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## THE SELECT COMMITTEES REPORT

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Dear Client – Select Committees are Parliament’s legislative engine room, vital to the system but rarely coming to the media’s attention. Every MP outside the executive is a member of at least one Committee, but the work they do is rarely acknowledged. Most people may not even be aware of it. This Special Report looks at their membership, leadership, and the priorities of the work on hand.

### SELECT COMMITTEES - AN OVERVIEW

With few exceptions, each Bill which passes its first reading in Parliament is sent to its relevant Committee for scrutiny and public submissions. It’s the only time a Bill can be influenced by those it is going to affect, and MPs pay close attention to submissions from individuals, businesses and organisations. They can, and often do, significantly change Bills as a result of those submissions. They usually make a raft of minor changes so the legislation is more fit for purpose, and they must ensure there are no drafting errors which could force Parliament to subsequently pass amendments. The influence the public can have on a Bill and the careful attention of Committee MPs helps make NZ’s legislative process one of the most robust in the world. They work, for the most part, through cross-party co-operation and a genuine aim to deliver a fault-free Bill back to Parliament. Perhaps contrary to public perception, MPs are not always at each other’s throats and most Bills are dealt with quietly and efficiently.

When opposition parties are fundamentally opposed to a Bill - and those are the ones which usually make headlines - their MPs on the Committee dealing with it will put in a minority report explaining why they don’t think the Bill should proceed. The Government, with its allies, has a majority on most of the Committees which ensures its legislative intentions can’t be thwarted. The Govt can still amend legislation in the committee stage of a Bill, but this can be messy and complicated. As well as dealing with Bills, Committees are Parliament’s spending watchdogs. Each year Government Departments have to appear before them and explain how they spent their budget allocations. For some Chief Executives, it’s isn’t a comfortable experience. They also have to participate in reviews of past performance each year which can be equally unsettling.

Committees can initiate investigations, and often do, if they consider there’s an issue of public importance that needs their attention. They are their own masters and report to Parliament, not the Government. Ministers can’t be members, and are forbidden to meddle with Committee affairs. Despite this it is very common for committee chairs to “consult” with ministers and caucus on matters of note.

**1. FINANCE & EXPENDITURE (FINEX)** Considered by many to be Parliament’s most important Select Committee and is one of the largest. Finex audits the Government’s financial statements and those of its Departments and other agencies. Its responsibilities include revenue, taxation and monetary policy. Reserve Bank Governor Graeme Wheeler regularly appears before it. Party leaders and finance spokesmen are among its members, Labour’s Grant Robertson and Clayton Cosgrove are aggressive questioners.

Chaired by National’s third term Hamilton East MP David Bennett the Committee has lost some of its intellectual rigour under his leadership as he finds it difficult to take off his partisan goggles when dealing with complex issues. Julie Anne-Genter recently replaced her former leader Russel Norman and is still finding her feet. When Winston Peters turns up he is a bit of a sleeping bear which if stirred can be very confrontational. Officials supporting the Committee and others have been tested in recent times with the Govt’s rather rushed patch up job on the tax treatment of residential housing speculators.

**Members.** Andrew Bayly, David Bennett (Chair), Chris Bishop (Deputy Chair), Clayton Cosgrove, Stuart Nash, Julie Anne-Genter, Winston Peters, Grant Robertson, Jami-Lee Ross, Alastair Scott, David Seymour.

**2. HEALTH** Another important Committee, handling matters of public health and legislation. Under its former Chair Paul Hutchison the Committee initiated several inquiries, and current Chair Simon O’Connor anticipates doing the same as it has had a very light legislative workload. Two inquiries covering very controversial areas are likely to raise political heat. One on voluntary euthanasia will be Parliament’s latest look at it after a high profile

petition raised the issue. The other is the vexed problem of dealing with child abuse and generally improving children's health outcomes. O'Connor has already come out against the idea of assisted suicide, but reckons he can chair it fairly and is probably right about this as he deals with most issues in a calm, competent and thoughtful way. This follows a highly praised inquiry into the issue raised in the last Parliament, though the Govt has not paid a lot of attention to it. There's a wealth of experience on the Committee, with its members including former Health Minister Annette King and the Green's Kevin Hague, a former District Health Board CEO.

**Members.** Jacqui Dean, Kevin Hague, Annette King, Barbara Kuriger (Deputy Chair), Simon O'Connor (Chair) Shane Reti, Scott Simpson, Barbara Stewart, Louisa Wall.

