



**STANDING COMMITTEE ON JUSTICE, LAW AND
HUMAN RIGHTS**

**Review of the Department of Legislature Annual Report
2014-2015**



PARLIAMENT OF THE REPUBLIC OF FIJI
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CHAIRPERSON'S FOREWORD

The Department of Legislature is the administrative arm of the Parliament of the Republic of Fiji. It is responsible for providing administrative and support services, including administering funding entitlements for parliamentary purposes. The Department is headed by the Speaker of Parliament and the Secretary-General to Parliament is the chief executive of the parliamentary administration and the principal procedural advisor to the Speaker, the Members of Parliament and the Committees of Parliament.

The Department of Legislature had a challenging task of reinstating a Parliament, back in September of 2014. Despite this, the Department overcame numerous obstacles to provide the best, effective and efficient secretariat support to the newly elected Members of Parliament.

This report will briefly provide a summary of the Department's work, challenges and achievements for the years 2014 and 2015, as provided in the *Department of Legislature Annual Report 2014-2015*.

The Standing Committee on Justice, Law and Human Rights of the last term of Parliament was referred the *Department of Legislature Annual Report 2014-2015*, by this August house and was tasked to review the Annual Report. The same report had been re-instated in this new Parliament and has been referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by Parliament to review the Annual Report and report back to Parliament on its findings.

The Committee deliberated on the Annual Report thoroughly and noted a few pertinent matters in its content, which was then discussed with the Department's representatives.

The Committee's report will cover these mentioned pertinent matters which include:

- The capability of the human resource of the Department in handling the work load;
- Clarification on the roles of certain Units within the Department;
- Clarification on certain administrative roles vested with the Department; and
- Clarification on certain financial anomalies, such as lack of specifics in the reporting of the operating expenses which were incurred.

Consideration was also given to the requirements of the Standing Orders of Parliament pertaining to the impact on gender when deliberating on the Annual Reports, and it was encouraging to note that gender implications has been considered in all aspects of the Department, beginning with the make-up of its senior management team.

The previous Committee had proposed a few recommendations, which my Committee reiterates in this Report.

At this juncture I would like to acknowledge the Members of the Standing Committee on Justice, Law and Human Rights in the last term of Parliament for their efforts and input, which has greatly assisted our Committee in the compilation of this report.

I would also like to thank the current Honourable Members of the Justice, Law and Human Rights Committee Hon. Rohit Sharma (Deputy Chairperson), Hon. Ratu Suliano Matanitobua, Hon. Dr. Salik Govind, and Hon. Mosese Bilitavu, for their deliberations and input, the alternate members who made themselves available when the substantive members could not attend, the staff and officers of the secretariat and the representatives of the Department of Legislature who accepted the invitation of the Committee and made themselves available to make submissions, which assisted the Committee in its work.

I, on behalf of the Committee, commend the Committee's Report on the *Department of Legislature Annual Report 2014-2015* to the Parliament and seek support of all the members of this August house to take note its contents.



Hon. Alvick Avhikrit Maharaj
Chairperson

1.0 INTRODUCTION

The Standing Committee on Justice, Law and Human Rights (“Committee”), was referred the *Department of Legislature Annual Report 2014-2015* (“Report”) for review, on 5 March, 2018, pursuant to Standing Order 38 (2) of the Standing Orders of the Parliament of Republic of Fiji.

In reviewing the Reports, the Committee resolved that it would be appropriate to have a consolidated Report.

The Committee conducted its own deliberation and invited the Department of Legislature to clarify issues pertaining to the Report.

This review outlines the findings and recommendation by the Committee.

The Department of Legislature

The Department of Legislature (“Department”) is primarily focused on providing high level service delivery to the Members of the Parliament of the Republic of Fiji. It is responsible for providing administrative and support services to Members of Parliament and to administer funding entitlements for Parliamentary purposes.

The Department being an institution that derives its funding from public funds was required under the law to prepare an annual report and to submit to the Minister responsible for Economy and whereby the Minister will then table the report in Parliament.

