

UNIT 6. Government Accountability and Parliamentary Committees

Learning Objectives

What role do parliamentary committees play in assuring government accountability?

After studying this unit you should be able to:

- Outline the role of parliament in ensuring government accountability;
- Explain recommended measures for effective accountability;
- Explain accountability for development.

Introduction

Unit 6 is devoted to parliaments' role in ensuring government accountability. Parliaments are responsible for ensuring accountability and openness of government through oversight of activities of the executive and its auxiliary bodies in order to curb corruption and effect good practices. Parliaments also have the power of the purse and the mandate to scrutinize the utilization of public finances and ensure financial accountability. The unit looks at how parliamentary committees can promote government accountability.

Parliament, which is the highest representative body collectively and individually is accountable to the people. Parliament must be reflective of public and social concerns if it is to retain public legitimacy and ensure its institutional accountability.

Parliaments, by reference of their mandates in constitutions, have the responsibility to ensure accountability and openness of government. They do this by overseeing activities of the executive and its auxiliary bodies to help curb corruption and effect good practices in government. It is therefore important that parliamentary staff are strengthened in their oversight capacity and able to strengthen their duties as non-partisan repositories of information and can assist parliament in achieving its constitutional functions. Parliamentary staff therefore help ensure accountability of government.

What is Accountability?

Public sector agencies are subject to both *external* and *internal* accountability.

Internal Accountability exists within any organisation and ranges from formal management and reporting structures to the relationship between a staff member and supervisor. External Accountability refers to the obligations for accountability imposed by external forces, such as legislation, parliament, ministers, superior agencies, investigative bodies, the courts, the media, clients and the public.

BOX 6.1 Definition of Accountability

Accountability means being able to provide an explanation or justification, and accept responsibility, for events or transactions and for one's own actions in relation to these events or transactions. Accountability plays a particularly important role in the public sector: It is about giving an answer for the way in which one has spent money, exercised power and control, mediated rights and used discretions vested by law in the public interest. It is fundamental to our system of government that those to whom such powers and responsibilities are given are required to exercise them in the public interest fairly, and according to law.

Sources:

http://www.records.nsw.gov.au/recordkeeping/why_manage_records_4406.asp

<http://www.audit.nsw.gov.au/publications/reports/performance/1998/srdassist/account.htm>

Personal Accountability and Institutional Accountability

Both organizations and individuals can be subject to accountability standards. Thus we can distinguish: personal accountability, where individuals are held accountable for their decisions and actions, and corporate or institutional accountability, where an organization is accountable for its performance or for aspects of its corporate behavior. Thus public sector bodies are accountable to government for the carriage of programs through such means as performance measurement and audit procedures.

Government or public accountability refers to a principle, which embraces the examination of the conduct of individuals in institutions of authority. Indeed, public accountability also examines the acts and omissions of the administrative and executive authorities state in cases of complaints that their policies acts or omissions have not been in accordance with law or yielded the desired result for society.

The purpose of the accountability examination is to subject improper and unlawful conduct or activities to some form of sanctions or corrective measures. These sanctions are measures or devices calculated to neutralise the further undesirable effect of their offending activities, or to charge violators with reversing their actions and making reparation for the loss or damage, which their conduct has caused. This kind of accountability may manifest itself in a wide range of accountability requirements, including requirements:

- To meet statutory obligations;
- To meet audit requirements;
- To be able to produce evidence in court proceedings;
- To be able to withstand the scrutiny of the media;
- To meet industry-based standards for accreditation or Quality Assurance standards; and

- To justify actions to investigative bodies such as Royal Commissions and parliamentary committees

Parliamentary Accountability

The concept of parliamentary accountability is based on the premise that parliament, as the highest representative organ of government, has the duty to check on the activities of the executive through a number of measures. The mechanisms employed to achieve that has in modern literature been referred to as parliamentary accountability. Also tied to this is the institutional accountability of members of parliament, collectively and individually. Thus champions of accountability must first be accountable to themselves. A number of parliaments develop code of ethics for both MPs and staff to help guide them to maintain ethical and accountable behaviour.

Mechanisms for Parliamentary Accountability

The following are categories of mechanisms employed by parliament to compel and hold government to account:

Compelling Government to Account

Committee System - The committees in parliament central to ensuring efficiency, transparency and accountability of parliament and other executive institutions. Often Public Account Committees are mandated to scrutinize annual auditor's reports on public finances. Essentially the work of committees is to systematically sustain scrutiny of the executive, ensuring government accountability and transparency to parliament.

Question Period - Question periods are a strong mechanism for compelling the executive to account for how it has administered the state. Through question periods, members of parliament, particularly opposition MP's, are given the opportunity to solicit information from their counterpart on several issues. By so doing, MPs are able to

detect and expose abuses involving the executive and demand for redress. This process may sometimes lead to the resignation of a minister.

Oversight Roles – When they are carried out through the committee, parliamentary oversight roles use time and other means to effectively hold the government to account. Oversight mechanisms allow the legislature to scrutinise and publicise instances of executive malfeasance. For example the oversight functions do not only approve budgets but also oversee their implementation and enforce proper auditing.

Recommended Measures for Effective Accountability

Factors, affecting accountability may include:

- Cohesion of Political Parties
- Access to Research and Information
- Electoral System
- Parliamentary Staff

To counter the problems that have been identified the following measures should be taken:

- Strengthen MPs access to research and information;
- Strengthen political parties;
- Strengthen parliamentary oversight activities;
- Strengthen committee systems;
- Build the capacity of parliamentary staff;
- Build the capacity of MPs; and
- Provide centres, such as well-equipped libraries and well-resourced research centres.

