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LEGISLATIVE NEEDS ASSESSMENT SOLOMON ISLANDS

Rebuilding Parliamentary Rule Post-Conflict

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CONSULTANT: QUINTON CLEMENTS

State, Society and Governance in Melanesia Project
Research School of Pacific and Asian Studies
Australian National University
Canberra

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EXECUTIVE SUMMARY

On 5 June 2000, an armed uprising led to the seizure of the Prime Minister of Solomon Islands, Hon. Bartholomew Ulufa'alu, and his subsequent resignation under duress. Since the coup of 5 June, 'the institutions of state have virtually collapsed'.¹ This is most evident in relation to the National Parliament, which 'appears an irrelevancy'.² Since the coup Parliament has met twice, in June and November-December 2000, with the next meeting scheduled to be held in March 2001. The sitting of Parliament on 28 June 2000 to elect a new Prime Minister was abandoned when only 28 of the 50 Members attended. Members of Parliament were reportedly threatened by militants against attending the sitting. A second sitting on 30 June was held on an Australian naval vessel anchored off Honiara.

In a paper to the Experts Group Meeting on the Post-Conflict Situation in the Solomon Islands held in Brisbane in October 2000, Donald Kudu, Permanent Secretary, Ministry of National Planning and Human Resources Development, asks:

How and why did the democratic and civil institutions of Solomon Islands fail to detect and resolve the complaints of various groups of the community before they resorted to the use of violence to further their concerns?³

The answer lies, according to Donald Kudu, with the absence of good governance. Donald Kudu states that:

Without the participation of all Solomon Islanders in the government's decision making process, without open processes of decision-making, without the government being held accountable for its policies and actions, without the efficient and effective implementation of those policies, the government is not a government for all the people of Solomon Islands.⁴

The National Parliament of Solomon Islands has clearly failed to fulfil its constitutional responsibilities in ensuring good governance. The road to recovery for Solomon Islands lies very much with the rebuilding of the vehicle for ensuring good governance, Parliament.

The National Parliament of Solomon Islands experiences a number of problems that limit its ability to assist the Government in its commitment to adopt best practices of good governance and implement the Forum's "Eight Principles of Accountability". These problems are:

¹ Hegarty, D. September 2000. *Support for the Ministry of National Unity, Reconciliation and Peace: Consultant's Report*. SSGM Project, Australian National University, p. 4.

² Hegarty, D. September 2000. *Support for the Ministry of National Unity, Reconciliation and Peace: Consultant's Report*. SSGM Project, Australian National University, p. 4.

³ Kudu, D. *An Overview of Structural and Development Issues related to the Ethnic Conflict in the Solomon Islands. Experts Group Meeting on the Post-Conflict Situation in Solomon Islands: Report of Proceedings*, 19-20 October 2000, Brisbane, p. 2.

⁴ Kudu, D. *An Overview of Structural and Development Issues related to the Ethnic Conflict in the Solomon Islands. Experts Group Meeting on the Post-Conflict Situation in Solomon Islands: Report of Proceedings*, 19-20 October 2000, Brisbane, p. 2.

Lack of independence of Parliament

- Dominance of the Executive over Parliament;
- Poor scrutiny of Government activity by Parliament;
- Parliament lacks autonomy in staffing and budget matters;
- Weak parliamentary committees that require strengthening through legislative entrenchment of compliance powers; and
- Lack of an independent parliamentary legal counsel.

Lack of access to, and availability of, information

- Failure by government bodies to comply with reporting requirements and failure by Parliament to enforce compliance;
- Lack of access to and availability of necessary information for Members of Parliament to perform their role effectively;
- Poor institutional memory within Parliament;
- Need for a qualified librarian and a proper cataloguing system in the parliamentary library; and
- Need for access to internet/E-mail facilities for parliamentary officers and Members of Parliament.

Lack of general understanding of the role of Parliament

- A lack of understanding and appreciation of the constitutional role of Parliament and of the separation of powers by both the public and Members of Parliament, resulting in unrealistic expectations placed on Members by constituents, the popular perception of Parliament as part of the Government, and the failure of Members to properly scrutinise the activities of Government.

Limited human resource development

- Lack of specialised skills among available human resources – training for both Members and parliamentary staff is required; and
- Limited opportunities for women to participate in the formal political structure - only one woman has been elected to Parliament since Independence in 1978.

Limited technical and physical resources

- Limited and unsuitable technical and physical resources, e.g. limited office facilities for Members of Parliament and a poor working environment for staff - the existing Parliament House is ill-suited to the tropical environment and is not being maintained resulting in a rapid

deterioration of the building facilities, and only the first of three stages of the Parliament House building programme has been completed.

Performance issues

- Poor attendance at committee meetings and parliamentary sessions;
- Poor quality of debate and questions in the House which reflects limited understanding of both issues and parliamentary procedures by many Members, thus undermining Parliament's scrutiny of Government;
- Emphasis on politics at the expense of governance by Members of Parliament; and
- Members of Parliament need to improve their understanding of best practices of good governance and accountability, and become more active in promoting these objectives.

It is important to note that apart from some constitutional officeholders, some Members of Parliament and the senior parliamentary officers there is little public awareness of the Forum's adoption of best practices of good governance and the Eight Principles of Public Accountability.

RECOMMENDATIONS

Key Legal Documents

1. That all key legal documents be revised to ensure the elimination of gender biased language which implies exclusion of women from the decision-making process;
2. That the Standing Orders be revised to better reflect the needs of Parliament at the beginning of the 21st Century, including provision for additional Orders enabling oversight committees to impose consequences for non-compliance by government agencies with their accountability deadlines, incorporating reference to the code of ethical conduct for Members, the revised Oath of Office, and the establishment of a Standing Committee on Ethics;
3. The development and implementation of a Code of Ethical Conduct specifically for Members of Parliament to which Members would subscribe upon election to Office together with the existing Leadership Code;
4. The development and implementation of a more appropriate oath of office for Members of Parliament emphasising the standard of conduct members agree to uphold;
5. That Standing Order 78 be revised to incorporate the establishment of a Register of Interest for Members of Parliament and that each Member be required to provide a statement of their pecuniary interests to the Clerk of

Parliament within one month of taking the oath of office and annually thereafter;

6. That Parliament establish a Standing Committee on Ethics, comprised of members of Parliament and members of the public, to develop a code of ethical conduct specifically for parliamentarians, to revise the Oath of Office, to review any code introduced, and to carry out the educative work in relation to ethical standards applying to members of Parliament as well as providing advice on the standards;
7. That the penalties under Section 7 of the *Leadership Code (Further Provisions) Act 1999* relating to disclosure of financial affairs by leaders be increased to ensure greater compliance with the provisions of the Act;
8. That the Leadership Code Commission perform a greater educative role for both leaders and the public, and the Leadership Code be made available to and widely distributed to public officers and members of the public; and
9. That induction programs and ongoing educative seminars and workshops that include an ethics component be held for members of Parliament and other constitutional officeholders.

Parliament-constituency relationship

10. That a workshop to consider the recommendations of the legislative needs assessment of Solomon Islands be held and involve all members of Parliament including the Prime Minister and Cabinet Ministers, church and other non-government organization leaders, other constitutional office holders and members of the public;
11. That a community consultation model and supporting guidelines and principles for Parliament be prepared and disseminated among Members of Parliament and the community;
12. That the Parliamentary House Committee inquire into the possibility of co-opting members of the public onto parliamentary standing committees and of revising the Standing Orders to incorporate this change;
13. That a Handbook be published containing information on the structure and role of Parliament and related information on Parliament for both Members of Parliament and members of the public; and
14. That the Parliament, in conjunction with the Solomon Islands Broadcasting Corporation, produces regular educative programs on the role of Parliament for broadcast on radio.

Law-making procedures

15. That a review be undertaken to determine the viability of amending Part 2 of Chapter 6 of the Constitution to provide for non-urgent Bills to be distributed to each province for community input after the First Reading;
16. That a community consultation process be established whereby the Solicitor-General's Office provides simplified and easily understood explanatory memorandums for proposed legislation to the co-ordinating committees in each constituency; and
17. That the permanent position of parliamentary counsel be established to provide Members with access to impartial legal advice and assistance in the drafting of Private Members' bills.

Oversight role of Parliament

18. That Section 72 (2) of the Constitution and Part C of the Standing Orders be amended to increase the number of parliamentary meetings per year;
19. That a Public Accounts Committee secretariat be established and staffed by officers from the Audit Office and the Ministry of Finance on secondment;
20. That amendments be made to the *Public Finance and Audit Act* and provision be made in the Standing Orders for the Public Accounts Committee to have recourse to the imposition of penalties to ensure compliance with the provisions of the Act for regular and timely submissions of the audited public accounts to Parliament;
21. That members of the Public Accounts Committee receive training in terms of the committee's role and in understanding the material on which they are required to report;
22. That Standing Order 75 be revised to impose greater penalties for failure by Members to attend meetings of parliamentary committees; and
23. The proposed National Audit Bill to provide for the establishment of a National Audit Office, for the duties and powers of the Auditor-General and related matters be drafted and passed into law by Parliament.

Human Resources

24. That the recommendation of the Solomon Islands delegation to the 1993 Pacific regional conference of the Commonwealth Parliamentary Association, contained in its report *Status of Solomon Islands Parliament*, to provide greater autonomy to Parliament via legislation establishing a Parliamentary Service Commission modelled on the Queensland *Parliamentary Service Act 1988* be implemented by Parliament through appropriate legislation;

25. That a parliamentary research unit be established and that its task involves producing briefing papers on proposed legislation and other issues Members need information on;
26. That priorities for public sector leadership be set and that a workshop/orientation module be prepared and conducted for new Members of Parliament – inviting a relevant person from one of the regional, New Zealand or smaller Australian legislatures and/or public sector/academia to prepare and conduct the workshop in conjunction with officers of the National Parliament of Solomon Islands;
27. That staff and Members of Parliament be provided training in technical courses such as computer skills including internet use, management and financial/accounting skills;
28. That newly appointed staff, Speakers and committee Chairs be sent on short-term attachments to other legislatures of similar size and/or the smaller Australian legislatures; and
29. That professional development and mentoring networks for both staff and Members of Parliament, particularly women, be established and maintained with small regional or Australian legislatures such as the ACT or Northern Territory Legislative Assemblies.

Women's Participation

30. It is recommended that the strategic objectives and action plans of the Ministry of Youth, Women, Sports and Recreation in relation to women and development as outlined in the National Women's Policy be implemented;
31. That every bill introduced to Parliament should include a gender impact analysis;
32. That concerted efforts are made to raise the standard of debates within Parliament in terms of both tone and quality;
33. That training courses for women be conducted in leadership skills, communication, presentation and writing skills and in understanding the Constitution and laws of Solomon Islands and the legislative process; and
34. That women's groups should be supported financially and technically in undertaking political education activities to encourage women to stand as candidates for election to Parliament and to encourage people to vote for female candidates, thereby changing the popular perception that 'politics is not a suitable pursuit for women'.

1. INTRODUCTION

This report provides background information on and a comprehensive needs assessment of the National Parliament of Solomon Islands in order to serve as the basis of a support programme to strengthen the role of Parliament in Solomon Islands. In addition, the report will assist in the generation of key generic principles of best practice for Pacific legislatures based on the notions of parliamentary democracy, participation, equity, accountability, transparency, efficiency, representation, integrity and fair elections. The report is divided into two sections:

- Section One forms the introduction to the report, describing the context in which the mission took place, and provides background information on Solomon Islands and its political system; and
- Section Two details the current situation within each area identified for institutional and capacity strengthening and provides a number of recommendations in these areas.

The Mission Terms of Reference, program undertaken by the consultant, information on the consultant, Members of Parliament and their political groupings and constituencies, Parliamentary staff, and committees are outlined in the appendices.

1.1. Context of the Visit

The legislative need assessment mission took place from 27 February to 6 March 2001. During this period Parliament was not sitting. A number of Members of Parliament were absent from Honiara, and other key individuals in terms of the assessment were unavailable. Parliament had been without communication access for several months with no working telephones or fax machines. All the parliamentary vehicles have been appropriated during and since the June 2000 coup. Parliament House did not have running water as the means of supply had been disrupted in the period since the coup. As Parliament had no means of communication, no program had been prepared in advance of the mission and it proved difficult to arrange meetings with key individuals at such short notice during the mission itself.

On Friday 2 March, Hon. David Vouza MP, Member for North Guadalcanal and Minister for Energy and Mines, died. A state funeral was held on Monday 5 March. Key individuals who had agreed to discuss their views were unavailable as a result and the parliamentary staff were required to attend to duties relating to the funeral. Because of these factors the legislative needs assessment was restricted in its scope.

1.2. Background

Solomon Islands consist of more than 900 islands, of which roughly 350 are inhabited. In 1997, the total population was estimated to be 426,000 with an annual growth rate of 3.5%.

A major consequence of the violent ethnic conflict between militants from Guadalcanal and Malaita provinces that erupted in 1998 has been a severe

deterioration in the government's already weak capacity to deliver sustainable development to the people of Solomon Islands. The coup of 5 June 2000 has exacerbated this deterioration to the point where government exists in name only.

Since 1999, the Solomon Islands economy has experienced a 20 percent contraction in GDP, according to Mr Rick Hou, Governor of the Central Bank. Forecasts for 2001 suggest the economy may grow a little, but, notes Mr Hou, these are based on the assumption of major businesses re-opening and of considerable donor support. However the law and order situation is not under control, investor confidence is low, and physical infrastructure is badly damaged. The rehabilitation of physical infrastructure will be capital intensive, and Solomon Islands will rely heavily on the donor community for the foreseeable future, according to Mr Hou. Government finances are on a daily basis, a 'hand-to-mouth' scenario, according to the Governor, with the Government living on Central Bank advances. Each week there is a \$6-7 million loss of external reserves. The Government has not prepared a budget for 2001 although it is due for presentation to Parliament in March. The economy is 'still travelling down' and has 'not hit rock bottom yet', according to Mr Hou. The Governor of the Central Bank describes the economy as in a 'dire situation'. Mr Hou has been 'trying to get Members of Parliament and Ministers interested in getting the ball rolling'. The Governor is embarking on a 'roadshow', involving public seminars, briefings and radio interviews, during March throughout the country to raise awareness of the economic situation facing Solomon Islands. Mr Hou noted, however, that the public are not active in establishing a dialogue amongst all Solomon Islanders on the task of rebuilding.

1.2.1. Form of Government

Solomon Islands is a 'sovereign democratic state' with the Her Majesty Queen Elizabeth II as Head of State. The Queen is represented by a Governor-General, presently the Reverend John Ini Lapli. Solomon Islands achieved independence from Great Britain on 7 July 1978. The Constitution came into effect on 7 July 1978 and declares in the Preamble that:

All power in Solomon Islands belongs to the people and is exercised on their behalf by the legislature, the executive and judiciary established by this Constitution.

The Constitution also provides that:

Our government shall be based on democratic principles of universal suffrage and the responsibility of executive authorities to elected assemblies; and

We shall ensure the participation of our people in the governance of their affairs and provide within the framework of our national unity for the decentralisation of power.

Solomon Islands is a parliamentary democracy. The framers of the Constitution took the Westminster model of responsible government as the basis for government in Solomon Islands. In keeping with the Westminster model, the Constitution provides for three arms of government:

- The Executive composed of the Head of State whose authority is exercised by the Governor-General and the Cabinet consisting of the Prime Minister and the other ministers;
- The National Legislature consisting of a single chamber known as the National Parliament of Solomon Islands; and
- The Judiciary consisting of the High Court, Court of Appeal and subordinate courts.

1.2.2. *The Parliament*

The national legislature is unicameral. The role and functions of the National Parliament of Solomon Islands are direct derivatives of the House of Commons with Cabinet Government as the principal feature. The notion of responsible government is embodied in the structure and functions of the Parliament. The party or coalition of parties and/or independent Members that commands a majority in the House is entitled to form the Government. From this group emerge the Prime Minister and Ministry. Under Section 33 (1) of the Constitution the Prime Minister is elected by the Members of Parliament from among their number in accordance with Schedule 2 to the Constitution. Section 33 (2) and (3) provides for 11 Ministers including a Deputy Prime Minister, or a greater number determined by Parliament, to be appointed by the Governor-General on the advice of the Prime Minister from among the Members of Parliament.