The Department of Legislature Annual Report 2014-2015 covers information on the work carried out by the Department for the years 2014 and 2015.

The Annual Report also covers the main highlights of the Department’s activities for the respective years.

2.0 COMMITTEE DELIBERATION AND FINDINGS

As part of its review the previous Committee read and deliberated on the Reports and identified a few issues. These issues were then brought to the attention of the Department for clarification which include the following:

- Clarification was sought on the Department’s position on the number of staff and whether the current number was sufficient to handle the work load? This query came about since the Committee acknowledged the notable achievements by the Department for the year 2014-2015, but also noted that there was substantial increase in the duties carried out and to be carried out by the Department.
- Clarification was sought with regards to the work of certain Units such as the Asset Management Unit, specifically with regards to the fit outs and refurbishment of the Parliament precincts and how vital aspects of infrastructural refurbishment had been missed out on certain things such as having a precinct that was disability friendly.
- Clarification was sought on the role of certain Units and how it contributes to the work of Parliament and the Committees.

- Clarification was sought on certain administrative processes, which directly impacted the work of all the Members of Parliament, such as the selection process of those that attend training and trips from the Parliament and the Department.
- Clarification was sought on the work of certain Units within the Department, specifically with regards to the statistics pertaining to these Units, which are directly related to the business of Parliament and its Committees.
- Clarification was sought on certain financial anomalies, such as lack of specifics in the reporting of the operating expenses which were incurred in 2015.

The Committee thoroughly discussed the mentioned issues with the Department representatives and the following is a summary of this discussion:

With respect to the human resources query, the Department executives had commended the work put in by the staff at the time till to date. The Committee was advised that given that it is a new Parliament with majority of the staff being new to the legislature, the Department had been undergoing institutional monitoring and review of the progress achieved so far compared to what an ideal legislature staff would be. There are many rooms for improvement but this is still being reviewed and it would be premature to give a determined and definite answer, at this stage.

With regards to the work of certain Units such as the Asset Management Unit, specifically with regards to the fit outs and infrastructural refurbishment of the Parliament precincts, it was noted that the Department has made progress on this – specifically with regards to trying to make the precincts more disability-friendly. There are plans for further infrastructural developments, but certain consideration have to be made when it comes to the Government Buildings complex. These considerations include, heritage issues and implications, technical and engineering issues and also financial implications of such infrastructural developments.

With regards to the role of certain Units and how it contributes to the work of Parliament and the Committees; the Department representatives advised that the existing Units do contribute to the work of Parliament specifically with regards to awareness and outreach. The main Unit is the Civic Education and Media Unit, which has a core role of conducting public awareness on the work of Parliament and the role that the public plays in this. However it was noted that this needs to be improved on and the Department is working towards improving this service and looking to ways of achieving this.

With regards to certain administrative processes, which directly impacted the work of all the Members of Parliament, such as the selection process of those that attend training and trips from the Parliament and the Department; it was advised that the Department has procedures in place for such services and this has been implemented with the goal of ensuring equal opportunity for all and also that such services, would in the long run, benefit the Department and the Parliament as whole.

With regards to certain Units within the Department, specifically with regards to the statistics pertaining to these Units, which are directly related to the business of Parliament and its Committees; it was advised that there were certain typographical errors in the Department's Annual Report and the Committee was assured that the Department will ensure that this will not be repeated. The Committee was also provided with specific statistics to assist with its deliberation on the issue noted.

With regards to certain financial anomalies, such as lack of specifics in the reporting of the operating expenses which were incurred in 2015, it was advised that the lack of specifics was a result of the type of allocation of funds that was given to the Department. The allocation was through only one segment and thus all necessary reporting had to be in line with and recorded on that segment.

