

**Rethinking the Trinidad and Tobago Parliament: The Republic's Legislative Development
Imperative**

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***Paper to be presented at the Fourteenth Workshop of Parliamentary Scholars and
Parliamentarians, Wroxton College, 27-28 July 2019***

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ABSTARCT

The Trinidad and Tobago parliament ought to be given more credit than it does for its many contributions to the Republic's political life and reform efforts. Many of the weaknesses which observers often assign to parliament actually reflect profound, organisational deficiencies within the Trinidad and Tobago national politics, or can be attributed to the inadequate level of resources that have been placed at the disposal of the parliament. Despite that, parliament revel in a level of public prominence that it did not have a decade ago. Even if parliament did not matter or was rightly devoid of influence, much of the public discussion in Trinidad and Tobago would not revolve around the rules and procedures which determine access to it; nor would it be emerging progressively as a focus for political change. Trinidad and Tobago's parliament is making significant contributions to political representation and executive accountability. Its effect on law-making is tangible. In particular, it performs an integrative function that helps shelter Trinidad and Tobago against the contentious and polarising forces that agitate and under certain conditions could rip apart the country's society and national politics. In spite of its recent achievements and new evidence of its institutional progress, the Trinidad and Tobago legislature continues to operate under powerful constraints, some of which are internal while others originate in the broader constitutional and political environment within which the Trinidad and Tobago legislature is located. The purpose of this paper is to stimulate a discussion of reforms to the Standing Orders of the House of Representative and Senate.

INTRODUCTION

The 21st century Parliament of the Republic of Trinidad and Tobago must reflect the best practice for the citizens of Trinidad and Tobago, its democracy and the sustainability of the working life of Members of Parliament. Trinidad and Tobago's Westminster/Whitehall parliamentary system has been distorted over the decades as political parties gain more power. Parliament is not modernised by conferences but by "reform" of its Standing Orders, hence only Parliament can modernise Parliament. All Parliaments have mechanisms for altering their procedures. In most Parliaments, the primary means for this will be a committee of members that is charged with considering and recommending proposals for change, with recommendations being placed before the plenary for approval.

The purpose of this paper is to stimulate a discussion of reforms to the Standing Orders of the House of Representatives, which has committed itself to regularize the subject-based oversight Joint Select Committees so as to minimize overlap of responsibility-areas and harmonise with Section 66A(1)(a) of the Constitution of Trinidad and Tobago. As society changes, the demands of our institutions change as well. Parliament must adapt to a changing and evolving political landscape and should respond to demands of greater accountability, transparency and relevance. The impetus of all major reforms has had a common theme: a recalibration of the rules to balance the desire of the minority's right to be heard with the majority's duty to pass its legislative agenda. This balance is in need of constant attention and periodic adjustment to reflect the will of the House and of the people it serves.

Parliamentary Committees

The idea of the committee, of which the parliamentary committee is but one example involves a concept which must be one of the most fundamental and widespread in human societies and organisations. In most cases, the usage of the committee is defined in terms such as ‘a body of persons appointed or elected for some special business or function’ or “a body of persons delegated to consider, investigate, or take action upon and usually to report concerning some matter or business” (Onions 1973, 377).

The first connection to note between committees and parliaments comes directly from the definition illustrated above; a parliament itself may be considered a committee in this case a sub-set of the electorate. Within Westminster-style parliaments the most important committee is the cabinet ‘a committee of the legislative body selected to be the executive body’ (Bagehot 1867, 66). The committee that is the cabinet is an essential feature of the Westminster form of responsible parliamentary government and although not mentioned clearly in the Constitution has been adopted by the Commonwealth Caribbean parliaments ever since their inception, together with many other practices from the British parliament such as standing orders.