Honourable Manasseh Damukana Sogavare is the current Prime Minister. Hon. Manasseh Sogavare was elected Prime Minister on 30 June 2000 by a vote of 23 to 21 at a special sitting of Parliament held onboard an Australian naval vessel anchored off Honiara. The Sogavare Government is a coalition government comprised of 29 Members of Parliament who have formed the Coalition for National Unity, Reconciliation and Peace (CNURP). However, according to Hon. Charles Dausabea MP, Chairman of the Government Caucus, there are now 32 members of the Government Caucus.

According to the Speaker, Hon. Paul Tovua, Parliament has played a role of co-ordination throughout the crisis. Parliament maintained its constitutional role during the coup; for instance, Parliament was the forum for the change of government in accordance with Section 33 and Schedule 2 of the Constitution. However, the Chairman of the Peace Monitoring Council, Sir Peter Kenilorea, points out that there has been a lack of activity by Parliament in terms of the peace process and that discussions in Parliament on the peace process would likely 'be coloured by the weapons situation'. Members of the Chamber of Commerce stated that the parliamentary level of leadership 'has ducked responsibility during the crisis'. More generally, members of the Chamber of Commerce noted that governance in Solomon Islands has been characterised by a 'lack of forethought and planning by leaders'. According to Sir Peter Kenilorea Parliament has adequate checks and balances for ensuring good governance – for example, it has the legal authority to scrutinise government revenue raising and expenditure – but in practice 'casualness', and an expedient approach to the law, demonstrated by the attitude of some Members of Parliament, leads to abuse of and lack of respect for the political system.

Section 35 (1) of the Constitution provides for a Cabinet composed of the Prime Minister and the other ministers. Cabinet advises the Governor-General and is 'collectively responsible to Parliament' for its actions. Under Sections 35 (4) and 42 (1) the Attorney-General is the principal legal adviser to the Cabinet. The Attorney-General, in accordance with Section 42 (4), may take part in the proceedings of Parliament as adviser to the Government, but cannot vote in any matter before the House.

There are 50 Members of Parliament, elected through a first-past-the-post electoral system, from single member constituencies, for four year terms.

The Presiding Officer

Under Section 64 (1a) of the Constitution, the Speaker is elected by the Members of Parliament at its first sitting after any general election or in the event of a vacancy at the next sitting of Parliament. The Speaker is elected 'from among persons who are qualified for election as a Member of Parliament', but not from among the sitting Members of Parliament. Standing Order 5 of outlines the procedures for the election of Speaker. The Deputy Speaker is elected by the Members of Parliament from among their number. The Standing Orders of Parliament do not include provisions for the election of the Deputy Speaker or other Member elected to preside at a sitting in accordance with Section 65 of the Constitution. Under Section 64 (2b) Parliament may remove the Speaker and Deputy Speaker by resolution supported by the votes of a two-thirds majority of all Members. The Speaker's term of office ends 'when parliament first sits after a general election'. The Speaker is also Chairman of the Electoral Commission and performs the functions of the Governor-General in the latter's absence or if the office of Governor-General is vacant. The Speaker cannot hold any other office.

Under Section 65 of the Constitution the Speaker or Deputy Speaker or in their absence an ordinary Member of Parliament elected by Parliament for the sitting, presides at each sitting. Section 71 (1) of the Constitution provides that 'all questions proposed for decision in Parliament shall be determined by a majority of the votes of the members present and voting'. Section 71 (2a) provides that the Speaker has neither an original nor a casting vote. Section 71 (2b) provides that the Deputy Speaker or Member elected by Parliament for the sitting under Section 65 does not have an original vote but does have and can exercise a casting vote if the votes on any question are equally divided. Under Standing Order 38 the Speaker's ruling is final.

The current Speaker of the National Parliament is Honourable Paul Joseph Tovua OBE.

Sessions

Section 72 of the Constitution provides that the Parliament shall meet at least once every 12 calendar months, although the Governor-General may convene Parliament at any time. In the case of the National Parliament of Solomon Islands, 'meetings' refer to the period of sittings, 'sittings' refer to the daily meetings of Parliament and 'sessions' refer to the life of Parliament or parliamentary term. The Parliament generally meets three times per year for three weeks at each meeting. However the

former Ulufa'alu government did not have any meetings of Parliament for 7 months and a consequence of this, according to Hon. Paul Tovua, was the coup in June 2000. Meetings of Parliament are called by the Governor-General in accordance with Section 72 (1) of the Constitution on the advice of the Government. The procedures for convening meetings of Parliament are outlined in Standing Order 7. The convening of Parliament, therefore, depends on the Government's legislative program. According to Hon. Paul Tovua the Speaker should have the authority to determine meetings.

Although the small number of meetings of Parliament per year is a problem the Government acknowledges, it is costly to convene Parliament on a more frequent basis. Despite this, the Prime Minister, Hon. Manasseh Sogavare, suggests Parliament needs to sit more often, especially in relation to its financial oversight role, with a minimum of three meetings per year.

The attendance of Members at sittings of Parliament and meetings of parliamentary committees is also a problem, according to the Speaker. Section 67 of the Constitution provides for quorum at sittings, which is half of all Members or 25 Members present in the chamber at any one time. Standing Order 12 outlines the procedures if quorum is not achieved or is lost. Often debates in the chamber will continue without quorum, according to the Clerk. Under Standing Order 72 (3) the quorum for a standing committee is one-third of all the members excluding the Chairman. There are provisions in the Constitution for penalties for non-attendance at sittings of Parliament and in the Standing Orders for non-attendance at meetings of standing committees. In addition, Section 13 of the *Leadership Code (Further Provisions) Act 1999* provides that 'a Leader who in furthering his personal business interests neglects or fails to give priority to his official business is guilty of misconduct in office', and under the Act is liable to a maximum penalty of \$5000 or referral to the High Court. Section 50 (e) of the Constitution provides that a Member 'shall vacate his seat if he is absent from two consecutive meetings of Parliament without having obtained from the person presiding, before the termination of either meeting, permission to remain absent'. Section 50 (e) provides the Presiding Officer with some discretion in determining if the Member was absent for reasons beyond his control. Standing Order 75 provides for attendance at committees and if a member of a committee is absent from meetings without permission the Speaker may reprimand the Member. If a Member receives two such reprimands and again fails to attend a meeting of the committee, the Speaker may order the Member to have deducted from his salary and allowances money paid as entitlements for committee membership. The Speaker, Hon. Paul Tovua, suggests the Standing Orders be revised to provide more appropriate compliance mechanisms to ensure greater attendance by Members at sittings of Parliament and meetings of committees.

Committees

There is no constitutional provision for parliamentary committees. The power of the House to appoint committees is not in doubt but the source of this power cannot be stated precisely. The legal authority for the House to set its own rules and procedures is Section 62 of the Constitution. The legal framework in which parliamentary committees, therefore, are established and operate is Part N of the Standing Orders of Parliament. Parliament has two types of committees, standing select and special

select. Under Standing Order 68 (4) the Speaker determines the number of members of every select committee and nominates the chairman and members of select committees. Standing Order 75 provides for Members serving on committees to receive additional allowances for attending committee meetings.

Standing Order 68 (3) provides for the establishment of special select committees as necessary. Under Standing Order 73 (1) Parliament may, on the motion of a Member, appoint a special committee to ‘consider a matter of public importance upon which Parliament wishes the Government to initiate a Bill or take other legislative or administrative action’. The motion must specify a Minister to whom the special committee will deliver its report. Standing Order 73 (2) provides for the co-option of members of the public onto special committees. Non-parliamentarian members are appointed by the Speaker on the nomination of the Minister to whom the special committee is to report. Under Standing Order 73 (5) the committee members elect a Chairman from among themselves. The Minister appoints the secretary to the special committee. Standing Order 73 (6) provides that the special committee shall present a report to the Minister who shall table the report together with his response at the next sitting of Parliament. Standing Order 73 (7) outlines the procedures to be followed by special committees. There are no special committees operating at present.

Standing Order 68 (2) provides for the establishment of standing select committees. Each standing select committee exists for the life of the Parliament. There is a parliamentary convention that the membership of standing and select committees must include representation from each group of parliamentarians. The Leader of the Opposition is Chairman of the Public Accounts Committee, for example. There are no provisions for the co-option of members of the public onto standing committees. Standing Order 72 outlines the procedures to be followed by standing committees.

There are five Standing Committees stipulated in Part N of the Standing Orders and others may be established as required. These are:

- Public Accounts Committee;
- Parliamentary House Committee;
- Bills and Legislation Committee;
- Constitution Review Committee; and
- Foreign Relations Committee.

Under Standing Order 69, the Public Accounts Committee is responsible for examining the public accounts and the national budget.

Under Standing Order 70, the Parliamentary House Committee is responsible for reviewing the Members’ entitlements, overseeing the management and use of the facilities of Parliament, advising Parliament on parliamentary business for meetings and reviewing the Standing Orders and powers and privileges of Parliament and its Members.

Under Standing Order 71, the Bills and Legislation Committee is responsible for examining all draft legislation referred to it by the House, examining other matters referred to it by Parliament or the Government, examining all subsidiary legislation of

an Act to ensure compliance, monitoring all motions adopted by Parliament requiring legislative action, and reviewing current or proposed legislative measures as it sees fit.

Under Standing Order 71A the role of the Constitution Review Committee is to review the Constitution regularly and advise the government on any changes as the Committee may deem necessary, appropriate and fitting; examine any proposed changes to the Constitution and request submissions of views thereon from individuals or groups; advise on any matters relating to the use, abuse or misuse of constitutional powers, rights and responsibilities; and report to Parliament in accordance with Standing Order 72 (11).

Under Standing Order 71B the role of the Foreign Relations Committee includes examining the establishment of new diplomatic relations or severing of existing ties, examining appointments of representatives abroad such as Ambassadors and High Commissioners, examining the ascension and ratification of international treaties, conventions and agreements, reviewing foreign aid to Solomon Islands, and reviewing the Government's conduct of its foreign policy.

2. AREAS FOR INSTITUTIONAL AND CAPACITY STRENGTHENING

2.1. Review of Existing Key Legal Documents

The key legal documents covering Parliament are:

- Chapter VI, sections 46-74 of the Constitution;
- The Standing Orders of the National Parliament of Solomon Islands;
- The *Leadership Code (Further Provisions) Act 1999* (No. 1 of 1999); and
- *National Parliament Electoral Provisions Act 1980* (No. 5 of 1980).

All four documents, Hansard and the Gazette are written in English.

According to former Prime Minister and current Ombudsman, Sir Peter Kenilorea, if Members of Parliament want to be active, in terms of ensuring good governance and public accountability, then the mechanisms are provided in the Constitution, Standing Orders and other legislation. The key legal documents, according to Sir Peter Kenilorea, already provide the mechanisms for good governance in Solomon Islands. Sir Peter Kenilorea notes the need for the enforcement of the existing disciplinary consequences for misconduct and for additional penalties within the legal framework

Solomon Islands does have a Leadership Code of Conduct and an independent, statutory body, the Leadership Code Commission, to regulate the Leadership Code. Parliament does not have its own separate code of conduct or comprehensive accountability mechanisms for Members, although there are provisions in the Constitution (sections 50 and 69), the Standing Orders (orders 39, 75, 77 and 78), and the *Leadership Code (Further Provisions) Act 1999* concerning the behaviour of Members of Parliament. There is no parliamentary Standing Ethics Committee that could prepare a draft code of conduct for Members of Parliament, review any code

introduced, and carry out the educative work in relation to ethical standards applying to Members of Parliament as well as providing advice on the standards.

Section 63 of the Constitution provides for an Oath of Allegiance taken by new Members before assuming office. Schedule 1 to the Constitution set out the form of the oath and Standing Order 2 outlines the procedures for taking the oath. In the oath Members swear loyalty to the Head of State. There is no reference in the oath taken by Members of Parliament to the principles of good governance and public accountability.

2.1.1. Constitution

The Constitution of Solomon Islands is not unique. Most of its features are common to other countries in the region as well as other former British colonies elsewhere in the world, although the land tenure provisions in Chapter 11 give the Constitution a South Pacific flavour. The Constitution of Solomon Islands is a prescriptive document. There was an attempt prior to independence to construct a ‘more appropriate alternative to Westminster’ that was later rejected by the pre-independence Legislative Assembly in favour of the ‘more conventional Westminster system’.⁵ The alternative model, in operation from 1970 to 1974, provided for:

A Governing Council in which executive functions were distributed among five committees. All members of the Council sat on one or other of the committees which also included some senior public servants. The Council sat in public as a legislature, while the committees sat in private as executives.⁶

Although less divisive than Westminster as it did not require political parties and ‘embodied Melanesian traditions of consensus’, the Governing Council system was criticised for its secrecy and ‘failure to provide leadership’.⁷

Under Section 2, the Constitution is the supreme law of Solomon Islands. The Constitution is divided into fourteen chapters. These are as follows:

- I. The State and the Constitution;
- II. Protection of Fundamental Rights and Freedoms of the Individual;
- III. Citizenship;
- IV. The Governor-General;
- V. The Executive;
- VI. The National Legislature;
- VII. The Legal System;

⁵ Larmour P. 2000. *What’s the Problem with Westminster in the South Pacific? A ‘Policy Transfer’ Approach*. Paper for CDI Series on Democratisation. National Centre for Development Studies, The Australian National University, p. 15.

⁶ Larmour P. 2000. *What’s the Problem with Westminster in the South Pacific? A ‘Policy Transfer’ Approach*. Paper for CDI Series on Democratisation. National Centre for Development Studies, The Australian National University, p. 15.

⁷ Larmour P. 2000. *What’s the Problem with Westminster in the South Pacific? A ‘Policy Transfer’ Approach*. Paper for CDI Series on Democratisation. National Centre for Development Studies, The Australian National University, p. 16.

- VIII. Leadership Code;
- IX. The Ombudsman;
- X. Finance;
- XI. Land;
- XII. Political Divisions;
- XIII. The Public Service; and
- XIV. Miscellaneous.

Chapter Six, The National Legislature, is divided into two parts. Part One, sections 46 to 58, outlines the provisions for the Parliament including the composition of Parliament, qualifications and disqualifications for membership, the vacation of seats, determination of questions as to membership, the Constituency Boundaries Commission, constituencies, qualifications and disqualifications for registration as an elector, and the Electoral Commission. Part Two, sections 59 to 74, outlines the provisions for legislation and procedure in Parliament. These provisions include the power to make laws, the introduction of bills, alteration of the Constitution, rules of procedure, oath of allegiance, the Speaker and Deputy Speaker, leaders of opposition and independent groups in Parliament, quorum, privileges, Entitlements Commission, determination of entitlements, voting, sessions of Parliament, and prorogation and dissolution of Parliament.

The Parliament is established under Section 46 of the Constitution as a single chamber legislature. Section 73 (3) of the Constitution provides that the life of each Parliament is four years following the first sitting after any general election. Under Section 73 Parliament may also be prorogued or dissolved during the life of a Parliament.

Under Section 48 of the Constitution a person is qualified for election as Member of Parliament if he or she is a citizen of Solomon Islands and is 21 years of age or older. Under Section 49 a person is also disqualified for election as a Member of Parliament if they are in allegiance to another state, hold any public office, is an undischarged bankrupt, certified to be insane, under sentence of death or imprisonment, is disqualified from registration as an elector, or holds any office related to the conduct of elections to Parliament. Under Section 52, the High Court determines questions as to membership of Parliament.

Section 54 of the Constitution provides for 'not less than thirty and not more than fifty' constituencies. The boundaries of each constituency is determined by the Constituency Boundaries Commission comprised of three non-parliamentarians appointed by the Governor-General on the advice of the Judicial and Legal Services Commission, and the Surveyor-General and Head of the Statistics Office. Following reviews of the number and boundaries of constituencies the Constituency Boundaries Commission makes recommendations to Parliament. Under Section 54 of the Constitution, Parliament can either approve or reject the recommendations but not alter them. Under Section 55 a person is eligible to register as an elector if he or she is a citizen of Solomon Islands and is 18 years of age or older. The Electoral Commission, established under Section 57 of the Constitution, is chaired by the Speaker and two non-parliamentarians appointed by the Governor-General on the advice of the Judicial and Legal Services Commission.