**3. FOREIGN AFFAIRS, DEFENCE AND TRADE** The only Committee dealing with NZ's external relations. Its responsibilities include foreign affairs, trade, defence, disarmament and arms control. Defence Force chiefs appear before the Committee to account for their spending and performance. Restructuring of the Ministry of Foreign Affairs and Trade has been a subject of some controversy, but seems to have settled down in recent times.

Labour has a strong representation with former Foreign Minister Phil Goff and former senior UN official David Shearer. Goff can be an incisive questioner though he does tend to lose his patience and sometimes his temper with officials he feels are not being co-operative. Former diplomat Kennedy Graham representing the Greens also bring his baritone and gravitas to proceedings. Shearer and Goff have managed to keep Labour and National's détente over trade deals in place, though this has been tested in recent times with the South Korean trade deal causing some concern amongst a number of Labour MPs. Now the Trans-Pacific Partnership deal has been signed the Committee will come under immense pressure from both sides of the argument. In the meantime the Committee keeps itself with a seemingly never ending raft of briefings on everything from refugees to the rights of NZers in Australia.

**Members.** David Bennett, Phil Goff, Kennedy Graham, Mark Mitchell (Chair), Shane Reti (Deputy Chair), Jami-Lee Ross, David Shearer, Fletcher Tabuteau, Lindsay Tisch, Jian Yang.

**4. LAW AND ORDER** This Committee handles prisons, criminal law, police and serious fraud. The Commissioner of Police and senior officers appear before it and are questioned on the politically sensitive issues of frontline policing and force numbers. The Corrections Department also comes in for close scrutiny. The Committee recently reported back the Organised Crime and Anti-Corruption Bill, a major piece of legislation. However, despite National priding itself on being "tough on crime and the causes of crime" the Committee has so far had a rather light workload in this Parliament.

**Members.** Kanwaljit Singh Bakshi (Chair), Todd Barclay (Deputy Chair), Mahesh Bindra, David Clendon, Kelvin Davis, Phil Goff, Ian McKelvie, Lindsay Tisch, Jonathan Young.

**5. MAORI AFFAIRS** An absence of spending scandals and Tau Henare's retirement sees the Committee with a lower profile these days. It's no longer known for lengthy delays and has dealt effectively with a series of Treaty Settlement Bills. Henare was a good chair, but Nuk Karako has a totally different style carrying himself with considerable gravitas. It has been continuously busy with a seemingly never ending flow of treaty related Bills. These are dealt with efficiently though sometimes are a source of frustration for some MPs as they can't really amend the Bills even if they believe something is wrong or unfair. The Committee and the Govt have struggled to deal with political issues around the funding of Maori language related organisations. The Committee will be even more tested if the latest attempt to reform Maori Land law gets before it next year as planned. Past attempts have opened up an uncomfortable can of worms for Parliament in the complex and controversial area of law.

**Members.** Chester Borrows, Marama Fox, Joanne Hayes, Nuk Korako (Chair), Nanaia Mahuta (Deputy Chair), Pita Paraone, Rino Tirikatene, Metiria Turei.

**6. PRIMARY PRODUCTION** Parliament's food, fish and farm people are on a key Committee dealing with agriculture, biosecurity, fisheries, forestry, land and land information. Dairy industry restructuring legislation was the last major task completed and it has had a very light legislative workload in this Parliament. Indeed it has just been handed its first Bill since the last election - the Agricultural Compounds and Veterinary Medicines Amendment Bill. Like other underworked Committees it keeps itself busy with lots of briefings. Labour's Damien O'Connor is a leading member, while NZ First's Richard Prosser takes a lively interest in rural affairs. The Green's Steffan Browning is there with his organic farming expertise, while National's Barbara Kuriger was the 2012 Dairy Woman of the Year. A number of the Committee's MPs have strong opinions, while others can be bit eccentric. However the Chair Ian McKelvie deals with it all in courteous and good humoured manner.

**Members.** Todd Barclay, Chester Borrows, Steffan Browning, Barbara Kuriger, Ian McKelvie (Chair), Damien O'Connor, Richard Prosser, Stuart Smith (Deputy Chair), Meka Whaitiri.

**7. PRIVILEGES** Unlike any of the other Committees it has Ministers among its members, including the Auditor-General, and acts as Parliament's court. It can impose penalties on individuals and organisations, including jail. It has been at the centre of momentous events including the censure of Winston Peters in 2008 over the donations scandal. Privileges takes itself seriously and being summoned to appear is usually an unpleasant experience. Its major issue in 2014 was codifying Parliament's rules around privilege. This year the Committee dragged Parliament's rules around social media closer to something resembling this century

**Members.** Simon Bridges, Gerry Brownlee, Chris Finlayson (Chair), Kennedy Graham, Chris Hipkins, Murray McCully, David Parker, Winston Peters, Grant Robertson, Anne Tolley.