The term committee is also used in the parliamentary context to describe any of several types of bodies of parliamentarians established by either (or both) houses, but of a numerical size very much smaller than the whole of the chamber. In the Westminster tradition this is a practice of long standing:

In both Houses of Parliament the practice of delegating to small bodies of members, regarded as representing the House itself, the consideration of questions, which, as involving points of detail or questions of a technical nature, are unsuited to the House as a whole, is as old as any part of their settled procedure (May 1971, 18th ed. 591,).

The Significance of Parliamentary of Committees

Legislators on the whole have particular purposes in mind when they create committees and committee systems. These purposes can usually tell the difference in the rules that govern the operations of committees. In this sense “purpose” is not the same as “function” in that there are committee functions that can be distinguished. On the other hand, some purposes that legislators associate with particular committees are also widely recognized as functional categories. It should be pointed out that purposes are not always linked on a one-for-one basis with particular committees. Some purposes may be associated with more than one type of committee in a given legislature.

Many observers see the development and growing use of parliamentary committees as a necessary response and solution to the joint problems of government domination of parliaments and the growing workload of parliamentarians because, in general terms:

1. Committees can be used to spread a Parliament's workload;
2. Committees have greater time available to them and can examine issues in-depth;
3. The use of committees permits members to develop knowledge and expertise in particular areas;
4. Committees can be used to perform functions which the Houses of Parliament are ill-suited to perform (e.g. finding-out facts, examining witnesses, sifting evidence, drawing up reasoned conclusions);
5. Committees, because of their composition and structure, can adopt a relatively informal procedure;

6. Committees can be used to develop bi-partisan policy and may operate across party lines in conducting inquiries; and
7. Committees operate as forums in which backbenchers (especially government backbenchers) can exert influence, and where they are less unwilling to vote against the Government and, conversely, the Government is less embarrassed by a defeat.

The relations among committees tend to differ across countries. However, intrinsically the functions they perform can be quite alike from legislature to legislature. The main tasks of committees are grouped as follows, according to Shaw: (Lee and Shaw 1979, 370-377).

1. Legislative function: Committees are expected to deal with legislation. The referral of a bill to a committee means that the committee must give detailed consideration to it and to report it to the plenary.
2. Financial function: It is expected committees will deal with financial matters. In general, the various committees that operate in this area are concerned with the budget and revenue aspects, and with the administration of spending programmes by the government.
3. Investigative function: Committees are often appointed for the purpose of conducting investigations in connection with legislation or executive oversight.
4. Administrative oversight function: Committees are the most useful instrument of legislatures to oversee the performance of the executive, control the implementation of policies and call to account the officials of the government.
5. Housekeeping function: Some committees are appointed to fulfil housekeeping activities as, for example, internal rules and procedure, internal administration and the setting of the agenda.

Acknowledgment of these tasks has led to a rise in the recognition of parliamentary committees throughout the world, especially in the last 30 years. Articles published in “The

Parliamentarian”, the Journal of the Commonwealth Parliamentary Association, reveal a genuine stream of new purposes to which the parliamentary committee has been put.

The Trinidad and Tobago Context

Trinidad and Tobago is a parliamentary democracy based on the Westminster/Whitehall model with a two-party system. Universal suffrage exists for citizens over the age of eighteen. Following its independence in 1962, Trinidad and Tobago operated under a Constitutional Monarchy, with the Queen serving as the Head of State. The First Republican Constitution came into effect on 1st August, 1974 (replacing the first independent Constitution of 1962) replaced the Queen with a President as Head of State. The President is elected by an Electoral College consisting of all the members of the Senate and the House of Representatives assembled together (voting by secret ballot) and holds office for a term of five years. The President appoints the PM who is a member of the House of Representatives and usually the leader of the political party which commands the support of the majority of members of that House. The Prime Minister (PM) as the Head of the government selects other cabinet members from Parliament. Tobago was given a measure of self-government in 1980 and is administered by the Tobago House of Assembly.