There are two Bills amending the Constitution to be tabled in the March 2001 meeting of Parliament. The *Constitution (Amendment) Bill 2001* amends Section 91 (4) of the Constitution to 'enable the granting of amnesty, pardon or immunity to certain persons who may be liable to criminal prosecution for certain acts' committed prior to the Townsville Peace Agreement or the Marau Peace Agreement. The two Peace Agreements provided for 'the grant of amnesty by Acts of Parliament in return for the surrender of weapons and certain other conditions'. The constitutional amendment Bill provides for the grant of amnesty outlined in the relevant Acts of Parliament within the framework of the Constitution. The *Constitution (Amendment) (No. 2) Bill 2001* amends Section 73 (3) of the Constitution to provide for the extension of the term of office of Parliament from four to five years.

2.1.2. Standing Orders

Section 62 of the Constitution provides for the Rules of Procedure for Parliament, and Section 69 enables Parliament to prescribe 'the privileges, immunities and powers of Parliament and its members'. The Standing Orders of the National Parliament of Solomon Islands were first gazetted in 1981. The Standing Orders were amended in 1994. In December 1999 Parliament passed a motion put by the then Leader of the Opposition, Hon. Manasseh Sogavare, amending Standing Order 69 enabling the Public Accounts Committee to scrutinise supplementary appropriation bills prior to these bills being tabled. The amendments to Standing Order 69 have not yet been drafted and incorporated into the Standing Orders. The Standing Orders are divided into 15 parts with 82 orders.

The role of Parliament needs to be enhanced, according to Hon. Paul Tovua, and this means revising the Standing Orders 'so people can look at Parliament as a unifying force in the country and Parliament becomes the forum for resolving issues'. The Speaker proposes a review of the Standing Orders with a focus on the powers and functions of standing committees. Provisions to strengthen the legal authority of standing committees are required, according to the Speaker. The Clerk recommends the engagement of a consultant, who is a legislative specialist, to review and revise the Standing Orders in keeping with the development of procedures in the House. Parliament would need to establish a special select committee under Standing Order 68 to undertake the review or the Parliamentary House Committee, which is responsible for reviewing the Standing Orders, could be given the terms of reference. The consultant would assist the committee undertaking the review. The Clerk points out that the proposed review of the Standing Orders is an 'immediate need'.

The Solicitor-General/Legal Draftsman, Mr Ranjit Hewagama, points out that any review and revision of the Standing Orders can be carried out by the Solicitor-General's office, and there is no need for outside assistance to conduct the review. The Solicitor-General notes that the parliamentary Standing Orders are standard procedures common to many Westminster type parliaments. The issue is not the adequacy of the Standing Orders, according to Mr Hewagama, it is the performance of Members of Parliament in terms of attendance at meetings of the House and committees, their understanding of parliamentary procedures and capacity to comprehend legislation and their willingness to learn. The Clerk, however, points out

that the Office of the Solicitor-General/Legal Draftsman is short staffed, hence the need for an appropriately qualified consultant.

2.1.3. Ethics provisions and the Leadership Code Act 1999

There are a number of provisions in the Constitution, the Standing Orders and the *Leadership Code (Further Provisions) Act 1999* relating to the behaviour of Members of Parliament and other constitutional officeholders. Section 48 of the Constitution outlines the qualifications for election as a Member of Parliament. Section 49 outlines the criteria for disqualification for election to Parliament. Section 50 (e) provides for the vacation of a seat if a Member fails to attend two consecutive meetings of Parliament without leave from the Presiding Officer. Under Section 51, a Member must vacate his or her seat if the Member is sentenced to imprisonment for a term of six months or more or death by a court anywhere in the world. Standing Order 77 prohibits any Member from appearing before the House or a committee as a legal practitioner acting on behalf of any person for a fee. Standing Order 78 provides for every Member to declare in writing all interests to the Speaker before taking the oath of office and thereafter disclose all new interests before the next sitting of Parliament. Under Standing Order 78, the Speaker is required to maintain a confidential register of interests, although the Speaker may disclose the register following a motion of Parliament to do so, or in relation to an Act, or 'where he considers it fit and proper to do so'. Standing Order 78 also provides that Members must disclose any personal pecuniary interest in a matter before the House. A Member's vote may be disallowed for failing to disclose a personal pecuniary interest in a matter on which a vote was taken.

Chapter Eight, sections 93 to 95 of the Constitution outline the Leadership Code. Under Section 93, the provisions of the Leadership Code apply to all constitutional office-holders. Section 94 stipulates the responsibilities of office, including the conduct expected in office such as not using the office for personal gain or allowing family and associates to use the Leader's office for personal benefit. Under Section 94 (4) a leader is guilty of misconduct in office if he or she 'is convicted of an offence in respect of his office ..., fails to carry out the obligations (imposed by Section 94), and commits any act under section 95'. Section 95 enables Parliament to make provisions for rules of disclosure, specify misconduct in office, create offences and prescribe penalties, and provide for the investigation and prosecution of cases of alleged misconduct.

The *Leadership Code (Further Provisions) Act 1999*, which replaced the *Leadership Code (Further Provisions) Act 1979*, was enacted in accordance with Section 95 of the Constitution. Part Two of the *Leadership Code (Further Provisions) Act 1999* provides for the compulsory disclosure of the financial affairs of every leader whose office is specified under sections 93 and 107 (2) of the Constitution within three months of taking office and at two yearly intervals thereafter. Any Leader who fails to do so is guilty of misconduct in office and is liable to a fine or further prosecution. In Part Three the Act outlines actions by leaders that constitute misconduct in office including use of office for personal benefit, neglect of official business, engaging in other paid employment, bribery, theft of property belonging to the office, use of official information and failure to disclose personal interest.

In accordance with Section 95 of the Constitution Section 5 of the Act establishes a Leadership Code Commission, consisting of a Chairman and two other members appointed by the Governor-General on the advice of a nominating committee consisting of the Prime Minister, Leader of the Opposition, Chairman of the Public Service Commission and Attorney-General. Under Section 6 of the Act, the Leadership Code Commission is provided with a secretariat. Under Section 7 of the Act, the Commission is empowered to investigate any allegations of misconduct in office that are brought to the Commission's attention.

Part Four of the Act outlines the procedures the Commission follows and its powers when investigating allegations of misconduct in office by a leader. Under Section 24 of the Act if after an investigation the Commission determines there has been misconduct in office by a leader, the Commission may, depending on the nature of the offence, (a) warn or reprimand the leader if the offence is minor, (b) impose a fine not exceeding \$5000 if the offence is more serious, or (c) refer the matter to the High Court. Part Five of the Act outlines the proceedings to be followed in the High Court and the powers of the Court in Leadership Code matters. Under Section 36 of the Act if a leader is found guilty of misconduct in office by the High Court, the leader is prevented from holding public office or standing for election at the national, provincial and local levels for three years. If a leader is found guilty of misconduct a second time, he or she is disqualified from holding public office ever again.

Mr Leonard Maenu'u, Chairman of the Leadership Code Commission, points out that most leaders are receptive to the Commission. The Commission prefers to try to assist leaders against whom complaints of misconduct are made first through advice. Investigations carried out are to correct behaviour, not punish it, according to Mr Maenu'u. The Leadership Code 'asks leaders to act responsibly and to respect local customs.

People have to lodge a complaint with the Leadership Code Commission, name the leader responsible and the misconduct allegedly committed. The Commission will then check if the complaint is genuine, and, if so, begin a formal investigation. Mr Maenu'u believes 'people should demand leadership'. Mr Maenu'u notes that the referees within the political system are the people, people watch their leaders and exercise control over the leaders through the Leadership Code Commission.

Despite the existence of these various provisions relating to the conduct in office of Members of Parliament and other constitutional officeholders, many interviewees pointed out the failure to enforce these provisions. Pastor Alfred Alufurai, Chairman of the Solomon Islands Full Gospel Association, for example, does not know how the Leadership Code Commission works and is yet to see a Member of Parliament tried in the High Court for misconduct in office. The Ombudsman, Sir Peter Kenilorea, also points out there is no example where an individual Member of Parliament has been penalised for misconduct in office. Interviewees identified a number of problems in this regard:

- a) The Leadership Code Commission lacks the resources and capacity to fulfil its role of enforcing the Leadership Code and as the source for advice and education on ethical issues.

The Commission has no autonomy in terms of resources; administratively the Commission is part of the Office of the Prime Minister. One effect of limited resources is that the Commission is unable provide copies of the Leadership Code to the public or undertake educative programs to raise awareness among the public of the Leadership Code and the role of the Commission. People are not aware of the role of the Leadership Code Commission or how to lodge a complaint or the process of investigating complaints, according to Mr Maenu'u. Mr Maenu'u points out the Commission requires the means to 'go out and talk to the people', to be able to provide educative programs on the Code and the Commission via radio and through school and community visits, but is constrained by a lack of financial support from the Government. Under Section 6 of the Act, the Commission is to be provided with a Legal Officer. Mr Maenu'u notes the Commission currently needs a legal adviser(s).

- b) A review of both the Leadership Code and the Leadership Code Commission is required as the provisions of the *Leadership Code (Further Provisions) Act 1999* are not being effectively implemented.
- c) The behaviour of Members of Parliament does not always comply with the standards set by the Leadership Code.

Ethics among leaders is weak, according to Pastor Alufurai. Despite the provisions in the Leadership Code Act, the Standing Orders and the Constitution, Pastor Alufurai points out that Members of Parliament are not held accountable for poor leadership and mismanagement, and unethical behaviour. Members also expose themselves to conflicts of interest by holding other public offices such as Chairmanships of Statutory Authorities, according to Mr Maenu'u.

- d) The quality of leadership produced in Solomon Islands is an issue of concern.

According to Pastor Alufurai, Solomon Islands 'needs leaders that can be trusted'. There is thus a need for better education of the public, with the churches playing a role by teaching moral leadership, according to Pastor Alufurai. There is a lack of discipline among Members of Parliament that leads to instability. Members are usually not aware of the effect of their statements in the House and Members do not always respect the confidentiality of matters where necessary, according to Mr John Lamani, Managing Director of Solomon Star newspaper. Mr Lamani believes it will take 15-20 years before the leadership and ethics standards of Members of Parliament improve. The minimum qualifications for Members of Parliament relate only to citizenship and age, so candidates that may be illiterate, have criminal records or have been bankrupted could be elected, according to Mr Johnson Honimae, Chairman of the Solomon Islands Broadcasting Corporation. Some interviewees suggested there is a need for minimum educational qualifications for Members. Mr Maenu'u believes the 'alien system of government is the biggest problem'. Leaders are caught in a system beyond their understanding. Members of Parliament 'all come from village environments', therefore their level of understanding of the system of government is limited. A Member of Parliament elected from a rural village can suddenly become a Cabinet Minister. Tradition and culture predominates against the Westminster system of governance, according to Mr Maenu'u. The practices of good governance, Mr Maenu'u notes, are either hampered by the 'absence of resources on the ground or

limited by inexperience and lack of qualifications' among those entrusted with leadership.

- e) There are no comprehensive formal guidelines relating to Members' conduct in office.⁸

In order to promote integrity among Members of Parliament and an effective, accessible and accountable political system a comprehensive set of standards, incorporating the existing provisions relating to the conduct of Members and other constitutional officeholders in the Leadership Code Act and additional provisions within one document, needs to be developed and implemented. A code of ethical conduct specifically for Members of Parliament should be enacted in legislation, in accordance with Section 95 of the Constitution, which Members would have to subscribe to upon election to Parliament. Adherence to the code of ethical conduct should be incorporated in the oath of office.

The proposed code of ethical conduct should at a minimum be comprised of three areas:

- An aspirational framework of reference for leaders in the course of their duties - a statement of ethical principles and an outline of the obligations imposed on leaders;
- An overview of the restrictions and obligations placed upon members including such matters as a Register of Members' Interests, bribery and advocacy, conflicts of interest, authorised use of allowances and misuse of confidential information; and
- The procedures for handling complaints concerning matters contained within the code⁹.

The purpose of the code of ethical conduct is to present relevant information concerning the obligations of Members, together with specific guidelines for their conduct in office, in one document that is given to all Members upon election to office and is available to the public. This proposed code brings together in one document the current obligations and requirements of Members presently dispersed in a number of documents. The Clerk is responsible for organising, and often running, educative and induction programs for Members of Parliament. These programs should also include an ethics component.

The main accountability mechanism for ensuring that Members of Parliament do not have conflicts of interest is a pecuniary interest register. It is recommended that the Register of Interest provided for in Section 95 of the Constitution and Standing Order 78 (1) and (2) should be compiled on an annual basis and a summary of the Register be available as a public document. It is recommended that each Member of

⁸ For a comprehensive assessment of ethics regimes in the various Australian parliaments by way of comparison, see the New South Wales Legislative Assembly Standing Ethics Committee, *Report on Interstate Study Tour February 2000*, April 2000.

⁹ See Queensland Members Ethics and Parliamentary Privileges Committee, *Report on a Draft Code of Conduct for Members of the Queensland Legislative Assembly*, May 1998.

Parliament be required to provide a statement of their pecuniary interests to the Clerk of Parliament within one month of taking the oath of office and annually thereafter.

To support and complement the Leadership Code Commission, Parliament needs to establish a standing committee on ethics, in accordance with Standing Order 68 (1) and sections 62 and 95 (h) of the Constitution, to assist in developing the code of ethical conduct for Members, to develop an oath of office that incorporates adherence to the code, and to review any code introduced. The Committee would carry out the educative work in relation to ethical standards applying to Members of Parliament as well as providing advice on the standards. Both members of the public and parliamentarians should serve on this Committee. The Committee should also have responsibility for monitoring the operation of the Register of Members' Interests, and for oversight of the Leadership Code Commission.

In order for the Leadership Code to be effective, the Leadership Code Commission needs the resources to undertake its responsibilities to regulate the Code, to investigate complaints and to refer offences to the courts. The role of 'watchdog' of this body should be balanced by the role of 'reformer and educator' on public sector standards and leadership. This educative role is important because effective measures to prevent poor standards of leadership require a long-term view and governments are often tempted to look only to short-term results.

2.1.4. National Parliament Electoral Provisions Act 1980

The *National Parliament Electoral Provisions Act 1980* (No. 5 of 1980) was enacted in accordance with Section 47 of the Constitution. Sections 48 to 52 of the Constitution provide for the qualifications of candidates. Sections 53 and 54 provide for a Constituency Boundaries Commission and the number of constituencies. Section 55 outlines the qualifications for registration as an elector. Section 56 of the Constitution stipulates that only registered electors have the right to vote. Sections 57 and 58 of the Constitution provide for the establishment of an Electoral Commission and stipulate its functions.

Under Section 4 of the *National Parliament Electoral Provisions Act 1980* the Electoral Commission appoints a returning officer for each of the 50 electoral constituencies. There are also nine electoral managers.

Part two, sections 10 to 22, of the *National Parliament Electoral Provisions Act 1980* outlines the procedures for the registration of electors, the maintenance of the Register of electors for each constituency, and objections and revisions of the Register of electors. Part three, sections 23 to 64, of the Act outlines the procedures for the conduct of elections including the publication of the date of the election, nomination of candidates, arrangements for polling, hours of voting, method of voting, counting of votes and declaration of results. Part four, sections 65 to 86, of the Act outlines the type of electoral offences and penalties, the procedures for election petitions, and miscellaneous matters.

