

**ADVOC8**

# White Paper Series

Part 3: Writing Strategic Submissions  
to Parliamentary Inquiries

### Executive Summary

Crafting compelling, well-researched submissions to parliamentary inquiries, especially when an inquiry represents either a risk or an opportunity for an organisation, should be a key aspect of any overarching government relations strategy. This Advoc8 White Paper looks at the process of Parliamentary Inquiries and the variety of ways in which your organisation can make a strategic contribution. As well as providing an explanation of the processes involved with parliamentary inquiries, this White Paper looks at how to write an effective submission to a parliamentary inquiry so that you can maximise the impact of this document.

- Parliamentary inquiries represent a valuable opportunity for private sector businesses and other organisations to be involved in the government's decision-making processes;
- Pay careful attention to the Terms of Reference for parliamentary inquiries as they will outline exactly the types of evidence that a Committee is looking for;
- Remember that some Inquiries can receive hundreds of submissions from different stakeholders so make sure to include who your organisation is, what you do and a brief summary of your specific policy recommendations for the inquiry. Make sure not to include unnecessary jargon in your submissions to government as this will disengage the reader.
- Don't just write up a submission, hand it in and then forget all about it!
- There may very well be a whole lot of other opportunities for your organisation to engage in the process. If there is any further evidence supporting your position that comes up afterwards, email it to the Committee Secretariat. Consider writing an accompanying media release to highlight your organisation's advocacy on behalf of your stakeholders.
- Remember governments may seek further feedback from stakeholders on the implementation of recommendations giving you another opportunity to be involved.

### What are parliamentary committees and what do they do?

When most people think of politics, images of politicians yelling at each other from across the aisle in Question Time normally come to mind. However, one of the major features of the Australian democratic process is the activity of parliamentary committees. The purpose of these committees is to inquire into a particular policy area or issue in a greater amount of depth. To achieve this, committees are allocated a significant amount of time and resources to gather evidence from other stakeholders with specific expertise into these issues.

Parliamentary committees are small groups of MPs of around seven to ten members (although in some cases Committees can be much larger). Committees will feature a diversity of MPs from both the Government, the Opposition and the crossbench. Committees will always have a Chair (this may sometimes be an MP with specific expertise on the policy area being investigated). Most government and opposition backbenchers will be a member of at least one committee. Cabinet Ministers do not serve on Committees. There are two major types of committees – standing committees and select committees.

- **Standing committees** operate continuously throughout the parliamentary term and will focus on bills and issues relating to particular subjects.
- **Select committees** are set up by the Parliament to examine specific issues. A Government Minister may establish a select committee to investigate a certain policy issue.

There are also Joint Committees, which consist of members from both Houses of Parliament, enabling Members and Senators to work collaboratively on the same policy areas.

For instance, current committees at a Federal government level include the Economics References Committee, Education and Employment References Committee, Foreign Affairs, Defence and Trade Legislation Committee and the Rural and Regional Affairs and Transport References Committee. All parliamentary committees are resourced with their own individual Secretariats which consist of parliamentary employees responsible for the administrative side of inquiries (e.g. inviting stakeholders to write submissions, collating all relevant documents and organising expert witnesses to appear at parliamentary hearings).

### Parliamentary Inquiries

Parliamentary inquiries can occur at both a Federal and State Government level and can cover a very broad policy area (for example, the future of work and workers in Australia) or have a very specific focus (for example, the use of the Quinoline anti-malarial drugs Mefloquine and Tafenoquine in the Australian Defence Force). Parliamentary inquiries with a more general topic area and a broader scope tend to attract a larger number of submissions as they encompass a wider range of stakeholders.

Conversely, inquiries with a more obscure topic area will tend to attract fewer submissions from stakeholders as the effects of the inquiry are not as far-ranging. Recent parliamentary inquiries at a Federal government level have focused on topics such as the activities of the franchising sector, electric cars, Australian content on broadcast, radio and streaming services and Australia's faunal extinction crisis.

To check and see if there are any current inquiries happening that are of relevance to you or your organisation, the APH website has a dedicated page containing all active and completed parliamentary inquiries. State and Territory parliamentary websites will also have their own equivalents of this page on their parliamentary websites so be sure to take a quick look at them as well. These pages will contain all relevant documents related to the Inquiry, e.g. submissions, hearing transcripts, media releases etc. If there is a parliamentary inquiry that you or your organisation are specifically interested in, you can also subscribe to email notifications alerting you about the progress of the inquiry.