The Parliament of Trinidad and Tobago is the country's supreme legislative body and is made up of the President of the Republic, the Senate and the House of Representatives. The House of Representatives reflects the 41 electoral districts in Trinidad and Tobago, however when the Speaker is selected from outside the group the membership is increased by one. The appointed Senate (upper house) consists of sixteen (16) government members (including the

Presiding Officer, the President of the Senate) who are appointed on the advice of the PM; six (6) Opposition Senators appointed on the advice of the Leader of the Opposition and nine (9) Independent Senators appointed by the President (the only function the President of the Republic of Trinidad and Tobago takes in his/her sole discretion without consultation).

While it operates a parliamentary system under the Westminster model, a major feature of the Trinidad and Tobago constitution basically described government through Parliament rather than government by Parliament. The elementary understanding is that the executive must govern, while the legislature, as the representative of the people, acts as an overseer of the executive. The Westminster system of parliamentary government seeks to control the exercise of power by making the executive directly responsible to the legislature and the executive is therefore drawn from and constitutionally responsible to the legislature i.e. the core functions of the Parliament of Trinidad and Tobago are:

- A.** to create and sustain a government;
- B.** to ensure the business of government is carried on;
- C.** to facilitate a credible opposition;
- D.** to ensure the measures and actions of government are subject to scrutiny and that the government answers to Parliament for its actions; and
- E.** to ensure that the voices of citizens, both individually and collectively, are heard and that, where necessary, a redress of grievance is agreed.

Section 75(1) of the Constitution states that: *“There should be a Cabinet for Trinidad and Tobago, whereby it shall have the general direction and control of the government of*

Trinidad and Tobago and shall be collectively responsible therefore to Parliament". The benefit of such an understanding is that it supports accountable, coherent, stable and responsive government. The basic giveaway is that executives are permitted to govern however is obligated to critical scrutiny and oversight. Yet the ability of the legislature to scrutinise the executive often becomes problematic when the latter has a dominant position not only in relation to the substantive business and proceedings of Parliament, but also in relation to the organisation and operation of Parliament. This is particular given the fact that MPs are elected/nominated to support a particular government and are, at the same time, expected to subject it to critical scrutiny. This practice runs counter to the principle of separation of powers operated in some other countries, but it is a defining feature of the Westminster/Whitehall system.

In Trinidad and Tobago, critical parliamentary oversight/scrutiny turn out to be even more difficult given the influence of political parties on the external and internal environment of Parliament. Like most liberal democracies (inclusive of Trinidad and Tobago), demands on the political system are combined into a programme for action by political parties whose fundamental purpose is to organise accountable and effective governance as well as provide key representative functions of interest articulation and aggregation. An additional function of political parties within the Westminster/Whitehall tradition is political recruitment and parliamentarians in Trinidad and Tobago are overwhelmingly members of political parties.

For all intents and purposes, the party system is the principal political factor in determining both the way Parliament works and executive-legislature relations. While a government is

duty bound in preserving the confidence of the legislature continuously, the voice of the legislature can be lost by the power and strength of political parties together with the expectation that MPs must give support to their political leaders. The effectiveness of Parliament as an institution will depend on a balance being struck between partisan and scrutiny roles. It is not difficult to see how parliamentary scrutiny of the executive is compromised by party loyalties and the balance between the legislative and the executive will always be affected by the control of party managers or the 'usual channels'. This has been described in other jurisdictions as the 'mind-set' problem facing Members.¹

Undeniably, the discussion between executive-legislative relations at any point of time is principally an outcome of the relations within and among the political parties. It produces expectable voting outcomes in the chamber, but may hamper oversight. For example, Wehner (2004) suggests that political party majorities and party cohesion are two key variables (a) that shape the political party balance power of party in the context of which parliament exercises its budget oversight functions and (b) it is not difficult to see that this can be applied to oversight more generally in Trinidad and Tobago.