2.1.5. Recommendations

1. That all key legal documents be revised to ensure the elimination of gender biased language which implies exclusion of women from the decision-making process;
2. That the Standing Orders be revised to better reflect the needs of Parliament at the beginning of the 21st Century, including provision for additional Orders enabling oversight committees to impose consequences for non-compliance by government agencies with their accountability deadlines, incorporating reference to the code of ethical conduct for Members, the revised Oath of Office, and the establishment of a Standing Committee on Ethics;
3. The development and implementation of a Code of Ethical Conduct specifically for Members of Parliament to which Members would subscribe upon election to Office together with the existing Leadership Code;
4. The development and implementation of a more appropriate oath of office for Members of Parliament emphasising the standard of conduct members agree to uphold;
5. That Standing Order 78 be revised to incorporate the establishment of a Register of Interest for Members of Parliament and that each Member be required to provide a statement of their pecuniary interests to the Clerk of Parliament within one month of taking the oath of office and annually thereafter;
6. That Parliament establish a Standing Committee on Ethics, comprised of members of Parliament and members of the public, to develop a code of ethical conduct specifically for parliamentarians, to revise the Oath of Office, to review any code introduced, and to carry out the educative work in relation to ethical standards applying to members of Parliament as well as providing advice on the standards;
7. That the penalties under Section 7 of the *Leadership Code (Further Provisions) Act 1999* relating to disclosure of financial affairs by leaders be increased to ensure greater compliance with the provisions of the Act;
8. That the Leadership Code Commission perform a greater educative role for both leaders and the public, and the Leadership Code be made available to and widely distributed to public officers and members of the public; and
9. That induction programs and ongoing educative seminars and workshops that include an ethics component be held for members of Parliament and other constitutional officeholders.

2.2. Assessment of Existing Parliament-Constituency Relationship

The heart of the Solomon Islands system of government is a Parliament elected by universal adult suffrage. For this system to work effectively the people of Solomon Islands need to exercise sound judgement in, firstly, electing their representatives and, secondly, in consulting them once their representatives are elected. It is important that the people 'know and understand, at least in broad terms, what the Parliament is, what it does, how it works, what happens there and what is said there'.¹⁰ The peoples' elected representatives must, in turn, 'be aware of the beliefs, needs, aspirations and circumstances of those they represent. They must therefore be accessible to the people, individually and collectively'.¹¹ The elected Parliament is directly accountable to the people, a fact Members must keep at the forefront of their thoughts and actions as Members.

Parliament is the link between the government and the people. On the one hand, it tells the Government what the people want or will stand for; on the other, it informs and teaches the public about the Government's intentions.¹²

A number of issues emerged from the assessment of the existing relationship between parliamentarians and their constituents. These issues were:

- The political culture in Solomon Islands;
- The absence of a dialogue between Members of Parliament and their constituents and limited understanding by members of the public of the role of Parliament and its Members; and
- The role of the media in educating and informing the public.

2.2.1. *The Political Culture*

A number of interviewees pointed out that Parliament is new to Solomon Islands, and that many of its problems stem from the imposition of a Western institution into a Melanesian environment. It is clear, according to a number of interviewees, that the institution of Parliament has not taken root within the political culture of Solomon Islands, which retains its traditional norms and values. Members of the Chamber of Commerce stated that Parliament is 'irrelevant to the lives of most people'.

Politics is based on personality. As elections approach political parties emerge, but people vote on the basis of personality and personal connections through family, clan, tribe and region. Parties tend only to be active in election year, according to Mr John Babalu, Secretary of the Electoral Commission. Once elected Members of Parliament form coalitions, according to Hon. Charles Dausabea. The Prime Minister, Hon. Manasseh Sogavare, states there is a lack of commitment to parties among Members which leads to political instability through frequent 'crossing the floor' by Members. This results in governments' 'emphasising survival ahead of good governance'. The

¹⁰ Barlin, L. M. (Ed), 1997, *House of Representatives Practice: Third Edition*, AGPS, Canberra, p. 727.

¹¹ Barlin, L. M. (Ed), 1997, *House of Representatives Practice: Third Edition*, AGPS, Canberra, p. 727.

¹² Crick B. & Jenkinson S, 1966, *Parliament and the People*, Hamish Hamilton, London, p. 111.

parties that are formed tend not to be premised on set principles or particular ideologies, according to Hon. Manasseh Sogavare. There are no real issues of difference between political groups, and certainly no ideological differences, according to Sir Peter Kenilorea.

Mr Johnson Honimae states that ‘parties could be contributing to the civics education of the public’. There is, however, a ‘lot of antipathy’ among the public. For instance, candidates have to make sure voters are registered, and during elections candidates will charter vessels or aircraft to take registered voters back to their constituencies. Hon. Charles Dausabea states that legislation governing political parties is needed to prevent Members crossing-the-floor. Sir Peter Kenilorea believes the Constitution should be amended to create party stability by preventing Members of Parliament from crossing-the-floor and limiting the number of political groups contesting elections. Sir Peter suggests developing a party system and moving away from personality based politics.

Former Leader of the Opposition and now Prime Minister, Hon. Manasseh Sogavare, states that the role of the Opposition needs to be examined. Although Section 66 of the Constitution recognises the positions of Leader of the Official Opposition and Leader of the Independent Members, the Prime Minister states there is also a need to formalise the positions of shadow ministers. The Opposition is currently a ‘loose federation of individuals’, according to Hon. Manasseh Sogavare. He states that the Opposition needs to be organised so it performs the role of watchdog over government. Sir Peter Kenilorea notes that the Opposition does point out government failure and misconduct in House, and there is free debate within the House and in the public sphere.

Hon. Jackson Sunaone MP states that a fundamental question needs to be addressed by Solomon Islanders:

‘What kind of person do you want to lead in Solomon Islands?’

According to Hon. Jackson Sunaone MP, ‘good governance equals discipline’. Good governance should start outside Parliament, according to Hon. Jackson Sunaone MP. Traditional practices are an important aspect of good governance, but have been bypassed. Hon. Jackson Sunaone MP points out that the traditional system of governance needs to be emphasised. Parliament is ‘nothing’, according to Hon. Jackson Sunaone MP. People do not appreciate the importance of Parliament. The Prime Minister, Hon. Manasseh Sogavare, states that there is pressure from constituents on Members of Parliament as ‘a source of money’. Mr Johnson Honimae notes that the popular attitude towards Members of Parliament is that Members are the ‘answer to everything’. The churches, however, retain their social capital, exercising a ‘strong influence’ on the people, according to Pastor Alufurai. People tend to listen to religious leaders and look to the churches during the crisis.

Electoral Process

There are three types of elections for:

- National Parliament;

- Provincial assemblies; and
- Local area councils.

The Electoral Commission only supervises elections for the National Parliament. The Ministry of Provincial Government supervises provincial assembly elections and the Ministry of Home Affairs supervises local government elections, including the Honiara City election.

The Electoral Commission sets the date of the election and advises the Governor-General. The next election is due in 2001. The Parliament should dissolve on 26 August 2001, and under Section 74 of the Constitution elections must be held within four months of the date of dissolution. Under Section 23 of the *National Parliament Electoral Provisions Act 1980* the election is held 42 days after it has been called. Polling takes place on one day throughout the entire country. Polling is held on a weekday, which is declared a public holiday. The Electoral Commission uses the system of one box per candidate. There is a SI\$2,000 nomination fee for candidates.

In the 1997 General Election, there were 332 candidates, including four women candidates, one of whom was elected. The highest number of candidates in a constituency was 18 in Central Honiara and the lowest number was two candidates. Voter turnout in the 1997 election was 85 percent.

During the campaign period candidates use the media and political advertising to attract support. The Electoral Commission raises public awareness of the election and the need to register to vote through radio and the newspaper. People must register to vote 90 days before the election. The Electoral Commission requires sufficient funding for both the election and voter education and registration. However, according to Mr Babalu, the Electoral Commission is facing severe financial constraints in 2001 and may not be able to conduct the voter education program before the election. The Electoral Commission is proposing to develop units on the electoral system for primary and secondary schools in conjunction with the Curriculum Unit of the Ministry of Education, according to Mr Babalu. The aim is to have children educating their parents on their responsibilities as citizens. Mr Babalu states the Electoral Commission made a submission in 1998 to the Ministry of Education but this proposal 'was sidelined due to the Government's redundancy program'.

Mr Babalu states that the Electoral Commission is working on changes to the Electoral Act. The proposed amendments to the Act are drawn from the recommendations of the 1995 *Electoral Review Report* and include the appointment of a Chief Electoral Officer and the registration of citizens who are living overseas. Another recommendation of the 1995 *Electoral Review Report* is the registration of political parties. Political Parties currently register with the Registrar-General's office under the Charitable Act, not with the Electoral Commission. The 1995 Report recommended that the registration of political parties be incorporated in the Electoral Act. The 1995 Report recommended that political parties must have a written constitution, a postal address, a membership of not less than ten, and their aims and objectives for governing the nation should be clearly documented. Political parties would have to register with the Electoral Commission and provide to the Commission copies of the minutes of meetings and financial statements. Mr Babalu states that a review of political parties by Electoral Commission is underway, and a draft bill is

being prepared for the next session of Parliament. The Chairman of the Government Caucus, Hon. Charles Dausabea, advocates a stronger political party system for Solomon Islands and amendments to Electoral Act to achieve this.

Although the parliamentary term is four years, the Speaker points out that a Bill to amend Section 73 (3) of the Constitution to extend the life of the present Parliament and all future Parliaments by one year is to be tabled during the March meeting. The Bill, the *Constitution (Amendment) (No. 2) Bill 2001*, will amend the Constitution to provide for the extension of the term of office of Parliament from four to five years. The Prime Minister states that the reasons for this proposed constitutional amendment are that a four year term is inadequate for any elected government to implement its policies, Parliament passed a motion to this effect in 1998, and it is not conducive to hold a general election amidst the prevailing social unrest and deteriorating law and order situation in Solomon Islands. If Solomon Islands goes to an election in 2001, the Prime Minister fears the possibility of violence and the election of militants to Parliament. The extension of Parliament by one year allows for the full implementation of the Townsville Agreement, according to the Prime Minister. The Chairman of the Peace Monitoring Council, Sir Peter Kenilorea, however, does not see any advantage in extending the life of Parliament.

The Prime Minister states that there is a 'need for good people in Parliament', but this depends on the electoral process and the people themselves. He states that this 'will take a considerable period of time', and stricter qualification criteria for candidates such as formal education levels should be set. The 'right people' are not being elected at present. Currently Members of Parliament are elected on personality rather than policy platforms. Mr John Lamani states that Members of Parliament 'go into Parliament for reasons of personal benefit' and as candidates, they tend to make many extravagant election promises that are not met. The effect of this is to raise people's expectations to an extent that can never be met. Mr Lamani states that many Members of Parliament 'favour constituents who supported them during the election', and adopt a 'selfish attitude'. There are no major issues that galvanize people at elections, and no true political parties. Mr Lamani also notes that many Members have educational backgrounds that leave them ill-equipped to adequately fulfil their roles. Many Members, for instance, do not understand what the Standing Orders are, according to Mr Lamani.

2.2.2. Absence of Consultation and Limited Understanding

Absence of Consultation between MPs and Constituents

Members of Parliament rarely return to their constituencies once elected, according to Mrs Martina Ului, President of the National Council of Women, and therefore do not regularly explain and discuss issues with their constituents. Mrs Ului points out that there is an 'absence of dialogue' between Members of Parliament and constituents. Hon. Rueben Lilo, Premier of Western Province, states that there is a need for ongoing consultation between national Members of Parliament and provincial level leaders. The emphasis should be on Members of Parliament returning to their constituents on a regular basis to explain issues and raise awareness. Mr Lilo states that the consultation process works better at the provincial level, that is, between provincial level leaders and the people. Hon. Lilo points out that there is no existing

body for each constituency that could co-ordinate the delivery of services. He states that there is a clear need for such co-ordinating bodies at the constituency level, for example, a steering committee incorporating local chiefs, village organisers, provincial Assembly Members and national Members of Parliament. Some national Members of Parliament initiate such committees themselves, but there is no general effort, only 'solo efforts', according to Hon. Lilo. There is provision in the *Provincial Government Act* for co-ordinating committees involving provincial governments and national Members of Parliament but there is a lack of interest on the part of national Members of Parliament. Members of Parliament need to work closely with their constituencies through such bodies as ward committees.

Hon. Lilo states that the 'voice of the people is not heard in the decision-making process'. The people are 'lost', according to Hon. Lilo. 'Most of the time people have no access to their Member of Parliament' and there is a breakdown of communication between Members and their constituents because there is no mechanism in place for Members of Parliament to consult with constituents, according to Hon. Lilo. Mr John Lamani states that 'people are misinformed by Members of Parliament'. For example, Mr Lamani points out, that the provincial government system needs to be fully explained to the people, rather than simply advocating state government as a solution. Most interviewees believe that Members of Parliament should be in the forefront of educating their own constituents.

Limited Understanding of Political System

Most interviewees stated that people generally do not understand how the political system is meant to work or the role of Parliament. Pastor Alfred Alufurai states that people tend to know who major political leaders are such as the Prime Minister, Provincial Premier, prominent Ministers and their Member of Parliament, but know very little else about the political system. People perceive Parliament as part of Government, according to Pastor Alufurai, and the separation of powers does not exist in the popular perception of the political system. Since Independence, there has not been much public awareness of the Westminster system or understanding of how it works, according to Mrs Ului. She points out that a 1999 review of provincial governments found that people had no understanding of how either the provincial government or national government systems work. There is a general ignorance of the whole governance system, according to Mrs Ului. This ignorance extends to Members of Parliament. Many interviewees stated that there is a genuine lack of understanding of how the political should work on the part of Members of Parliament, and that the performance of most Members is constrained by a lack of education and experience. The lack of knowledge, which itself is the result of the absence of an effective civics education program, means that people feel they are not part of the political system, according to Mrs Ului. She points out that people are reluctant to participate in the formal political process. Mr Leonard Maenu'u states that 'if the best educated have problems understanding how government works, people in the villages would not have a clue but are still expected to participate in the political system'. All interviewees agreed that there is an urgent need to bring the public into the governance process.

Sir Peter Kenilorea states that there is some understanding of the role of Parliament by constituents, but this understanding is overshadowed by the perception of their

Member of Parliament as a source of material resources. According to Sir Peter Kenilorea, ‘the emphasis on short term benefit crowds out better understanding of broader issues and policies’. This is exacerbated by the existence of the Constituency Development Fund Scheme. A consequence of this is the abuse of the traditional, cultural form of leadership premised on a reciprocal relationship between leader and people. This relationship is now one sided, according to Sir Peter Kenilorea, and it is difficult to expect Members of Parliament to change this. Hon. Alfred Maetia MP, Chairman of the Parliamentary House Committee, however, notes that his constituents are aware of what happens in Parliament, and that it is not difficult to get information to constituents. People want their representative in government, according to Hon. Alfred Maetia MP.

The curriculum at primary school level does not include courses of study on civics. There is a limited civics education component at secondary school level. Hon. Jackson Sunaone MP, Deputy Speaker of Parliament, points out that civics education in schools needs to be reviewed and improved. There is clearly a need to ‘go deeper’ in terms of raising awareness and understanding of the political system rather than focus just on Parliament, according to Hon. Jackson Sunaone MP.

‘Not many people understand how Parliament works’, according to Mr Johnson Honimae, General Manager of Solomon Islands Broadcasting Corporation. Parliament has no awareness raising/educational program for the public. The only publications concerning Parliament available to the public are copies of Hansard. Parliamentary debates tend to be superficial and repetitive, therefore of limited interest to the public. All interviewees agreed that the implementation of an education campaign on Parliament, educating the public as to what they should expect from Members of Parliament, as well as educating the public that women can be Members of Parliament thus overcoming the cultural constraints on the participation of women, would be very useful. There is also a ‘need to groom the young for positions of responsibility’, according to Mr Maenu’u. The Prime Minister notes the need for ongoing public education campaigns on the political system, particularly in rural villages and in primary schools. Funding is required to enable education teams/theatre groups to go out to the provinces and villages in rural areas to raise awareness amongst the people.

Educating the People

An important means of strengthening the relationship between Parliament and the people is to encourage Solomon Islanders to become active and informed citizens through developing an understanding of the political system generally and the role of Parliament in particular. This can be achieved at a number of levels on a cost effective basis:

- Introducing a civics curriculum into primary and secondary schools;
- Establishing essay writing competitions and ‘mock Parliament’/debates at primary and secondary schools on the role of Parliament;
- Producing Fact Sheets and other pamphlets for schools and the public on the role of Parliament;

- Producing and broadcasting via the Solomon Islands Broadcasting Corporation radio network regular educative programs on Parliament and the political system, including the mechanisms for public accountability by leaders;
- Commission local theatre/drama groups to produce and perform educative plays on Parliament and the political system, including issues such as misconduct in office and the mechanisms for complaining about misconduct in office, for schools, rural villages, and the public generally;
- Holding workshops and seminars on the role of Parliament for teachers, the public, and Public Servants; and
- Establishing fellowships for teachers and public servants to spend a full sitting week at Parliament.