Institutional and Personal Accountability

Once elected, members of parliament are individually and collectively accountable to the electorate. Lack of parliamentary accountability in this regard has been cited as one of the leading causes of democratic failure in countries around the world.

In whatever capacity MPs function, i.e. by asking questions, debating, scrutinising, voting on bills, demanding an explanation, they stand in the realm of accountability. MPs roles include the following:

- To legislate and make policy;
- To formulate policies and ask questions of ministers
- To represent and advocate for constituents views and concerns for national issues;
- Pass laws before parliament;
- Scrutinise and cast votes on debates, motions and laws;
- Participate in party meetings;
- Articulate popular sentiments on issues affecting the nation or on issues of the day.

Members of Parliament are accountable to how they perform their work and their lifestyles in general. To help achieve this some parliaments have clearly defined codes of ethics and code of conduct for Members of Parliament.

Box 6.2 **Challenges Facing MPs**

In their roles in government accountability, a parliamentarian is never without a challenge.

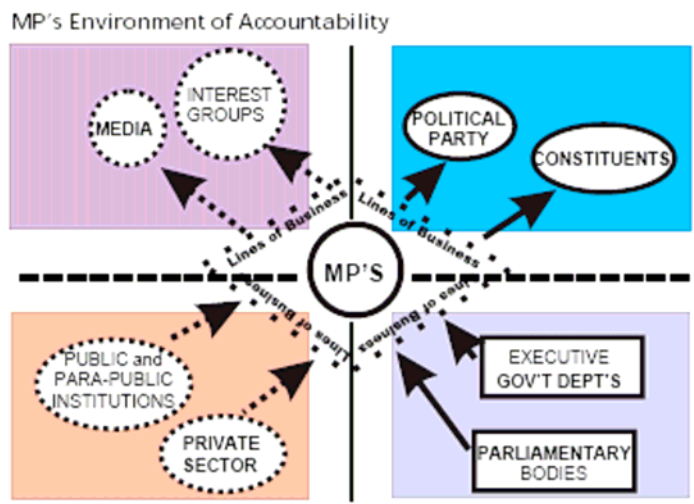
Among the most significant problems facing parliamentarians are:

Conflict of interest – There are three levels of conflict, namely, conflict of party and national interest, conflict of personal and national interest and conflict of constituency and national interest.

Abuse of privileges – An abuse of privilege occurs when an MP compromises issues of ethics, crime and culpability under the guise of privilege.

Lack of logistics and ill-informed staff constitute a great hindrance to the work of MPs.

BOX 6.3
MP's Environment of Accountability



A theoretical Model of MPs world of accountability – it reflects on the role and professional development of elected officials as they relate to accountability- Lines of business refer to area of activity e.g. work in the chamber or committee...

Source:

Sabourin , J. (2002) The Member of Parliament's Environment of Accountability

Box 6.3 shows a theoretical Model of the MPs environment of accountability proposed by Sabourin, J. (2002). The model describes the different possible accountability relationships that characterize a members daily interactions and activities. The model is summarized below.

“Lines of business” in the model refer to area of activity for example Members work in the chamber or in a committee. The first relationship is the oversight of the executive. Government is accountable to the legislature; the member had the mandate to demand accountability. The next is the accountability relationship with the private sector, which

shows how members through enacting laws, debating on policy issues and issues related to the creation of enabling environment for businesses, promotes accountability on the part of the private sector. Another relationship is with the media and with interest groups. Even though members do not answer to media and interest groups, members' accountability to these groups relates to members' image and attitude, which plays a key role with voters. The ultimate answerability of the member is said to be found in the ballot box. Elections must be won and accountability begins and ends in the constituency.

Partnering for Accountability

The success of parliamentary accountability also depends upon the environment in which parliaments operate. The ability to establish a healthy relationship with other watchdog organisations is sometimes critical to accessing information, documentation and the needed research results required for oversight. Parliament must therefore partner and communicate with the following bodies and encourage their participation in the process of governance:

- Civil society groups (e.g. NGOs, trade unions, community organizations, clubs, etc.)
- The media (e.g. print, electronic, television news)
- The electorate and the public at large.

The Role of Committee Staff in Accountability

As far as oversight activities are concerned, staff can function in the following manner:

- Accessing information for the attention of committee members;
- Conducting research into issues of national interest that confront committees;
- Providing expertise;
- Drafting legislation;

- Advising parliament on policy issues;
- Bringing experience to bear on the activities of parliament.

Box 6.4

Strengthening Committees

Given the important role played by parliamentary committees, the strengthening of these bodies (political parties, audit institutions and parliament) can have a profound effect on accountability.

- Limiting turnover of committee chairs and members;
- Strengthening committee research capacity; and
- Amending regulations to ensure that committees can compel members of the executive branch to testify

Can all strengthen parliament's accountability function?

Source: <http://www.parlcent.ca/publications/pdf/sourcebooktext.pdf>

Summary

Good Governance thrives on accountability. Parliamentary accountability ensures that the government is accountable. Parliament requires information and technical support so that they can hold the government accountable. This is where the role of parliamentary staff becomes crucial, providing MPs with timely information to enable them to 'act'. It is hoped that staff of parliament who have been sensitised about the entire concept of accountability will design and fashion their own support mechanisms against the institutional environment within which they operate.

Unit 6 Questions

Please answer each of the following questions. If you are taking this course in a group you may meet to discuss your answers.

1. Explain what you understand by 'accountability'? Describe the different versions.
2. How can parliament ensure government accountability?
3. Explain the challenges likely to be faced by MPs in their effort to ensure accountability.³
4. What are some of the recommended measures for effective accountability?

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Relevant Internet Resources

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Additional Reading

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