While Parliament becomes very an adversarial system, MPs must find common ground to ensure vigorous and operational ways of deliberating on the issues of the day. However, deliberation is not the only function of an effective Legislature, decisions must be made after a reasonable amount of debate. Every issue is distinctive and requires an amount of debate that is proportionate to the significance of the matter before the House. Conventionally, this

¹ P. Giddings "Purpose and Prospects" in *The Future of Parliament*, Palgrave Macmillan, 2005 p.269.

purpose has been made through negotiations with the House Leaders of all recognised parties. When there is no agreement on the amount of debate that is needed, there are limited ways to bring an item to a vote. The restriction of any debate is portrayed by opposition parties and the media as an affront to the democratic rules of the House, since these tools are predominantly imposed unilaterally by the Government. There are some instances where an opposition party has agreed to cooperate with the government to curtail debate. However, cooperation on time allocation is done on an exceptional basis.

Reforming the Standing Orders of the Parliament includes ways to improve the functioning of committees. It has been frequently noted that it is in committees that the substantive work of Parliament is done, and where a significant share of a Member's parliamentary work takes place. While committees continue to function effectively, there are merits to examining ways to improve not only their effectiveness, but also their inclusivity. Modernising the Standing Orders caters for the delivery of governance and the improvement and enhancing democratic institutions to better represent, defend and protect the rights of citizens of Trinidad and Tobago.

The Joint Select Committees under Section 66A (1) (A) Of the Constitution of T&T

A specialised committee of this type was deemed necessary to ensure Members of Parliament would be equipped with the necessary information to enforce executive accountability. The committee enabled its Members to get an enhanced knowledge of how public money was spent and how policy decisions were made by the Executive. The Committees in the Parliament of Trinidad and Tobago are prearranged and ordered in

accordance with Section 66A of the Constitution. In accordance with Act 29 of 1999 the power and authority of the Committees were not to come into force until the relevant Standing Orders were made to give effect to section 66A. The Standing Orders of the Senate and the House of Representatives were amended on the 31st and 27th of March 2000 respectively.

These Watchdog Committees include the Joint Select Committees established under the Constitution (Sec 66a) and encompass Members of the House and the Senate. They are empowered to inquire and report to both Houses of Parliament in respect of Government Ministries; Municipal Corporations; Statutory Authorities; State Enterprises and Service Commissions. The committees (with the exception of the Standing Orders committee and the House Committee) have the power under Standing Orders 71B of the Senate and 79B of the House of Representatives to:

- A.** to send for persons, papers and records;
- B.** to adjourn from place to place;
- C.** to appoint specialist advisers; and
- D.** to communicate with any other Committee on matters of common interest.

Witnesses have the same privilege of freedom of speech and protection from arrest as Members of Parliament in relation to proceedings of the House or Committees. No legal action can be taken against the witness in relation to the evidence given before a Committee during a hearing.

Table 1 shows the Ministries, Statutory Authorities, State Enterprises, Municipal Corporations and Service that fall under the purview of each Committee. Essentially, the ministries have been split equally between JSCs 1 and 2 along with their relevant statutory authorities and state enterprises. This division has been calculated on an alphabetical basis and no attempt has been to group similar ministries together or to consider the number of statutory authorities and state enterprises falling under those ministries. The third JSC is devoted to Municipal Corporations and Service Commissions (with the exception of the Judicial and Legal Service Commission).