The ‘struggle is to get people interested’, according to Mr Rick Hou. Therefore, particular emphasis should be placed on the use of radio and theatre groups in civics education programs, as Solomon Islands is an oral society. In addition to the above measures to improve the levels of political literacy, some interviewees suggested the role of the media in providing information should be improved. Greater collaboration is also required between the different groups in Parliament in order to promote the role and importance of Parliament.

Incorporating the Public into Parliamentary Processes

Consideration should be given to the greater utilisation of parliamentary committees and better promotion of their work. Committees take ‘Parliament to the people’ and allow direct contact between members of the public and Members of Parliament. Committees enable Members to be better informed about community views and can promote public debate on issues under consideration by the House. In respect of their formal proceedings committees are a microcosm of the House itself and their effective use can contribute to a better relationship between Parliament and the public.

Consideration should also be given to the co-option of members of the public onto standing committees. The all-group composition of standing committees, involving Members from all political groups within Parliament, is an important feature. This feature could be enhanced through the inclusion of members of the public on committees. The inclusion of members of the public would bring additional skills, knowledge and viewpoints to the work of committees, and generate a sense of ownership in the political process by the public. Pastor Alfred Alufurai, Chairman of the Solomon Islands Full Gospel Association, recommends there be a wider representation of views on parliamentary standing committees via the co-option of non-parliamentarians – for example, a representative from the Chamber of Commerce should serve on the Public Accounts Committee

2.2.3. Role of the Media

The Solomon Islands media scene is extremely small. There is one daily (Monday to Friday) newspaper, the *Solomon Star*, established in 1982. There is a Government

owned national (radio) broadcaster, Solomon Islands Broadcasting Corporation (SIBC), and two private, commercial FM radio stations.

The Solomon Islands Broadcasting Corporation, with the call sign Radio Happy Isles, has one AM Station which broadcasts on medium and short-wave, covering the whole country, and two provincial stations that broadcast 3 to 4 hours of local programming per day then relay the national service from Honiara. The national service includes news and current affairs, and music programs broadcast in both English and Pijin languages. The news is broadcast every ½ hour, on the hour it is broadcast in English, on the ½ hour it is broadcast in Pijin, but there are no broadcasts in local languages. The commercial FM station broadcasts music, commercials and news programs. The SIBC has proposed reintroducing talkback radio shows, but, according to Mr Honimae, people are reluctant to come forward and appear in public to discuss issues since the June 2000 crisis.

Parliamentary sittings are broadcast live (straight to air) on the Solomon Islands Broadcasting Corporation (SIBC) network. Before the commencement of each sitting, as well as during the sitting, the SIBC presenters explain the agenda of the House, notice papers, Bills before the House, and the legislative process. The Second Reading, when debate occurs, goes live to air. Mr Johnson Honimae, General Manager of SIBC, points out that if SIBC received copies of Bills prior to tabling and reading, SIBC journalists would be in a better position to inform the listening public by explaining the proposed legislation on the news and current affairs programs. Greater transparency in the governance process and stronger public accountability could be created if the media were provided with information by the Government and public discussion of proposed legislation occurred whilst at the Cabinet consideration stage. The national budget, for example, is kept secret until tabling in the House, although Mr Honimae notes that 'if you are lucky you can get hold of budget priorities'. If information on Bills and associated matters were made available before parliamentary sittings, this would help the SIBC coverage of Parliament and assist listeners in understanding the issues and the legislative process, according to Mr Honimae.

Mr Honimae states that people do listen to the SIBC coverage of Parliament to hear their Members of Parliament speak. The presenters use only Pijin, whilst Members introduce Bills in English. Parliamentary committees do not have open public hearings, and the media only receive a committee's final report. Mr Honimae suggests that perhaps committees are not aware their inquiries could be conducted in public. There are no educative programs on the role and procedures of Parliament, although Mr Honimae points out there have been discussions between the Speaker and SIBC on producing such programs, and SIBC have set aside a program slot for this in the 2001 schedule. The broadcasting of parliamentary sittings used to be free of charge, but since SIBC was corporatised Parliament pays SI\$600 per hour for the live broadcasting of its sittings.

Mr Honimae states that by failing to discuss the problems affecting the country, the media has not helped ease the crisis. The media have 'a big role now' to keep people informed. The Deputy Speaker, Hon. Jackson Sunaone MP, points out that the SIBC often broadcasts programs irrelevant to Solomon Islands, and that the SIBC should be doing more to educate people on issues of good governance. Hon. Charles Dausabea

MP, Chairman of Government Caucus, recommends the establishment of a parliamentary media team.

2.2.4. Recommendations

10. That a workshop to consider the recommendations of the legislative needs assessment of Solomon Islands be held and involve all members of Parliament including the Prime Minister and Cabinet Ministers, church and other non-government organization leaders, other constitutional office holders and members of the public;
11. That a community consultation model and supporting guidelines and principles for Parliament be prepared and disseminated among Members of Parliament and the community;
12. That the Parliamentary House Committee inquire into the possibility of co-opting members of the public onto parliamentary standing committees and of revising the Standing Orders to incorporate this change;
13. That a Handbook be published containing information on the structure and role of Parliament and related information on Parliament for both Members of Parliament and members of the public; and
14. That the Parliament, in conjunction with the Solomon Islands Broadcasting Corporation, produces regular educative programs on the role of Parliament for broadcast on radio.

2.3. Assessment of Law-Making Procedures of Parliament

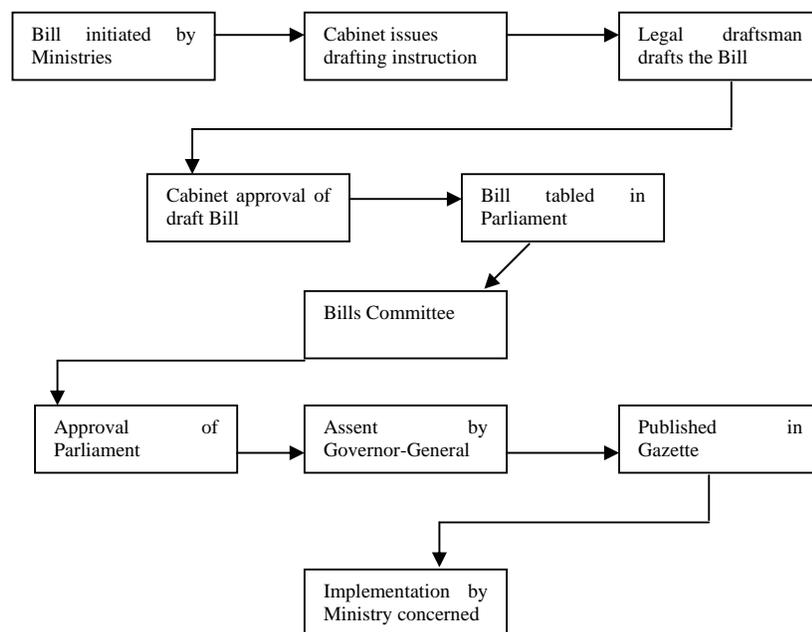
2.3.1. Constitutional Provisions

The legal power to initiate legislation is vested only in the legislature. Under Section 59 of the Constitution Parliament has the power to make laws. In practice, the responsibility falls to the Government. Laws take the form of Bills passed by Parliament. When a Bill is passed by Parliament, it is presented to the Governor-General for assent. Once assent has been given, the Bill becomes law. A law only comes into effect once it has been published in the Gazette. Under Section 60 Parliament cannot consider any appropriations bill unless on the recommendation of Cabinet signified by a Minister.

Section 61 of the Constitution provides for amendments to the Constitution. Parliament may alter the Constitution. For a bill amending sections 46 to 58, 61, and 108, and chapters 2, 7, 9 and 14 of the Constitution to be passed, it requires a majority of three-quarters of all members of Parliament at two separate readings. A bill amending any other section of the Constitution can only be passed with a two-thirds majority of all members of Parliament at two separate readings. Notice of such a bill must be given to the Speaker at least four weeks before the first reading of the Bill.

2.3.2. Legislative Process

The legislative process may be summarised as follows:



Part L (Standing Orders 43 to 60) of the Standing Orders outline the procedure on bills other than appropriation bills, including the form of bills, notice of presentation of bills, first and second readings, procedure in the Committee of the Whole House, and Third Reading. Part M (Standing Orders 61 to 67) of the Standing Orders outline the procedure on financial bills, including procedures in the committee of supply.

A Bill must be read three times in order to be passed by Parliament. Standing Order 49 provides that after the second reading a Bill will be committed to the Committee of the Whole House, unless the House or the Speaker commits the Bill to a select committee. In this event, under Standing Order 4 (3), the Speaker vacates his chair and seats himself at the Clerk's table as Chairman of the Committee of the Whole House. Under Standing Order 52 (12), following consideration of the bill, the Speaker returns to his chair and the Member in charge of the bill reports to the House with any amendments to the Bill. The Committee of the Whole House is an extension of the Chamber of the House. All members of the House are members of the Committee of the Whole House and are eligible to participate in its meetings. If the Bill receives the support of the House, and a Member does not move a motion to recommit the Bill for further consideration, the Bill is set down for the Third and final Reading. In accordance with Section 59 of the Constitution and Standing Order 60, after the Third Reading a copy of every Bill passed by Parliament, certified as a true copy by the Clerk, is submitted to the Governor-General for assent, and when such assent is given the Bill becomes law.

There is a Briefing Handbook on Parliamentary Procedures in practice in the National Parliament of Solomon Islands for the Speaker, Deputy Speaker, Clerk and Deputy Clerk. The briefing handbook contains 11 guides. These are:

1. Matters of Privilege;
2. Point of Order;
3. Motion without Notice;
4. Motion;
5. Bills;
6. Motion for Adjournment of Parliament;
7. Presentation of Papers, Reports;
8. Questions;
9. Quorum;
10. Voting; and
11. Division.

Issues

The Prime Minister states that Bills ‘go through Parliament without proper debate’ and that Members of Parliament are simply ‘managers of little projects in villages!’ Hon. Alfred Maetia MP points out that the legal framework needs some improvement but the lack of legal expertise hampers change. Sir Peter Kenilorea states that Parliament does have the necessary means to ensure Members of Parliament understand the Bills they are passing, through the referral of Bills to committees for review. The Solicitor-General, Mr Ranjit Hewagama, points out that there is no legislation program. Ministries should submit Bills for the following year. The priority is given to Finance Bills; the Appropriations Bill must be ready before 31st March each year.

In practice, the legislative process works well, according to the Solicitor-General, although there is always a last minute rush of legislation from ministries. The Bills and Legislation Committee and the committee stage of the procedure on Bills work ‘very well’. The Clerk, Mrs Elizabeth Andresen, however, notes that in practice the Bills and Legislation Committee receives a Bill in its final form despite what Part L of the Standing Orders requires and the Committee therefore does not have any input into the drafting process. The Clerk states that there is a need to give the Bills and Legislation Committee additional authority to ensure the Committee does have input into the drafting process. The Solicitor-General states that in his view there are no areas for improvement in the legislative process.

The Solicitor-General notes that there are no suitably qualified persons available to draft Private Members’ Bills. There are only two to three qualified persons available in Solicitor-General’s office for drafting legislation for the Government. The Solicitor-General abstains from giving advice to ordinary Members of Parliament, restricting his advice to government ministries only. The Solicitor-General notes that there are sufficient private lawyers available to Members of Parliament seeking legal advice or alternatively Members of Parliament can go to the public solicitor.

The Speaker, Hon. Paul Tovua, would like to change the procedure on Bills so that after the First Reading and prior to the Second Reading Bills will be sent out for

community consultation. This would require amendments to Section 59 of the Constitution and Part L of the Standing Orders.

2.3.3. Recommendations

15. That a review be undertaken to determine the viability of amending Part 2 of Chapter 6 of the Constitution to provide for non-urgent Bills to be distributed to each province for community input after the First Reading;
16. That a community consultation process be established whereby the Solicitor-General's Office provides simplified and easily understood explanatory memorandums for proposed legislation to the co-ordinating committees in each constituency; and
17. That the permanent position of parliamentary counsel be established to provide Members with access to impartial legal advice and assistance in the drafting of Private Members' bills.

2.4. Assessment of the Oversight Role of Parliament

In his paper to the Experts Group Meeting on the Post-Conflict Situation in the Solomon Islands held in Brisbane in October 2000, Donald Kudu, stated that:

The public sector is rife with problems with accountability. There have been numerous examples, of strong evidence showing ministers, Members of Parliament or public officials (of all ranks) engaging in an act of financial impropriety. Legal action against politicians or public servants is rare. Under such conditions, public officers are never held accountable for their actions and corruption is encouraged.¹³

The Westminster system vests in the Executive the right to initiate or move to increase appropriations and taxes but it is for the Legislature to make decisions on government proposals and the House has the right to make amendments to government proposals. It is, therefore:

the duty of the House to ensure the public money is spent in accordance with parliamentary approval and in the best interests of the taxpayer. The responsibility for scrutinising expenditure is inherent in the consideration of almost any matter which comes before the House.¹⁴

Under the Westminster system, the primary means by which the House holds the Government to account for its expenditure is through the consideration of the Government's budget each year and through the examination of public accounts by committees, in particular the Public Accounts Committee.

¹³ Kudu, D. *An Overview of Structural and Development Issues related to the Ethnic Conflict in the Solomon Islands. Experts Group Meeting on the Post-Conflict Situation in Solomon Islands: Report of Proceedings*, 19-20 October 2000, Brisbane, p. 3.

¹⁴ Barlin, L. M. (Ed), 1997, *House of Representatives Practice: Third Edition*, AGPS, Canberra, p. 41.

Section 102 of the Constitution provides for the Minister of Finance to submit to Parliament the estimates of the revenue and expenditure of the Government for each financial year, and to seek Parliament's authorisation for Government expenditure. Section 108 of the Constitution provides for the appointment of an independent Auditor-General. Standing Order 69 provides for the establishment of a Public Accounts Committee. As Sir Peter Kenilorea points out the National Parliament of Solomon Islands has sufficient means for scrutinising Government expenditure. The Speaker, Hon. Paul Tovua, notes that 'donors want to see a transparent budget process'. However, the Speaker states that greater scrutiny of Government expenditure by Parliament is required. The Government should be accountable for its actions to Parliament, according to the Speaker. There is a need for greater parliamentary control over Government expenditure as spending by the Government is often outside the budget. The Speaker believes the problem is that Parliament has not been seen as having an oversight role, and the focus has been on the Government rather than Parliament. Important issues are not addressed by Parliament. The Speaker believes that part of the problem lies with the public perception that 'the Government is above Parliament'.

2.4.1. Public Accounts Committee

The Public Accounts Committee (PAC) is appointed under Standing Order 69. Its functions are:

- (a) To examine the accounts prescribed by section 38 of the *Public Finance and Audit Act*, together with the report of the Auditor General thereon, and to report the results of such examination to Parliament;
- (b) To establish the causes of any excesses over authorised expenditure and to make recommendations to Parliament on any appropriate measures to cater for such excesses of expenditures;
- (c) To examine such other accounts laid before Parliament as the Committee may think fit, together with any auditor's report thereon and to report the results of such examination to Parliament;
- (d) To summon any public officer to give information on any explanation, or to produce any records or documents which the Committee may require in the performance of its duties;
- (e) To consider in detail the Draft Estimates prepared by the Government in support of the Annual Appropriation Bill;
- (f) To summon and examine the Accounting Officer and Technical staff of ministries and departments to provide background information and explanation to the Draft Estimates;
- (g) To report to Parliament in such a way that the report may inform members prior to the parliamentary debate thereon of the background to the Draft Estimates and draw attention to those matters which the Committee feels should be the subject for such parliamentary debate; and

- (h) To make such recommendations as the Committee sees fit and subsequently receive comments and reports and such recommendations from the Government, particularly actions that might be necessary to impose on those concerned.

