHA
Speaker of the House of
Assembly, Nova Scotia
(2017-2021)*

Hon. Yasmin Ratansi, MP
Canada Federal
(2019-2022)

CARIBBEAN, AMERICAS AND THE ATLANTIC

Hon. Bridgid Annisette-George,
MP, Speaker of the House,
Trinidad & Tobago, (2017-2021)*

Hon. Andy Glenn Daniel, MP
Speaker of the House of
Assembly, St Lucia, (2019-2022)

Hon. Dwayne Taylor, MHA,
Speaker of the House of
Assembly, Turks & Caicos
(2019-2022)

INDIA

Shri Premchand Aggarwal, MLA
Speaker of Legislative Assembly,
Uttarakhand, (2016-2021)*
*To complete term started by another
Member.*

Shri Hitendra Goswami, MLA
Speaker of the Legislative
Assembly, Assam, (2017-2021)*

Shri Anurag Sharma, MP, Lok
Sabha, India Union, (2019-2022)

PACIFIC

Hon. Clayton Mitchell, MP
New Zealand, (2016-2021)*

Hon. Francesca Semoso, MHR
Deputy Speaker, Bougainville,
(2017-2021)*

Hon. Ratu Epeli Nailatikau
Speaker of Parliament of Fiji
(2019-2022)

SOUTH-EAST ASIA

Hon. Suhaizan Kayat, MLA,
Speaker of State Legislative
Assembly, (2016-2021)*

Hon. Mr Zainal Sapari, MP
Singapore, (2017-2021)*

Hon. Datuk Wira Dr Mohd Hatta
Md Ramli, MP, Malaysia (2019-
2022)

CPA Small Branches Steering Committee

CPA SMALL BRANCHES CHAIRPERSON

Hon. Niki Rattle, Speaker of the
Parliament of the Cook Islands
(2019-2022)

AFRICA

Hon. Gervais Henrie, MNA
Seychelles
(2019-2021)

AUSTRALIA

Hon. Joy Burch, MLA
Speaker of the Legislative
Assembly, Australian Capital
Territory (2019-2021)

BRITISH ISLANDS AND MEDITERRANEAN

Deputy Lyndon Trott
Guernsey
(2019-2020)

CANADA

Hon. Nils Clarke, MLA
Speaker of the Legislative
Assembly, Yukon
(2019-2022)

CARIBBEAN, AMERICAS AND THE ATLANTIC

**Hon. W. McKeever Bush, OBE,
JP**, Speaker of the Legislative
Assembly,
Cayman Islands, (2019-2020)
*Also: Vice-Chairperson of the
CPA Small Branches.*

PACIFIC

**Hon. Tofa Nafotoa Talaimanu
Keti, MP**, Samoa
(2019-2022)

SOUTH-EAST ASIA

**Hon. Dato' Haji Hamdan bin
Bahari, MLA**, Speaker of the
Legislative Assembly, Perlis
(2019-2020)

*The CPA Small Branches Steering
Committee comprises the CPA Small
Branches Chairperson and seven
Members who represent the seven out
of the nine Regions of the CPA with
Small Branches.*

CPA Regional Secretaries

AFRICA

Mr Steven Kagaigai
Parliament of Tanzania

ASIA

Mr Syed Shamoon Hashmi
Parliament of Pakistan

AUSTRALIA

Ms Alex Cullum
Parliament of Australia

BRITISH ISLANDS & MEDITERRANEAN

Mr Jon Davies
Parliament of the United
Kingdom

CANADA

Mr Michel Patrice
Parliament of Canada

CARIBBEAN, AMERICAS & ATLANTIC

Mr Pedro E. Eastmond
Parliament of Barbados

INDIA

Smt Snehlata Shrivastava
Parliament of India

PACIFIC

Ms Wendy Hart
Parliament of New Zealand

SOUTH-EAST ASIA

Mrs Roosme Hamzah
Parliament of Malaysia

CPA Headquarters Secretariat

Mr Jarvis Matiya

Acting CPA Secretary-General

Commonwealth Parliamentary
Association, CPA Headquarters
Secretariat, Richmond House,
Houses of Parliament, London
SW1A 0AA, United Kingdom

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www.cpahq.org

Twitter @CPA_Secretariat

Facebook.com/CPAHQ

A full listing of all CPA Branches can be found
at: www.cpahq.org/cpahq/directory

Commonwealth Women Parliamentarians (CWP) Steering Committee

CWP PRESIDENT

Vacant
Canada Federal
(2019-2021)

CWP CHAIRPERSON

**Hon. Shandana Gulzar Khan,
MNA**, Pakistan
(2019-2022)

AFRICA

Hon. Zainab Gimba, MP
Nigeria
(2019-2022)
*Also CWP Vice-Chairperson
(2019-2020)*

ASIA

Ms Munaza Hassan, MNA
Pakistan
(2018-2021)

AUSTRALIA

Hon. Michelle O'Byrne, MP
Tasmania
Acting CWP Rep (2019-2022)

BRITISH ISLANDS AND MEDITERRANEAN

Hon. Margaret Mitchell, MSP
Scotland
Acting CWP Rep (2019-2022)

CANADA

Ms Laura Ross, MLA
Saskatchewan
(2017-2020)

CARIBBEAN, AMERICAS AND THE ATLANTIC

**Hon. Jeannine Giraudy-
McIntyre, MP**
President of the Senate, St
Lucia
(2018-2021)

INDIA

Smt. Kirron Kher, MP
Lok Sabha, India (2017-2020)

PACIFIC

**Ms Anahila Kanongata'a-
Suisuiki, MP**
New Zealand Parliament
(2017-2020)

SOUTH-EAST ASIA

Hon. Alice Lau Kiong Yieng, MP
Malaysia
(2019-2022)

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