Table 1: The Responsibilities of the three JSCs

<i>JSC Appointed to Inquire into and Report on Ministries with Responsibility Areas Listed as (GROUP 1) and on the Statutory Authorities and State Enterprises Falling Under those Ministries</i>	<i>JSC Appointed to Inquire into and Report on Ministries with Responsibility Areas Listed as (GROUP 2) and on the Statutory Authorities and State Enterprises Falling Under those Ministries</i>	<i>JSC Appointed to Inquire Into and Report on Municipal Corporations and Service Commissions (with the exception of the Judicial and Legal Service Commissions)</i>
Ministry of Arts and Multiculturalism (9 Statutory Authorities/State Enterprises)	Local Government (6 Statutory Authorities/State Enterprises)	Police Service Commission
Office of the Attorney General (10 Statutory Authorities/State Enterprises)	National Security (3 Statutory Authorities/State Enterprises)	Public Service Commission
Community Development (3 Statutory Authorities/State Enterprises)	Office of the Prime Minister (5 Statutory Authorities/State Enterprises)	Statutory Authorities Service Commission
Education (4 Statutory Authorities/State Enterprises)	People and Social Development (7 Statutory Authorities/State Enterprises)	Teaching Service Commission
Energy and Energy Affairs (22 Statutory Authorities/State Enterprises)	Planning, Economic and Social Restructuring and Gender Affairs (3 Statutory Authorities/State Enterprises)	Arima Borough Corporation
Finance (23 Statutory Authorities/State Enterprises)	Public Administration (4 Statutory Authorities/State Enterprises)	Chaguanas Borough Corporation
Food Production, Land and Marine Resources (8 Statutory Authorities/State Enterprises)	Public Utilities (7 Statutory Authorities/State Enterprises)	Couva/Tabaquite/Talparo Regional Corporation
Foreign Affairs	Science, Technology and Tertiary Education (24 Statutory Authorities/State Enterprises)	Diego Martin Regional Corporation
Health (8 Statutory Authorities/State Enterprises)		Mayaro/Rio Claro Regional Corporation
Housing and the Environment		Penal/Debe Regional Corporation
		Point Fortin Borough Corporation
		Port of Spain City Corporation
		Princes Town Regional Corporation
		San Fernando City Corporation
		Sangre Grande Regional Corporation
		San Juan/Laventille Regional Corporation
		Siparia Regional Corporation
		4 Commissions
		1 Corporations
		Total – 18 Entities

(5 Statutory Enterprises)	Authorities/State	Sport and Youth Affairs (5 Statutory Enterprises)	Authorities/State
Justice (4 Statutory Enterprises)	Authorities/State	Tobago Development (2 Statutory Enterprises)	Authorities/State
Labour and Small and Micro-Enterprise Development (8 Statutory Enterprises)	Authorities/State	Tourism (2 Statutory Enterprises)	Authorities/State
Legal Affairs (1 Statutory Enterprises)	Authorities/State	Trade and Industry (18 Statutory Enterprises)	Authorities/State
13 Ministries 54 Boards 49 Enterprises		Works and Transport (14 Statutory Enterprises)	Authorities/State
Total: 117 Entities		13 Ministries 43 Boards 40 Enterprises	
		Total: 96 Entities	

Matters with the Standing Orders

Like other Parliaments in the Westminster/Whitehall tradition, Trinidad and Tobago's parliament has the right to determine its own rules and procedures without intervention by any other authority. The Parliament's autonomy to control its proceedings which can be described as a right of "exclusive cognisance" or "exclusive jurisdiction", is an essential aspect of parliamentary privilege.

Standing Orders are the set of rules which dictate how and when business is conducted at the legislature. They are, in effect, a means of micromanaging proceedings and are referred to as the "statute law of the legislature". Standing Orders are the Legislature rules that set out, often in some detail, the basic procedures which govern consideration of bills, rules of debate, times of sitting, order of business, question period, the proceedings of committees and a host of other matters. As the governing set of rules of the Legislature, the Standing Orders apply to all 42 members, their staff as well as the staff of the House of Representatives, such as the Clerks, researchers, and librarians. Given that the Standing

Orders dictate how and when all business is conducted in the parliament, they ought to exist in such a way which allows for the Legislature to fulfil its main purposes i.e. representing the people of Trinidad and Tobago, creating and passing legislation, and holding the Government to account. However, the Standing Orders must allow the Legislature to function efficiently but not at the expense of the Opposition's ability to scrutinize the Government.