The Auditor-General's Reports and other reports are submitted to the Minister responsible, tabled in Parliament, and then referred to the Public Accounts Committee. As the Auditor-General, Mr Issac Vula Tatapu, notes that the PAC is the body to which 'managers answer for their actions'.

There are five members of the PAC. Parliamentary convention provides for the Public Accounts Committee to be chaired by the Leader of the Opposition, and Members from both sides of the House serve on the PAC. The Auditor General (or his nominee) serves as the secretary to the PAC and the staff and facilities of the Audit Office are made available to the PAC. The Audit Office plays an educative role for the committee, for example, instructing committee members on the conduct of interviewing witnesses. The Audit Office's function as secretariat to the PAC is the subject of debate, according to the Auditor-General. Mr Tatapu's view is that Parliament should establish a secretariat for the PAC using Audit Office staff on secondment. This would be more effective in terms of accountability and would make the PAC more effective by upgrading the secretariat instead of continuing with the current ad hoc arrangement.

Standing Order 69 provides the Public Accounts Committee with sufficient authority, including calling witnesses, to fulfil its role. Although the provisions of Standing Order 69 are adequate, the Auditor-General believes the PAC should be provided with additional authority, some 'teeth', to strengthen its role in enhancing good governance and accountability in public sector. The key, according to Mr Tatapu, is that timely reports by the Auditor-General are tabled in Parliament and referred to the PAC.

Mr Tatapu points out that the interest of PAC members and Members of Parliament generally when scrutinising appropriation bills is 'often half-hearted'. The Governor of the Central Bank notes that he provides an Annual Report to the Minister of Finance who tables it in Parliament, but generally, there is no discussion of the report in the House. The Governor, Mr Rick Hou, is not 'sure whether Parliament is interested' in the issues he raises in his reports, and he never is called to appear before parliamentary committees. Mr Tatapu notes that the PAC is not proactive, but prefers to wait for the Auditor-General to report.

Mr Tatapu describes the approach of the PAC to the scrutiny and follow up of issues within the Committee's terms of reference as 'slackness'. The political will is often absent, according to Mr Tatapu. In addition, Mr Tatapu points out that not all members of the PAC understand their responsibilities as Members of Parliament generally and members of the Committee in particular. The Auditor-General has appeared before the PAC and has been disappointed by the lack of interest shown and standard of questions asked by the Committee. The composition of the PAC does vary and this can be a problem in terms of institutional memory.

The PAC does not have sufficient technical/administrative or independent support. There is a heavy reliance on the Audit Office by the PAC and there is no scrutiny of the Audit Office by the PAC. Chief accountants of government agencies and enterprises and Permanent Secretaries must promote accountability. There is also a

need for commitment by the PAC in the accountability cycle. The Auditor General proposes providing a one-day seminar for PAC members in order to familiarise them with their role and responsibilities and with the principles of accountability.

The Clerk points out that the PAC has no involvement in the legislative process until the Committee receives the final Appropriation Bill. The Prime Minister states that Ministers need to be called to appear before the PAC and the Committee should take on the role of supervising the appropriations process. As the Prime Minister notes, currently the Government 'can do whatever it likes as the PAC process is too late' in the budget cycle. The Speaker recommends that the role of the PAC be broadened so the whole budget process is scrutinised by the PAC. The Clerk believes the PAC needs to be involved in the formulation of the national budget from the beginning of the process. Mr Tatapu points out that the process of accountability lies with Members of Parliament, especially in terms of the behaviour of Members. It is important Members be seen to be responsible and accountable.

The PAC's Report on its Consideration of the Draft Estimates for Year 2000 highlighted the following problems:

- (a) Delay in submitting the draft budget documents to the PAC -- the PAC was scheduled to commence deliberation of the documents on 8 November but because not all budget documents were ready by that date the Committee was unable to begin until 15 November (the same week the parliamentary session began). The Committee registered its "dissatisfaction with the Government's laxity in abiding with the approved timetable." According to the Committee, the reasons for this delay could be attributed to the fact that "(1) ministries did not submit budget proposals on time, (2) accounting officers did not fully understand the concept of performance budgeting, and (3) liaison between the other ministries with the Department of Finance, Department of Development Planning and the Department of Public Service was minimal";
- (b) A lack of "total understanding, co-operation and coordination between ministries"; and
- (c) Failure by officers of the Department of the Public Service to be "permanently on hand to offer advice, explanations and guidance on matters relating to the level and size of the public service, and against known policies of the Government and interrelated financing requirements".

The current situation is that all public accounts are quite late, according to Mr Tatapu, and a rigorous effort by the Ministry of Finance to ensure all public bodies comply with Section 38 of the *Public Finance and Audit Act* is required. The public accounts for 1996, 1997 and 1998 have been produced and are currently under audit. AusAid is funding the outsourcing of the audit of accounts, and the accountancy firm, Ernst and Young, are assisting the Auditor-General. However, the Accountant-General is yet to finalise the 1999 and 2000 accounts. Mr Tatapu points out that the only person able to finalise the government accounts has resigned leaving a vacuum in the process of finalising the accounts. Most statutory authorities are in breach of the reporting requirements of the Act, with the submission of the accounts of one body, the Solomon Islands College of Higher education, eight years behind, according to Mr Tatapu. The Auditor-General will table a 'Late Submission of Accounts' Report to

Parliament, which will cover the national government, statutory authorities and provincial governments. The challenge, according to the Auditor-General, are the Provincial Governments (ten provinces and one city council) as they are not abiding by the accountability provisions of their Act, and all are in arrears in terms of submitting accounts for audit. Mr Tatapu notes that 'it is indeed frightening the way provincial and a local government are conducting business without being able to account for their actions worth hundreds of millions of dollars to their subjects and Parliament'. The failure to comply has 'gone beyond a reasonable and acceptable' period, with one province having failed to submit its financial statements since 1975, according to the Auditor-General.

The Clerk points out that there are no penalties for late submission of annual reports. Very few statutory authorities are complying with their reporting requirements and there are no penalties to enforce compliance. The Clerk suggests that the conditions of service for Heads of these bodies should include provisions for their reporting responsibilities.

2.4.2. Auditor-General

The Office of Auditor-General is established under Section 108 of the Constitution. The Auditor-General is appointed by the Governor-General on the advice of the Public Service Commission. Mr Tatapu has been Auditor-General since 1998, but has been with the Audit Office since 1973. The function of the Auditor-General is to audit the public accounts of Solomon Islands, that is, 'of all ministries, offices, courts and authorities of the government, of the government of Honiara city, and of all provincial governments' and to report annually to Parliament. Under Section 108 (5) of the Constitution the Auditor-General is not subject 'to the direction or control of any other person or authority'. However, as Mr Tatapu notes, the independence of the Audit Office has been impaired, especially through the failure by successive governments to adequately resource the Audit Office.

The Audit Office has a direct link with Parliament in that audit reports are produced and sent to Parliament on an annual basis. However, there is a lack of real support by Parliament for the Audit Office. The Audit Office needs the full support of the Government, especially in terms of resources, and Parliament's role in ensuring this is crucial. The Audit Office needs the requisite number of staff to cover all areas but has only seven staff. The Audit Office is plagued by a high turnover of staff (trained staff are poached by the public/private sector). The Auditor-General has no autonomy when it comes to the budget and staff of the Audit Office. The Audit Office is obscure but this is gradually changing, for example, the media is noticing issues raised by the Auditor-General, and people are beginning to realise the importance of the Audit Office. The Auditor-General's report is available, for a small fee, to the public after it has been tabled in Parliament.

Mr Tatapu states that the first priority is to ensure the independence of the Audit Office. A draft Bill, the *National Audit Bill 2000*, to provide for the establishment of a statutory body, the National Audit Office, and outline the duties and powers of the Auditor-General, was approved by Cabinet and submitted to Solicitor-General for vetting prior to being introduced to Parliament. The crisis of 5 June 2000 has delayed

the introduction of the Bill. The Auditor-General intends to pursue this during the March 2001 meeting of Parliament. Although the Constitution provides for the Auditor-General's 'independence', in terms of resources the Audit Office is subject to the direction of the Ministry of Finance. Mr Tatapu notes that it is vital therefore that the proposed bill is introduced and passed by Parliament so the Audit Office is no longer impeded by resource constraints.

2.4.3. Recommendations

18. That Section 72 (2) of the Constitution and Part C of the Standing Orders be amended to increase the number of parliamentary meetings per year;
19. That a Public Accounts Committee secretariat be established and staffed by officers from the Audit Office and the Ministry of Finance on secondment;
20. That amendments be made to the *Public Finance and Audit Act* and provision be made in the Standing Orders for the Public Accounts Committee to have recourse to the imposition of penalties to ensure compliance with the provisions of the Act for regular and timely submissions of the audited public accounts to Parliament;
21. That members of the Public Accounts Committee receive training in terms of the committee's role and in understanding the material on which they are required to report;
22. That Standing Order 75 be revised to impose greater penalties for failure by Members to attend meetings of parliamentary committees; and
23. The proposed National Audit Bill to provide for the establishment of a National Audit Office, for the duties and powers of the Auditor-General and related matters be drafted and passed into law by Parliament.

2.5. Assessment of Existing Human Resource Constraints

A number of problems emerged from the assessment of the existing human resource constraints. These issues were:

- Lack of autonomy of Parliament in financial and human resources terms;
- Lack of suitably qualified staff;
- Need for dedicated parliamentary research officers and a permanent librarian position to be established; and
- Training for parliamentary officers and Members of Parliament.

2.5.1. Autonomy of Parliament

In a 1994 report, the Parliamentary House Committee resolved to pursue the granting of full autonomy to Parliament, which would include legislative enactment to

establish Parliament's independent status from the Public Service. The Committee noted in its report that:

Unless Parliament is given more autonomy and a statute is enacted by Parliament to control and determine major policies to guide the operation and management of our Parliamentary services, this institute will continue to be crippled, inefficient and uncoordinated.

The Committee referred to the report of the Solomon Islands delegation to the 1993 Pacific regional conference of the Commonwealth Parliamentary Association, *Status of Solomon Islands Parliament*, which recommended granting more autonomy to Parliament via legislation establishing a Parliamentary Service Commission modelled on the Queensland *Parliamentary Service Act 1988*. The functions of the proposed Parliamentary Service Commission would be:

- a) To determine major policies to guide the operation and management of Parliamentary services;
- b) To prepare budgets for the Parliament, staff establishment and Parliamentary services;
- c) To determine the size and organisation of the parliamentary department and the services to be provided to Parliamentarians; and
- d) To supervise the management and delivery of the services to be performed by the Parliament.

The 1994 resolution of the Parliamentary House Committee and the recommendations of the 1993 delegation have, to date, not been acted on.

Hon. Alfred Maetia MP, Chairman of the Parliamentary House Committee, states that Parliament needs to be 'separate from government and its running not inhibited by other ministries'. Parliament needs to determine its own budget; currently the Ministry of Finance determines Parliament's budget allocation. The Clerk of the National Parliament, Mrs Elizabeth Andresen, cites an example. Despite the Parliament Office including maintenance in its budget submission, Parliament's budget allocation for maintenance is given to the Ministry of Works by the Ministry of Finance. By transferring Parliament Office budget areas to other ministries, these receive low priority, according to the Clerk. The Clerk states that the Parliamentary House Committee should be more active in following up maintenance issues but the Committee's submissions to the relevant Ministries do not elicit any funding.

2.5.2. Human Resources

Solomon Islands experiences problems of limited human resource development which when combined with rapid career advancement truncate the development of already scarce human resources and skills available to Parliament. It is common for individuals to find themselves appointed to positions beyond their ability and there is some concern as to whether parliamentarians have the necessary skills to perform

their duties. The level of consideration of issues is often seen to be superficial due to these problems.

Parliamentary officers are members of the Public Service. The Speaker is consulted on staffing matters such as postings to Parliament, but the Public Service Commission can reassign parliamentary officers to positions in Government ministries. The Clerk points out that there is a problem with losing experienced technical staff such as Hansard reporters. For example, several years ago Parliament lost its research officer position and has not been able to re-establish this position. A parliamentary officer may perform the duties of other positions because of the lack of suitably qualified staff. For example, the Sergeant-at-arms also performs the duties of Librarian. The Clerk of the National Parliament is equivalent to the position of Permanent Secretary in the Public Service, and Deputy Clerk is equivalent to the position of Deputy/Assistant Secretary. The only training opportunities for parliamentary officers are through attachments to other Parliaments. The Clerk points out that the security and attendant services at Parliament House require improvement. There is an arrangement with the police to provide security using special constables and the Clerk would like to also use the special constables as attendants.

The major problem Parliament faces, according to Mr Lamani, are the Members themselves. Members tend to be inexperienced, lack appropriate qualifications, and do not understand parliamentary procedures, which is reflected in the standard of debate in the House. Mrs Hilda Kari, in her third term as a Member, notes that she is still not familiar with all procedural matters and the Standing Orders. Many Members of Parliament do not know anything about the system of government, according to some interviewees. The Speaker points out that there is no Handbook for Members of Parliament, although new Members do receive copies of the key legal documents and two to three days induction, during which public service officials brief Members. Often Ministers have no experience or qualifications.

Interviewees point out that Members of Parliament need to know and understand their role and that of Parliament. All interviewees recommended holding comprehensive orientation sessions for Members at the beginning of each Parliament, followed by regular workshops throughout the life of each Parliament for Members. These workshops would focus on such topics as management skills, the budget process, public relations skills and managing relations with constituents, and procedural matters. Most interviewees believe that Members of Parliament need to know what is expected of them. Some interviewees suggested that newly appointed Ministers receive some form of training to familiarise themselves not only with their specific portfolio area, but also with best practices of responsible cabinet government. The Speaker suggested that ongoing training programs and workshops be provided to Speakers of both the provincial assemblies and national parliament. Sir Peter Kenilorea believes it is 'a matter of time and education to change the mentality of Members of Parliament to fully understand their role'.

Several interviewees stated that the 'real problem is the lack of access to legal expertise'. Hon. Alfred Maetia MP points out that there is a need for legal experts to explain the legal framework. Mr Ranjit Hewagama notes that the Attorney-General, who sits in the Chamber during sittings, often has to 'bail out' Ministers when they have difficulties explaining Bills. Interviewees note that Members of Parliament are hampered by a lack of access to technical advice. In addition, Members with limited

educational backgrounds typically find technical briefings and training sessions difficult to understand. The Governor of the Central Bank points out that the nature of briefings provided by the Central Bank for Members can be 'heavy going', especially for new Members. The Governor suggests that such briefings should be a regular feature of the parliamentary year. He notes that there are a 'lot of ill-informed statements concerning the economy in the House'. Members of Parliament should see it as necessary part of their obligations to understand the economy, according to Mr Hou. The Governor is also required to brief Cabinet on a regular basis, but this does not happen.

Research Capacity

A small parliamentary research unit with the task of producing briefing papers on proposed legislation and other issues Members require information on is needed. The research staff should be answerable to and guided by the Clerk and the Speaker, and primarily conduct research on policy issues before the House. This research service would increase the awareness of and knowledge on issues all Members must deal with. Access to the Internet is an important part of this initiative. The Clerk notes that in order to attract suitably qualified people as research officers, the terms and conditions of service need to be more attractive.

Training Needs

Priorities for public sector leadership need to be set and a workshop/orientation module be prepared and conducted for new Members of Parliament. This would involve inviting a relevant person from one of the regional, New Zealand or smaller Australian legislatures and/or public sector/academia to prepare and conduct the workshop in conjunction with the Parliament Office. The priorities for public sector leadership should assist Members of Parliament to identify and adopt appropriate leadership behaviours.

The staff and Members of Parliament should be provided with opportunities, either in Solomon Islands or abroad, for training in technical courses such as computer skills, management and financial/accounting skills. Newly appointed staff and elected Speakers would benefit from short attachments to other legislatures of similar size and/or Australian legislatures.