**8. EDUCATION AND SCIENCE** Another 11-member Committee whose responsibilities include education, education review, industry training, research, science and technology. It has so far only had one Bill to deal with since the election and is focused on CRIs, school governance and teaching practices. Education tends to be a bit of "fault line" between political parties both in policy and practice with the Charter Schools issue exemplifying this, however its MPs tend to have a jolly and collegial attitude most of the time. Its members include Labour's high-profile education spokesman Chris Hipkins, former Justice Minister Judith Collins and NZ First's Deputy Leader Tracey Martin. It is beginning an inquiry into the identification and support for students with the significant challenges of dyslexia, dyspraxia, and autism spectrum disorders in primary and secondary schools. This has been a difficult issue in the past garnering very vocal and divided debate, many will be watching with interest.

**Members.** Judith Collins, David Cunliffe, Catherine Delahunty, Paul Foster-Bell (Deputy Chair), Paul Goldsmith, Chris Hipkins, Melissa Lee, Tracey Martin, Jenny Salesa, Maurice Williamson, Jian Yang (Chair).

**9. LOCAL GOVERNMENT AND ENVIRONMENT** Conservation, environment and local Government are within its brief. It has been one of the busier Committees legislation wise. Amongst the issues have been environmental reporting, building earthquake regulations and a host of local Bills. Its post-election membership includes the Green Party's Eugenie Sage and James Shaw, while Labour has energetic Government critic Megan Woods. It is well chaired by Scott Simpson and his deputy Todd Muller, both of whom many are picking to go on to higher office. If the Government gets on with Resource Management Reform and it is sent to this Committee (which is likely) the pair will be given a real test of their abilities. The Govt's approach to Christchurch local body governance is likely also to take up a lot of time next year.

**Members.** Matt Doocey, Paul Foster-Bell, James Shaw, Joanne Hayes, Nuk Korako, Ron Mark, Todd Muller (Deputy Chair), Eugenie Sage, Scott Simpson (Chair), Su'a William Sio, Megan Woods.

**10. COMMERCE** Its wide range of responsibilities include business development, commerce, communications, consumer affairs, energy, information technology, insurance, superannuation and tourism. Commerce Bills rarely make headlines - they're complex and difficult for most people to understand - but Committee members have to get their heads round them and some of them do.

**Members.** Kanwaljit Singh Bakshi, Ria Bond, David Clark, Judith Collins, Clare Curran, Kris Faafoi, Brett Hudson (Deputy Chair), Gareth Hughes, Melissa Lee (Chair), Simon O'Connor.

**11. JUSTICE AND ELECTORAL** Responsible for Justice Bills and issues, electoral matters, which includes reviews of general elections, and human rights. Capably Chaired by National's Jacqui Dean who is another picked to rise through the ranks, its membership includes the soon to retire former Greens co-leader Russel Norman and Maori Party co-leader Marama Fox. The Flag Referendum Bill caused much friction in the Committee with Trevor Mallard being subbed on and bringing with him much disruptive force. Labour member Jacinda Ardern is watched carefully for performance with some thinking she may one day lead Labour.

**Members.** Jacinda Ardern, Chris Bishop, Jacqui Dean (Chair), Marama Fox, Peeni Henare, Jono Naylor (Deputy Chair), Alfred Ngaro, Denis O'Rourke, Russel Norman, Louise Upston.

**12. SOCIAL SERVICES** Handles legislation and issues which are often politically divisive, including welfare, housing, work and income support and senior citizens. These are also areas which are high priority for the Govt and in particular Deputy PM Bill English and other senior Govt members, as a result it has been relatively busy legislation wise with social housing and welfare reform particularly contentious now and in the future. National's Alfred Ngaro, an MP with a future, chairs this Committee while Labour's social development spokeswoman Carmel Sepuloni is her party's senior representative. Among its first-term members is National's impressive scientist/businesswoman Dr Parmjeet Parmar.

**Members.** Darroch Ball, Matt Doocey (Deputy Chair), Jan Logie, Todd Muller, Jono Naylor, Alfred Ngaro (Chair), Parmjeet Parmar, Carmel Sepuloni, Stuart Smith, Poto Williams.

**13. TRANSPORT AND INDUSTRIAL RELATIONS**

Another 11-member Committee with sensitive issues to deal with. The overhaul of workplace health and safety law preoccupied it for some time with National MPs divided on how to approach the issue. It is now dealing with changes to employment law. ACC is always controversial, and transport brings Government MPs up against the Greens. Immigration is also this Committee's responsibility. Chaired well by National's Jonathan Young who manages to keep his patience and good humour, despite the Committee having some strong personalities. Its members include veteran Maurice Williamson and Labour's heavy hitters Phil Twyford, Sue Moroney and Iain Lees-Galloway.