The Standing Orders that currently govern the proceedings of House of Representatives were first commissioned by Article 8 of the Trinidad and Tobago Constitution Order in Council in 1961. Both chambers of the Trinidad and Tobago parliament was granted the power to make Standing Orders to regulate its own proceedings. The 1976, when the country became a Republic, the Constitution of Trinidad and Tobago, Chap. 10:01, provided for the saving of the Standing Orders of the Senate and the House of Representatives and to ensure that they were enforced under the Trinidad and Tobago Constitution. Since 1961, the Standing Orders of the House of Representatives have been amended once i.e. on October 27, 2000, to provide for new procedures to operationalize the departmental Joint Select Committees established under section 66A of the Constitution. Constitutional amendment triggered an amendment to the Standing Orders in the year 2000.

Prior to the establishment of the Standing Orders Committee in the Fourth Session of the Tenth Parliament on Tuesday August 12, 2014, there were discrepancies between the Standing Orders of the Senate and the Standing Orders of the House of Representatives in relation to the JSCs. Standing Order 79b. (2) of the House of Representatives states: *A JSC*

referred to in sub-paragraph (1), shall be empowered to study and report on all matters relating to the mandate, management and operations of the Ministry or body which is assigned to it by the House. In general the Committee shall be severally empowered to report on –

- (a) The statute law relating to the ministry/body assigned to it;*
- (b) The program and policy objectives of the ministry/body and its effectiveness in the implementation of same;*
- (c) Other matters relating to the management, organisation of the ministry/body, as the Committee deems fit*

The corresponding Standing Order in the Senate is 71B. (2):

*A JSC referred to in sub-paragraph (1), shall be empowered to study and report on all matters relating to the mandate, management and operations of the Ministry or body which is assigned to it by the Senate. In general the Committee shall be severally empowered to **review and report in relation to their administration, the manner of the exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions [emphasis added].***

The problem stems from the contradiction in the Standing Orders of the House of Representatives and the Senate in relation to the functioning of the JSC. Furthermore, the Standing Orders of the Senate offers the idea that it is advocating that a more rigid departmental committee structure should be established. Extracts from Standing Order 72 of the Senate (which is not replicated in the House of Representatives) read as follows:

72. (1) *At the commencement of each Parliament, the Senate (with the concurrence of the House of Representatives) shall appoint the following Joint Parliamentary Committees:*

- (a) Banking, Finance and Estimates;*
- (b) External Affairs and International Trade;*
- (c) Labour, Industry and Commerce;*
- (d) Food Security and Agricultural Development;*
- (e) Constitutional and Legal Affairs*
- (f) Education, Health and Social Services;*
- (g) Tertiary Education, Research, Science and Technology.*

(2) *The Senate shall, for the purpose of these Committees, appoint not more than three members to sit with Members of the House of Representatives.*

(3) *The Committee shall examine the estimates, expenditure, administration and policy of the Ministries, Government departments, State Enterprises falling under the Headings set out in (1) above and submit periodic reports to the Parliament.*

(6) *No Minister shall be a Member of a Joint Parliamentary Committee appointed under this Standing Order.*

The practice was for the JSCs to provide oversight on the non-financial aspects of the operations of government ministries/departments. However, the above Standing Order suggested the committees should *examine the estimates, expenditure, administration and policy of the Ministries, Government departments, State Enterprises falling under the*

Headings set out in (1) above and submit periodic reports to the Parliament. Given this weaknesses the Parliament had to reflect whether the current emphasis on the nonfinancial aspects of government departments was appropriate.

In addition, the above Standing Order also serves to limit Ministers from membership of the JSC even though it was not the practice. According to research carried out by the World Bank, small states are more likely to have government MPs appointed as committee members or will have other arrangements for government-committee relations (17% vs. 8%)². In other parliaments government MPs are customarily only allowed to participate in committee work at the request of the committee or the executive. While it is hard to view the JSCs as completely independent due to the dual executive and scrutiny roles of their members, it is perhaps unavoidable that members of the executive will have to play some kind of role in the committee system given the current parliamentary arithmetic. Nevertheless, it ought to be possible to restrict membership to Ministers of State and Parliamentary Secretaries.