Professional development and mentoring networks for both staff and Members should be established and maintained with small regional or Australian legislatures such as the ACT or Northern Territory Legislative Assemblies. A systematic, strategic mentoring and professional development network would greatly enhance the role of staff and Members of Parliament. Mentors should be chosen according to their ability to shape strategic thinking and communicate flexibly and skilfully as part of developing productive professional development and mentoring relationships.

2.5.3. Other Resource Constraints

Technical Resources

The Clerk notes that Parliament requires technical resources such as access to the Internet, the Library and accounts section need to be computerised, the computer equipment needs to be upgraded, and training for staff in the use of technical resources is required. The Clerk notes that reliable communication access within Solomon Islands and with other legislatures abroad is an important tool for Parliament. Funding constraints have prevented Parliament from acquiring new technical resources and providing technical training for staff. The Clerk points out that there is no funding for stationery, for example. Telephones and facsimile machines are not working because the Ministry of Finance has not paid Parliament's account. There have been no working telephones or fax machines since February 2001, although this is by no means unusual, according to the Clerk, as in previous years the telephones frequently did not operate. There is a transportation problem as all the parliamentary vehicles were stolen during June 2000 crisis. Before each meeting the Speaker and Clerk have to work through the relevant Ministers to ensure communication access is restored in time for the meeting.

Physical Resources

Members of Parliament have limited access to support services through the Parliament Office secretarial service. A number of interviewees recommended that Members be provided with office facilities and support services. Hon. Alfred Maetia MP stated that Members of Parliament 'are floating' in terms of access to office facilities. He notes that there is an 'ad hoc approach to managing the role of Members of Parliament, and that office facilities and support could rectify this'. There is a building next to Parliament House housing offices for the Leader of the Opposition and Opposition Caucus, and clearly marked as the Office of the Leader of the Opposition. The Opposition also has available two staff members for secretarial and research duties. Similar office facilities and support services are provided to the Government Caucus. These facilities are provided by Parliament and paid for out of Parliament's budgetary allocation. There is a 'Rest House', which serves as living accommodation for Members from outside Honiara during parliamentary meetings, but it is no longer used because of the lack of maintenance and consequent deterioration of the building. Parliament House itself is an American designed building and built with US fittings. It is poorly designed in terms of a tropical climate and expensive to maintain, requiring US manufactured replacements. The water supply to Parliament House has ceased due to the disruption of services, which makes it difficult to work in the building.

The security of Members of Parliament is an issue, according to several interviewees. The Clerk notes that security at Parliament House needs to be improved. The Clerk has requested the Ministry of Works erect a security fence around Parliament House but there is currently no available funding. She has also recommended the introduction of security passes for staff.

2.5.4. Recommendations

24. That the recommendation of the Solomon Islands delegation to the 1993 Pacific regional conference of the Commonwealth Parliamentary Association, contained in its report *Status of Solomon Islands Parliament*, to provide greater autonomy to Parliament via legislation establishing a Parliamentary Service Commission modelled on the Queensland *Parliamentary Service Act 1988* be implemented by Parliament through appropriate legislation;
25. That a parliamentary research unit be established and that its task involves producing briefing papers on proposed legislation and other issues Members need information on;
26. That priorities for public sector leadership be set and that a workshop/orientation module be prepared and conducted for new Members of Parliament – inviting a relevant person from one of the regional, New Zealand or smaller Australian legislatures and/or public sector/academia to prepare and conduct the workshop in conjunction with officers of the National Parliament of Solomon Islands;
27. That staff and Members of Parliament be provided training in technical courses such as computer skills including internet use, management and financial/accounting skills;
28. That newly appointed staff, Speakers and committee Chairs be sent on short-term attachments to other legislatures of similar size and/or the smaller Australian legislatures; and
29. That professional development and mentoring networks for both staff and Members of Parliament, particularly women, be established and maintained with small regional or Australian legislatures such as the ACT or Northern Territory Legislative Assemblies.

2.6. Review of Women's Participation and Representation

Current Status of Women

It is generally recognised that the incorporation of women into positions of authority in the political domains of Solomon Islands such as Parliament and the public service is incomplete. Only one woman has served as a Cabinet Minister. The number of women in the senior ranks of the public service is limited. Women do hold senior positions but disproportionately to men. The Clerk of Parliament is a woman. The majority of women in the public service, however, are employed in lower level, primarily clerical, positions. Ms Alice Ramosaea, President of the Young Women's Christian Association (YWCA), states that legislation passed in Parliament aimed at improving the situation for women is not necessarily implemented at the departmental level.

Only one woman has been elected to the post-independence Parliament, Mrs Hilda Kari MP, who is currently serving her third term as a Member and is Minister for Youth, Women and Sports. Another woman was elected to the pre-independence Legislative Assembly in the 1970s. There is only one female provincial assembly member in Malaita. Male candidates dominate elections. There are very few female candidates, according to the Secretary of the Electoral Commission, Mr John Babalu. In the 1997 national election, there were only four female candidates out of 332 candidates, one of whom was elected.

Reasons for the Failure of the Incorporation of Women

Several factors contribute to women's under-representation in formal decision-making, including their commitments in private, domestic realms and barriers to their nominating as candidates for election to political office. There are traditional gender prejudices preventing women from participating fully in the formal political structure. Women generally tend to be marginalised from the formal political processes due to the strong influence of cultural norms, customs and religion. Although women are not intentionally marginalised, interviewees expressed the view that traditional cultural constraints continue to operate to women's disadvantage. There is no legal discrimination against women but cultural factors do discriminate against women, according to Sir Peter Kenilorea.

Solomon Islands societies are 'still traditional', according to Hon. Charles Dausabea MP. He welcomes women into politics but notes that women need to be mindful of traditional culture in relation to the role of women. Hon. Charles Dausabea MP states that some female candidates are 'confrontational in their approach' which goes against traditional expectations of women and thus alienates voters. The Prime Minister notes that despite the existence of matrilineal kinship behaviour in some areas, men tend to dominate politically. Hon. Alfred Maetia MP states that 'slowly and surely women are moving' in terms of participating in all fields. Some interviewees noted that women are increasingly going through the education system and competing with men for educational opportunities. Women continued to be seen as 'second rate citizens' by some in Solomon Islands, according to Ms Alice Ramosaea, but she wants to push for the recognition of women who have achieved secondary and tertiary education qualifications as a way of countering this perception.

Ms Alice Ramosaea notes that although women do stand as candidates for election to Parliament they tend not to be accepted as viable candidates by many men. Mrs Martini Ului, President of the National Council of Women (NCW), points out that sitting Members of Parliament have an advantage in terms of funds for election campaigns, which female candidates seeking election do not have. Mr John Lamani points out that there is not enough media coverage of women in politics. Mrs Hilda Kari MP, Minister for Youth, Women and Sports, states that 'women find it difficult to come out'. Hon. Jackson Sunaone MP believes it will 'take time' for women in Parliament to be accepted by what is a male dominated society. The participation of women in the formal decision-making processes is, in the view of Hon. Jackson Sunaone MP, simply a 'question of time'. 'To push now would not work because of traditional cultural norms', according to Hon. Jackson Sunaone MP. Most interviewees noted that women are keen for change but there are entrenched attitudes among older males.

Mrs Martini Ului points out that women generally perceived Parliament as ‘out of reach’. Traditionally there is a decision-making role for women to play but it is a hidden role primarily centred on decision-making within the family. Mrs Ului notes that the successful role played by women in the peace process as mediators is encouraging men to view women seriously in terms of political participation.

Opportunities for women to actively participate in the formal political processes are also limited by socio-economic factors. Women may also be prevented from active participation by ‘heavy domestic workloads’ and consequent lack of time.

Proposed Solutions

A number of interviewees suggested that a seat in Parliament should be reserved for female candidates. Ms Alice Ramosaea believes there is a need to reserve seats for women in Parliament. Mrs Martini Ului states that it is necessary that parliamentary seats be reserved for women. She suggests that at least 12 seats or a ¼ of the total seats be reserved for women. Pastor Alfred Alufurai suggests women be nominated by the NWC and women’s groups for appointment as Members of Parliament and directly appointed by the Governor-General. The Speaker notes that Parliament could examine the option, including the necessary legal and constitutional requirements, of reserving seats for female candidates or appointing women’s representatives to Parliament. There are no provisions in the Constitution for special arrangements for women. However, Section 15 of the Constitution prohibits the enacting of laws that accord privileges or advantages to persons on the basis, among other things, of gender. The Constitution, therefore, would have to be amended in order to reserve a seat for female candidates.

Sir Peter Kenilorea, however, does not believe in the need for specific consideration for women given the absence of legal constraints, and that, in his view, there are no specific hindrances for women who want to participate in the political process. He believes such consideration would interfere with cultural norms and result in confusion and the loss of cultural values.

Most interviewees stated that workshops on developing political skills for women are needed. Mr Babalu, the Secretary of the Electoral Commission, points out that before the last general election the Electoral Commission assisted with two workshops for potential female candidates that were successful in terms of attendance. Women’s groups have discussed with the Electoral Commission organising another workshop for female candidates before the next general election. The previous two workshops were held in Honiara, but Mr Babalu believes there is a need for such workshops to be held outside Honiara. Ms Alice Ramosaea states there is a lack of awareness of the political system by women generally. She believes that a civics course at secondary school level is needed. In addition, the media should be used to promote political awareness. Mrs Hilda Kari MP states that there are two priorities:

- Preparing women who intend to nominate as candidates for the next general election; and

- Educating women as well as men who are elected Members of Parliament on the role and responsibilities of parliamentarians and the procedures of the House.

Mrs Hilda Kari MP points out that UNIFEM was asked to assist female candidates in the 1997 general election, but UNIFEM did so one week before the election which was too late for most female candidates.

Mrs Hilda Kari was elected President of the NCW in 1986. She toured the country to solicit women's views. She lost the first election for Parliament she contested but was successful in the second election she contested in 1989. She attributes her success as a candidate and Member of Parliament to raising the views of her constituents in Parliament, listening to constituents and telling them the truth about what can be done, and the appropriate and transparent use of the Constituency Development Fund allocated to her.

It is important to overcome these problems through voter education and involving men in this will be crucial to its success. Mrs Martini Ului recommends using the established women's networks through the National Council of Women, the umbrella body for women's groups established in 1983. All women's groups are also linked to Church organizations. Mrs Martini Ului suggests that awareness raising and education could be conducted by working through the women's and church networks, using outreach programs to train leaders (train-the-trainer programs) who would return to their own groups and villages to teach people about the political system.

2.6.1. Recommendations

30. It is recommended that the strategic objectives and action plans of the Ministry of Youth, Women, Sports and Recreation in relation to women and development as outlined in the National Women's Policy be implemented;
31. That every bill introduced to Parliament should include a gender impact analysis;
32. That concerted efforts are made to raise the standard of debates within Parliament in terms of both tone and quality;
33. That training courses for women be conducted in leadership skills, communication, presentation and writing skills and in understanding the Constitution and laws of Solomon Islands and the legislative process; and
34. That women's groups should be supported financially and technically in undertaking political education activities to encourage women to stand as candidates for election to Parliament and to encourage people to vote for female candidates, thereby changing the popular perception that 'politics is not a suitable pursuit for women'.

Appendix A: Terms of Reference for Solomon Islands Legislative Needs Assessment

AREAS FOR INSTITUTIONAL AND CAPACITY STRENGTHENING

The major challenge for Solomon Islands and its democracy is to sustain the functions of State governance institutions to cope with democratic changes in society. Capacity- and institution-building support to the Parliament will be of great value for strengthening parliamentary democracy on the one hand, and for enhancing legislative-parliamentary, parliamentary oversight and parliamentary-constituency relations, on the other.

Solomon Islands' parliamentarians must have the capacity for sound professional analysis of draft laws prepared by Government agencies, particularly on such critical issues as budget preparation, market economics, aid co-ordination and aid management, the role of state in a modern democracy, decentralisation, etc. The *existing human resource constraints* in the Parliament limit the effectiveness of parliamentarians in performing their mandated tasks and make difficult the practical implementation of weak and vaguely formulated laws. There is a need for technical expertise to provide support to all MPs on various issues to help them scrutinise proposed legislation and contribute effectively to parliamentary debates. Technical expertise is also needed so that proposed laws can be harmonised with existing ones.

It is important that *parliament-constituency relationships* are enhanced by introducing appropriate mechanisms to improve parliamentarians' accountability vis-à-vis their constituents. This mechanism should enable the electorate to assess the effectiveness of MPs in representing their aspirations in the public decision-making processes, as well as their ability to explain the importance of decisions made and laws adopted by Parliament.

Most important to be improved is the *Parliament's oversight* role. Parliament needs to consider whether it is now appropriate to establish other oversight committees of Parliament. The role of the Public Accounts Committee has to be strengthened in accordance with the changes in emphasis of the National Budgets, where resources are now allocated based on achievable targets. The Committee needs to have the appropriate powers to demand disclosure and prompt accountability from any government agency, public enterprise and any other entity, including NGOs, who received public funding.

Legislating procedures of parliament needs to be reviewed to determine whether there are sufficient mechanisms for the inclusion of people in the legislative process. The Rules of Procedures of Parliament needs to adequately provide for peoples' views on proposed legislation, even if a Government certified a proposed legislation as urgent. Regulatory provision should also be sufficient to allow for all parliamentarians to have adequate understanding of proposed legislation before parliamentary debate.

Many parliamentarians recognise *a need for reviewing the Law on the Legal Status of Members of Parliament and their codes of conduct*. The Speaker recognises the importance of all Parliamentarians to live by examples and to be accountable for their entitlements paid to assist them with their public obligations. An on-going training

programme and the provision of a “codes of conduct” for all parliamentarians should strengthen the performance of MPs and the sanctity and integrity of Parliament.

OBJECTIVES OF THE NEEDS ASSESSMENT STUDY

Assess the existing national legislation related to the Parliament and Members of Parliament:

- 1) Review the existing mechanisms for legislative–parliamentary, parliamentary oversights and parliamentary-constituency relations;
- 2) Conduct a needs assessment to address the gender imbalance in parliamentary representation and legislative consideration;
- 3) Based on the above three objectives, develop a report with the recommendations on a concrete set of initiatives to be implemented by the Solomon Islands Parliament.

TASKS & RESPONSIBILITIES

The assessment mission, under the over-all direction of the Regional Programme Manager of GOLD and the Resident Representative of UNDP for Solomon Islands will:

Conduct a review of the existing key legal documents, including the Constitution of Solomon Islands, Electoral Laws, and Rules and Procedures of the Parliament, to assess if the legal framework is adequately contributing to effective law making and parliamentary oversight processes. In this effort, consultations with members of the Standing Committee, present and former Members of Parliaments, representatives of the Executive Branch, the Judiciary, civil society organisations (including women NGOs), and the media will be undertaken. As a result of this assessment, there should be recommendations on how to improve the current legal and institutional system for the Parliament of Solomon Islands.

Assess the existing parliament-constituency relationship to suggest better mechanism aimed at strengthening parliamentarians’ accountability vis-à-vis their constituents. This mechanism should enable the electorate to assess the effectiveness of MPs in representing their aspirations in the public decision-making processes, as well as their ability to explain the importance of decisions made and laws adopted by Parliament.

Assess the law-making procedures of Parliament and recommend ways in which this process might be improved. The improved process should maximise the participation of all constituents in the legislative process. The new proposed mechanisms (if any) of this improved process should provide people the opportunity to articulate their comments on proposed legislation in a timely manner.

Assess the oversight role of Parliament and the effectiveness of the Public Accounts Committee in holding users of public funds to account. Recommend ways in which this function might be improved, including the role of the Auditor General and the relevant powers required by oversight committees to impose consequences for non-compliance by government agencies with their accountability deadlines.

Assess the existing human resource constraints that limit the effective functioning of the Parliament and parliamentarians, in order to develop a comprehensive strategy/plan for addressing the current needs of parliamentarians to improve their professional capacity.

Review the current policies and, what is more important, practices of the parliament, parliamentary fractions, and NGOs aimed at moving from 'de jure' to 'de facto' equality and strengthening women's participation in political leadership, in general and women's representation, in particular. This review will be undertaken through existing policy documents as well as active discussions with present and past MPs, heads of women NGOs and other civil society organisations.