There were also supplementary issues raised by the Committee and the Department representatives responded accordingly. These issues were specifically with regards to:

- the guidelines that the Department follows when making a determination on the work Committees (such as attending professional workshops/training); and
- the tools (e.g. laptops, mobile phones and computer tablets) given to Members of Parliament (MPs) and whether this would be included as a benefit given to the MPs at the end of their term.

The current Committee takes note of the above, however have relied on the financial policies and regulations in place governing asset management of an organisation¹, which restricts the disposal of assets such as gadgets. Therefore this issue was considered cautiously by the current Committee and have noted that despite the wanting of certain privileges to be applicable to the Honourable Members of Parliament, there are certain policies and guidelines that need to be adhered to.

Copies of the submission documents can be obtained from the Parliament website: www.parliament.gov.fj.

3.0 GENDER ANALYSIS

The Committee took into account the provisions of SO 110(2) which states when a committee conducts an activity listed in clause (1), the Committee shall ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit on both men and women equally.

From the discussion with the Department of Legislature representatives, it was noted that the Department has endeavoured to ensure that the principle of gender equality is captured in every activity carried out by it. It was also advised that there has been efforts done to ensure that the human resources aspect of the Department complies with the gender equality principle. These efforts have begun with the senior management team comprising of both men and women from different backgrounds.

¹ *Finance Management Act 2004 - Finance Instructions 2010* [LN 125].
<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwiC4tOlVjjiAhUBfisKHWG6DeIQFjAAegQIARAC&url=http%3A%2F%2Fwww.economy.gov.fj%2Flegislation.html%3Fdownload%3D197%3Alegislation&usg=AOvVaw27270uQ4yFdfb0C4-ECJsq> [Accessed: 07/05/2019]

4.0 RECOMMENDATION

After reviewing the *Department of Legislature Annual Report 2014-2015*, the Committee noted a few issues which it brought to the attention of the Department of Legislature representatives.

The Committee acknowledges the progress that the Department has achieved and the plans in place for moving forward. However, the Committee believes it needs to put in a few recommendations to assist the Department in its way forward. These recommendations provided below are those the Committee believes will also contribute to the improvement of the Department.

The Committee recommends:

- That efforts should be made in ensuring the timely submission of annual reports.
- That there should be closer collaboration between the Media and Civic Education Unit and the Parliament Committees.
- That there be upgrading of all equipment that will assist the Department and Members of Parliament in carrying out its functions. Key focus areas are the Hansard Unit, the IT Unit and equipment for the Parliament Committee Secretariat and support staff.
- That there be development/up-skilling of existing staff and also recruitment of additional qualified staff.
- That there should be clear guidelines and policies in place with respect to administrative processes that impact Parliamentary work such as Committees, overseas trips, trainings and welfare. These policies should be guided on the principle of promoting the Parliamentary work.
- That there be proper consideration of the need of persons with disabilities when looking into infrastructural developments of the Parliament precincts.

5.0 CONCLUSION

The Standing Committee on Justice, Law and Human Rights has fulfilled its mandate approved by Parliament, which is to examine and review the *Department of Legislature Annual Report 2014-2015* with due diligence.

The Committee's review findings showed few issues which was brought to the attention of the Department of Legislature representatives and was appropriately addressed and this was reflected in the findings and the recommendations put forth in this report.

The Committee through this Report commends the *Department of Legislature Annual Report 2014-2015* and seeks this August house to take note of its recommendations.

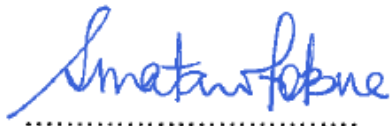
SIGNATURES OF THE MEMBERS OF THE STANDING
COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS



Hon. Alvick Maharaj
(Chairperson)



Hon. Rohit Sharma
(Deputy Chairperson)



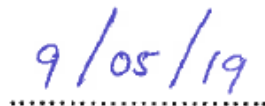
Hon. Ratu Suliano Matanitobua
(Member)



Hon. Dr. Salik Govind
(Member)



Hon. Mosese Bilitavu
(Member)



(Date)