Standing Orders 71(2) of the Senate and 79 (2) of the House of Representatives state that: *“The quorum of a JSC shall be such as the Committee may decide “*. In JSC Group 1 and JSC 3 a quorum of five (5) members was agreed which include at least one government and one opposition member; at least one member from each House; and either the Chairman or the Vice-Chairman in attendance. The quorum of JSC Group 2 was five members being three

² World Bank (2010) PACs in Commonwealth Small Country Parliaments: A Comparative Analysis.

members from the House of Representatives and two members from the Senate inclusive of the Chairman or Vice-Chairman.

Stringent adherence to the above Standing Orders have prevented the committees from operating efficiently. In the UK the quorum of a select committee is three or a quarter of the number of its nominated members whichever is the greater, and in calculating the quorum fractions are counted as one (the chair is included in the calculation). It is not so uncommon to prevent a Joint committee from transacting business unless a quorum from each House is present. Furthermore, there are no sanctions if a member does not attend a committee meeting other than their non-attendance being recorded) although they are encouraged to send an apology for their absence. The UK House of Commons took a decision on 4 March 2010 that any member of a select committee whose cumulative attendance during a Session is below sixty percent (60%) should be automatically discharged at the end of that Session on the basis of a report made by the Clerk of Committees to the Speaker. The Speaker of the House of Commons has discretion to waive the application of the rule (for example in cases involving ill-health). Such a rule is recommended to be adopted to suit the requirements of the Parliament of Trinidad and Tobago.

In the Polish Sejm MPs who fail to attend more than one-third of committee meetings in the course of three months without a valid reason lose one-third of their salary in the following three month. In Trinidad and Tobago, Committee Members receive a stipend of TT\$1000 per month notwithstanding of whether they attend the meeting of the committee or whether the Committee has met. To resolve this problem consideration ought to be given to raising

the allowance to a more significant figure on the understanding that this is conditional on the committee member attending and the committee meeting.

What need to be addressed is the size of the three Joint committees (currently 12 including the chairman and with equal representation from the Senate and the House of Representatives). In most Commonwealth countries, the membership of committee often mirrors the size of the Parliament. The size of Select Committees in the UK and Canada is eleven (11) and 12 MPs respectively. As the Standing Orders of the House/Senate state that any Select Committee may appoint not more than six Members from each chamber, therefore reducing the number of committee members is possible.

For example, a Committee of ten MPs (10) would still permit equal representation between the House and the Senate (although exact numbers from the House and the Senate are not required under the Standing Orders). The government would retain its majority on the Committee (both in terms of Senate and House Representatives); there would be equal representation between the House and the Senate and the opposition would be guaranteed of a mass of members. The loss of one of the two independent Senators on the Committees can be lessened by a new provision in the Standing Orders that an independent Senator serve as Chairman of all Joint Committees. These changes, alongside a quorum of 3 Members would ensure that the Committees remain a microcosm of the larger assembly.

Conclusion

The mandate and roles and responsibilities of the JSCs could be re-examined. The inconsistencies between the Standing Orders of the Senate and House of Representatives

are in a mess and avoidable. If the long-term aim of the Parliament is to move towards a more departmental based system, it will be dependent on the interest and availability of MPs. With an effective committee structure the chain or cycle of accountability should become embedded and the credibility of the Parliament will be enhanced.

Changes to the Standing Orders should be meaningfully considered. A series of reasonable and practical reforms will not only make the proceedings of the JSCs more predictable but should also empower MPs to more fully participate in the legislative process. Better legislators can only serve to improve the legislative process. A key consideration in the reform of the Standing Orders is to ensure that the scheme operates equally effectively in a majority and minority context. Sensible reforms will serve to bring the Parliament into the 21st century and to make it more relevant, transparent and accountable to the citizens of Trinidad and Tobago.

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