Recommend ways in which potential and existing women leaders will be assisted in building skills, confidence and opportunities through training and other support activities; advocacy through media and gender sensitive surveys/researches to address problems relating to social relations and attitudes which perpetuate gender inequality. Emphasis should be placed on involving both women and men throughout of the design and implementation of a support programme for the Parliament of Solomon Islands.

EXPECTED OUTPUTS

Upon completion of the assessment mission and discussions with key stakeholders, the consultant is expected to deliver a report with the recommendations on concrete initiatives to be implemented by the Parliament of Solomon Islands.

Appendix B: Country Visit Program

The country visit took place between 27 February and 6 March 2001. A program was prepared by the Deputy Clerk of the National Parliament, Mr Selwyn Miduku, in conjunction with the consultant. The program was as follows:

Tuesday 27 February:

Briefing/orientation by the Deputy Clerk of the National Parliament, Mr Selwyn Miduku

Wednesday 28 February:

Discussion with Hon. Speaker of the National Parliament, Paul Joseph Tovua OBE;

Discussion with Hon. Manasseh Damukana Sogavare MP, Prime Minister;

Discussion with Mr Issac Vula Tatapu, Auditor-General;

Discussion with Hon. Charles Dausabea MP, Chairman of the Government Caucus.

Thursday 1 March:

Discussion Hon. Alfred Saelea Maetia MP, Chairman of the Parliamentary House Committee;

Discussion with Hon. Rueben Lilo, Premier of Western Province;

Discussion with Hon. Nathaniel Waena MP, Minister of Provincial Government & Rural Development;

Discussion with Ms Alice Ramosaea, President of the YWCA, and Ms Martina Ului, President of the National Council of Women;

Discussion with Pastor Alfred Alufurai, Chairman of the Solomon Islands Full Gospel Association;

Friday 2 March:

Discussion with Sir Peter Kenilorea, Ombudsman;

Discussion with Mr Rick Hou, Governor of the Central Bank;

Discussion with Mr Leonard Maenu'u, Chairman of the Leadership Code Commission;

Discussion with Mr Gianfranco Taviani and Mr Bruce Saunders, representatives of the Chamber of Commerce;

Discussion with Hon. Mrs Hilda Kari MP, Minister of Youth, Sports & Women Development;

Saturday 3 March:

Discussion with Mr John Lamani, Managing Director of Solomon Star newspaper;

Discussion with Mr John Babalu, Secretary of the Electoral Commission.

Sunday 4 March:

Discussion with Mr Johnson Honimae, General Manager, Solomon Islands Broadcasting Corporation.

Monday 5 March:

Discussion with Mr Ranjit Hewagama, Solicitor-General and Legal Draftsman;

Discussion with Hon. Chief Justice, Sir John Muria;

Discussion with Hon Jackson Sunaone MP, Deputy Speaker of the National Parliament.

Tuesday 6 March:

Discussion with Hon. Speaker of the National Parliament, Paul Joseph Tovua OBE;

Discussion with Clerk of the National Parliament, Mrs Elizabeth Andresen.

Appendix C: Consultant

Mr Quinton Clements is a Senior Research Officer in the Committee Office, Department of the House of Representatives, Parliament of Australia. He has served as Inquiry Secretary to the Joint Standing Committee on Electoral Matters. Mr Clements is currently completing his PhD at the Australian National University. Mr Clements was previously engaged by the United Nations Development Programme to undertake Legislative Needs Assessments of the Parliaments of Nauru, Kiribati and Solomon Islands. He also attended the *Pacific Regional Conference on Governance for Parliamentarians* held in March 2000 in Nadi, Fiji. He undertook the legislative needs assessment of Tuvalu in December 2000, and the legislative needs assessments of Tonga and Solomon Islands in February 2001.

Appendix D: Members of Parliament and Their Political Parties

GOVERNMENT GROUP - COALITION FOR NATIONAL UNITY, RECONCILIATION & PEACE (CNURP)

Leader : Hon. Manasseh Damukana Sogavare (MP for East Choisul)

Deputy: Hon. Michael Maina (MP for Temotu Pele)

Members: Hon. David Sitai (MP for East Makira)

Hon. William Haomae (MP for Small Malaita)

Hon. David Vatamana Vouza (MP for North Guadalcanal)

Hon. Charles Ferania (MP for Lau/Mbaelelea)

Hon. George Luialamo (MP for West Kwaio)

Hon. Charles Dausabea (MP for East Honiara)

Hon. Moon Pin Kwan (MP for Central Honiara)

Hon. Job Dudley Tausinga (MP for North New Georgia)

Hon. Nathaniel Waena (MP for Ulawa/Ugi)

Hon. Allan Kemakeza (MP for Savo/Russells)

Hon. Danny Philip (MP for South New Georgia/Rendova/ Tetepare)

Hon. Jackson Sunaone (MP for West Makira)

Hon. Snyder Rini (MP for Marovo)

Hon. Robins Mesepitu (MP for South Vella Lavella)

Hon. David Holosivi (MP for Malaita Outer Islands)

Hon. Thomas Koh Chan (MP for West Guadalcanal)

Hon. Allan Paul (MP For North Vella Lavella)

Hon. William Harry Gigini (MP for Gao/Bugotu)

Hon. Saueha Joses Tahua (MP for Rennell/Bellona)

Hon. Albert Bakele Laore (MP for Shortlands)

Hon. Johnson Koli (MP for East Guadalcanal)

Hon. Alfred Saelea Maetia (MP for East Malaita)

Hon. Stephen Tonafalea (MP for West Kwara'ae)

Hon. Victor Samuel Ngele (MP for South Guadalcanal)

Hon. Lester Huckle Saomasi (MP for West Honiara)

Hon. Mrs Hilda Kari (MP for East Central Guadalcanal)

Hon. Ronidy Mani (MP for Fataleka)

Number of MPs in Government = 29

OPPOSITION GROUP – SOLOMON ISLANDS ALLIANCE OF CHANGE

SOLOMON ISLANDS LIBERAL PARTY

Leader: Hon. Bartholomew Ulufa'alu (Caretaker Leader of Opposition & MP for Aoke/Langa Langa)

Members: Hon. Edmund Andresen (MP for Hograno/Kia/Havulei)
Hon. Gordon Mara (MP for Ngella)
Hon. Walton Naezon (MP for Central Guadalcanal)
Hon. Daniel Enele Kwanairara (MP for North Malaita)

Number of MPs = 5

SOLOMON ISLANDS LABOUR PARTY (SILP)

Leader: Hon. Sir Baddeley Devesi GCMG, GCVO, K St. J (MP for North East Guadalcanal)

Members: Hon. Jackson Piasi (MP for Gizo/Kolombangara)
Hon. Nelson Boso (MP for West New Georgia/ Vona Vona)

Number of MPs = 3

UNITED PARTY

Leader : Hon. Fred Iro Fono (MP for Central Kwara'ae)

Members: Hon. Dickson Warakohia (MP for East Are'Are)
Hon. Meshach M. Maetoloa (MP for North West Guadalcanal)

Number of MPs = 3

SOLOMON ISLANDS NATIONAL PARTY (SINP)

Leaders: Hon. Francis Billy Hilly (MP for Ranonga/Simbo)

Members: Hon. Patteson John Oti (MP for Temotu Nende)
Hon. Alpha Kimata (MP for North West Choiseul)
Hon. Alfred Hairiu (MP for West Are'Are)
Hon. Hugo Ragoso (MP for Maringe/Kokota)

Number of MPs = 5

PEOPLES ALLIANCE PARTY (PAP)

Leader :

Members: Hon. Japhet Waipora (MP for Central Makira)

Number of MPs = 1

OTHERS IN THE SIAC CAMP

Hon. Alfred Solomon Sasako (MP for East Kwaio)

Hon. Dr. Stephen Sanga Aumanu (MP for Baegu/Asifola)

Hon. Rev. Leslie Boseto (MP for South Choiseul)

Hon. Hudson Teava Rangisearofa (MP for Temotu Vattu)

Number of MPs in Opposition = 21

Number of Independent MPs = 0

TOTAL NUMBER OF MPS = **50**

Appendix E: Staff of the National Parliament of Solomon Islands

Administration & Accounts Sections

Hon. Paul J. Tovua OBE	Speaker
Mrs Elizabeth Andresen	Clerk to National Parliament
Mr. Selwyn Miduku	Deputy Clerk
Mr. Atban Kapule	Serjeant-at-Arms
Mr. Henry Baeoro	Chief Accountant
Mr. Wilson Iro	Accounts Clerk
Mrs Linda Marigeni	Executive Personal Secretary
Mrs Freda Rifasia	Executive Personal Secretary
Mrs Josephine Mae	Assistant Personal Secretary
Vacant	Assistant Administrative Officer
Mr. Augustine Peli	Registry Clerk

Hansard Division

Mrs Clera Pita	Principal Hansard Editor
Mrs Audrey Magu	Assistant Hansard Editor
Mrs Grace Pitu	Assistant Hansard Editor
Ms Esther Lembu	Hansard Reporter
Mrs Rose Mark	Hansard Reporter
<i>Vacant</i>	Hansard Transcriber

Auxiliary Staff

Mr. Alfred Nollen	Store Clerk
Mr. Fredrick Kolua	Orderly
Mr. Rex Benisi	Official Driver
Miss Oitalana Tafoa	Office Cleaner
Miss Joana Sanga	Office Cleaner
Ms. Joyce Gegeu	Office Cleaner
Mrs Stella Laugolo	Office Cleaner
Mr. Allen Mae	Security Officer
Mr. Henry Mendana	Security Officer

Appendix F: Sixth Session Standing Select Committees of the National Parliament

PUBLIC ACCOUNTS COMMITTEE

Hon. Bartholomew Ulufa'alu	-	Chairman
Hon. Nelson Boso	-	Member
Hon. Patteson J. Oti	-	“
Hon. Alpha N. Kimata	-	“
Hon. Hugo Ragoso	-	“
Isaac V. Tatapu (Auditor General)	-	Secretary
Chief Accountant (NPO)	-	Asst. Secretary

PARLIAMENTARY HOUSE COMMITTEE

Hon. Alfred Maetia	-	Chairman
Hon. Alfred Hairiu	-	Member
Hon. Jackson Sunaone	-	“
Hon. Gordon Mara	-	“
Hon. Walton Naezon	-	“
Hon. Ronidy Mani	-	“
Hon. Rev. Leslie Boseto	-	“
Selwyn Miduku	-	Secretary
Linda Marigeni	-	Asst. Secretary

BILLS AND LEGISLATION COMMITTEE

Hon. Fred I. Fono	-	Chairman
Hon. Nelson Boso	-	“
Hon. Stephen Tonafalea	-	“
Hon. Alfred Hairiu	-	“
Hon. Meshach Maetoloa	-	“
Hon. Walton Naezon	-	“
Hon. Patteson J. Oti	-	“
Elizabeth Andresen	-	Secretary
Freda Walekwate	-	Asst. Secretary

CONSTITUTION REVIEW COMMITTEE

Hon. Francis B. Hilly	-	Chairman
Hon. Charles Ferania	-	Member

Hon. Hugo Ragoso	-	“
Hon. Stephen Tonafalea	-	“
Hon. Daniel E. Kwanairara	-	“
Hon. Rev. Leslie Boseto	-	“
Hon. Alfred S. Sasako	-	“

FOREIGN RELATIONS COMMITTEE

Hon. David Sitai	-	Chairman
Hon. Hudson Teava	-	“
Hon. Stephen Tonafalea	-	“
Hon. Patteson J. Oti	-	“
Hon. Sir Baddeley Devesi	-	“

COMMONWEALTH PARLIAMENTARY ASSOCIATION – SOLOMON ISLANDS BRANCH

Officers of the Branch

President	-	Hon. Paul J. Tovua OBE
Vice President ex-officio	-	Hon. Jackson Sunaone
Vice Presidents	-	Hon. Manasseh Sogavare, Prime Minister
	-Leader of Opposition
Deputy Chairman	-	Hon. Jackson Sunaone
Secretary	-	Clerk to Parliament (Elizabeth Andresen)
Assistant Secretary	-	Deputy Clerk to Parliament (Selwyn Miduku)
Treasurer	-	Chief Accountant (Henry Baeoro)

EXECUTIVE COMMITTEE

Hon. Paul J. Tovua OBE	-	Chairman/ex-officio
Hon. Jackson Sunaone	-	Deputy Chairman
Hon. Fred I. Fono	-	Member
Hon. Michael Maina	-	“
Hon. Alfred Maetia	-	“
Hon. Alfred Hairiu	-	“
Hon. Hugo Ragoso	-	“
Elizabeth Andresen	-	Secretary
Selwyn Miduku	-	Assistant Secretary

Appendix G: Members of Solomon Islands National Parliament

List of Members of Parliament in Alphabetical Order

<u>NAME</u>	<u>CONSTITUENCY</u>	<u>MARITAL STATUS</u>
Hon. Edmund Andresen	MP Hograno/Kia/Havulei	M
Hon. Dr. Stephen S. Aumanu	MP Baegu/Asifola	M
Hon. Rev. Leslie Boseto	MP South Choiseul	M
Hon. Nelson Boso	MP West New Georgia & Vona Vona	M
Hon. Thomas K. Chan	MP West Guadalcanal	M
Hon. Charles Dausabea	MP East Honiara	M
Hon. Sir Baddeley Devesi	MP North East Guadalcanal	M
Hon. Charles Ferania	MP Lau/Mbaelelea	M
Hon. Fred I. Fono	MP Central Kwara'ae	M
Hon. William H. Gigini	MP Gao/Bugotu	M
Hon. Alfred Hairiu	MP West Are'Are	M
Hon. William Haomae	MP Small Malaita	M
Hon. Francis B. Hilly	MP Ranonga/Simbo	M
Hon. David Holosivi	MP Malaita Outer Islands	M
Hon. Hilda Kari (Mrs)	MP East Central Guadalcanal	M
Hon. Allan Kemakeza	MP Savo/Russells	M
Hon. Alpha N. Kimata	MP North West Choiseul	M
Hon. Johnson Koli	MP East Guadalcanal	M
Hon. Moon P. Kwan	MP Central Honiara	M
Hon. Daniel E. Kwanairara	MP North Malaita	M
Hon. Albert B. Laore	MP Shortlands	M
Hon. George Luialamo	MP West Kwaio	M
Hon. Alfred Maetia	MP East Malaita	M

Hon. Meshach M. Maetoloa	MP North West Guadalcanal	M
Hon. Michael Maina	MP Temotu Pele	M
Hon. Ronidy Mani	MP Fataleka	M
Hon. Gordon Mara	MP Ngella	M
Hon. Robin Meseputu	MP South Vella Lavella	M
Hon. Walton Naezon	MP Central Guadalcanal	M
Hon. Victor S. Ngele	MP South Guadalcanal	M
Hon. Patteson J. Oti	MP Temotu Nende	M
Hon. Allan Paul	MP North Vella Lavella	M
Hon. Danny Philip	MP South New Georgia/Rendova/Tetepare	M
Hon. Jackson Piasi	MP Gizo/Kolombangara	M
Hon. Hugo Ragoso	MP Maringe/Kokota	M
Hon. Hudson T. Rangisearofa	MP Temotu Vattu	M
Hon. Snyder Rini	MP Marovo	M
Hon. Lester H. Saomasi	MP West Honiara	M
Hon. Alfred S. Sasako	MP East Kwaio	M
Hon. David Sitai	MP East Makira	M
Hon. Manasseh Sogavare	MP East Choiseul	M
Hon. Jackson Sunaone	MP West Makira	M
Hon. Saueha J. Tahua	MP Rennell/Bellona	M
Hon. Job D. Tausinga	MP North New Georgia	M
Hon. Stephen Tonafalea	MP West Kwara'ae	M
Hon. Bartholomew Ulufa'alu	MP Aoke/Langa Langa	M
Hon. David D. Vouza	MP North Guadalcanal (Deceased)	M
Hon. Nathaniel Waena	MP Ulawa/Ugi	M
Hon. Japhet Waipora	MP Central Makira	M
Hon. Dickson Warakohia	MP East Are'Are	M