**Members.** Andrew Bayly, Sarah Dowie, Iain Lees-Galloway, Clayton Mitchell, Sue Moroney, Parmjeet Parmar, Denise Roche, Alastair Scott (Deputy Chair), Phil Twyford, Maurice Williamson, Jonathan Young (Chair).

**14. GOVERNMENT ADMINISTRATION**

As its name implies, this small Committee can be given just about anything to deal with and is sometimes handed issues outside its brief, most memorably the leaky buildings inquiry. But it's usually working quietly within its areas of civil defence, internal affairs, services to Parliament, racing and state services. It's one of just two Committees Chaired by an opposition MP, in this case Labour's experienced Ruth Dyson. Its time in the near future will be taken up with Labour's second bite to get 26 weeks paid parental leave in place. This always brings with it large interest and a large number of submissions. Interestingly the Government's changes to the paid parental leave regime are in employment legislation before the Transport and Industrial Relations Committee.

**Members.** Sarah Dowie (Deputy Chair), Ruth Dyson (Chair), Brett Hudson, Mojo Mathers, Mark Mitchell, Adrian Rurawhe.

**15. STANDING ORDERS**

Its deliberations are of great interest to those inside Parliament but not to anyone on the outside. Standing orders are the rules of the debating chamber and cover the behaviour of its members. Conflicts sometimes lead to the interpretation of rules being challenged, in which case the Speaker may refer the matter to the Committee. It also keeps standing orders under review to meet any changed circumstances. It's important the Leader of the House is on the Committee, and Ministers can be members. Not busy this year so far, its work load tends to fall near the end of the Parliamentary term when it traditionally reviews Parliament's rules and recommends changes to Standing Orders for the next Parliament.

**Members.** Simon Bridges, Gerry Brownlee, David Carter (Speaker, Chair), David Clendon, Peter Dunne, Marama Fox, Chris Hipkins, Trevor Mallard (Deputy Chair), Denis O'Rourke.

**16. OFFICERS OF PARLIAMENT**

An Officer of Parliament is an individual appointed by Parliament who reports to Parliament, not the Government. They include the Ombudsman, the Privacy Commissioner and the Parliamentary Commissioner for the Environment. The Committee audits their annual reports and deals with their budgets and appointment procedures.

**Members.** Speaker David Carter (Chair), David Clendon, Te Ururoa Flavell, Tim Macindoe, Trevor Mallard (Deputy Chair), Carmel Sepuloni, Barbara Stewart.

**17. REGULATIONS REVIEW**

The other Committee chaired by an opposition MP. A low-profile Committee with only five members, Regulations Review has to scrutinise all the regulations drafted by Parliament, look for anything wrong, make corrections and report back. There's one unusual and probably little known feature - anyone who has a problem with any regulation can complain to the Committee and the complaint must be considered. However its MPs will hope this does not become too common because they have a steady and sometimes mind-boggling flow of issues to deal with. For instance in previous years it got entangled into the arcane politics of the plumbing world and few who took part in that would want to go there again. Currently grappling with the issue of the Govt's response to national emergencies and in particular what lessons can be learnt from the regulatory response to the Canterbury Quakes.

**Members.** Andrew Bayly (Deputy Chair), Chris Bishop, Chester Borrows, David Cunliffe (Chair), David Parker.

**18. BUSINESS**

This Committee deals with the business of Parliament, and nothing else. It's responsible for setting the House agenda, called the Order Paper, the schedules of the other Committees - a tricky task because MPs are often on more than one - and the casting of proxy votes. It is a relatively new Committee which has quietly revolutionised how the House is run. In particular it has run on the principle the Govt has the right govern, and the Opposition the right to oppose. It may seem simple, but the basic concept has led to business generally running far more smoothly usually finding agreement on how things should proceed. Few people outside Parliament will have ever heard of it, however within the buildings it is considered to be one of Gerry Brownlee's finest achievements. The only problem is it seems occasionally some MPs on the Committee don't tell their party colleagues what has been agreed to and things break down, though in the case of NZ First it is probably Winston Peters wasn't really listening. The smooth running of Parliament has never been a high priority for him when political points are to be scored.

**Members.** Simon Bridges, David Carter (Speaker, Chair), Gerry Brownlee, David Clendon, Peter Dunne, Marama Fox, Chris Hipkins, Tim Macindoe, Carmel Sepuloni, David Seymour, Barbara Stewart.