All parliamentary inquiries will be framed by the Terms of Reference which will be published on the dedicated webpage of the inquiry. The Terms of Reference are important as they outline the specific scope of the inquiry and articulate exactly the sort of evidence the Committee is looking for from interested stakeholders. Submissions can address all or part of the Terms of Reference as only certain parts will be relevant to different organisations. Some inquiries, particularly at a State Government level, will be accompanied by a longer Consultation Paper or Discussion Paper going into more detail about what kind of topics are being examined as part of an inquiry.

### Processes of Parliamentary Inquiries

Once an inquiry has been established, the Committee will issue a public statement calling for submissions, often in the form of a media release. Some relevant stakeholders may receive a personalised invitation in a letter or email from the Committee requesting feedback from their organisation. The timeframes for writing submissions can vary substantially, however stakeholders will normally be given a significant time period in which to finalise their submissions (normally between 4 and 12 weeks). Occasionally, there will be a shorter window in which to lodge a submission to an Inquiry depending on the specified reporting period. In all cases, the Committee will nominate an email address to which all submissions can be sent (electronic lodgement is fine).

If there is some reason why you will not be able to meet the given timeline for a Parliamentary Inquiry, it is possible to request an extension of time (most reasonable requests are usually accommodated by the Committee's Secretariat). You will usually receive a confirmation from the Committee Secretariat upon receipt of a submission of an extension being granted. Once received, all submissions are published on the Committee's parliamentary webpage. You can however request for the submission to remain confidential. It is best to specify this when lodging your submission to the Committee's Secretariat.

Following the receipt of submissions from interested stakeholders, Committees will often invite individual witnesses to provide expert testimony at parliamentary hearings which are then recorded for the purposes of Hansard. This is another opportunity for your business to articulate its position on a certain policy on the record. Parliamentary hearings will often be attended by members of the public, including journalists who may report on the evidence provided by the witnesses.

The outcome of a Parliamentary Inquiry is the release of a Final Report which will summarise the Committee's work and contain a list of recommendations based on the evidence collected. The number of recommendations included in the final report will be dependent on how broad the scope of the Inquiry is. In articulating the Committee's recommendations, the Final Report will usually refer to the most compelling evidence received during the consultation process. Once the Final Report has been published, the Government will then decide whether to accept the Committee's recommendations. Governments may seek further feedback from stakeholders on the best way to implement or adopt recommendations from the Committee, providing you and your organisation with another opportunity to influence this process.

#### KEY DEFINITIONS

**'Standing committee'** – Committees which are appointed for the life of an entire Parliament.

**'Select committee'** – Committees with a limited life span which are appointed as the need arises for a specific purpose.

**'Joint committees'** – Committees which consist of appointees from both House of Parliament enabling MPs from both chambers to work collaboratively.

**'Terms of Reference'** – A concise list of topics outlining the scope of a parliamentary inquiry.

**'Pre-Budget submission'** – A submission written prior to a Budget requesting funding for key projects.

**'Parliamentary hearing'** – Groups of MPs will interview expert witnesses to gather evidence for the purposes of an Inquiry.

### CASE STUDY: Inquiry into Removing Franking Credits

In September 2018, Federal Treasurer Josh Frydenberg asked the Standing Committee on Economics to establish the Inquiry into the implications of removing refundable franking credits.

This inquiry shows why writing a strong submission is so important. It was established to scrutinise a proposed policy, and the opportunity for stakeholders to make submissions will help determine any final policy outcome.



Source: AAP

Submissions made to the Inquiry by the Institute of Public Accountants and the Australian Listed Investment Companies Association outline the organisations' opposition to the proposed policy, list the negative implications for their members' interests and put forward alternative desirable policy outcomes. They use data including member surveys to highlight the policy's political implications, pointing to economic impacts and negative business and voter sentiment.

Importantly, the submissions also present the organisations themselves as indispensable stakeholders. In this way, writing a strong submission enhances their reputation and reach amongst the committee members - influential MPs from various political parties - and staffers, as well as their own members. It also helps to minimise potential risks and presents them as key advocates and constructive partners for future consultation.

### How to Write a Submission

As part of the Inquiry process, a Committee will invite interested stakeholders to provide submissions containing relevant evidence related to the topic area. Individuals, businesses, not-for-profit organisations, charities, peak bodies, employer groups and industry associations all can (and do!) write submissions to Parliamentary Inquiries on a frequent basis. The following list outlines several key points to remember when writing your organisation's submission.

- Include a brief summary of who your organisation is and what you do (doesn't need to be comprehensive) – whoever is reading your submission will not have time to do additional research on your organisation.
- Write an executive summary at the beginning of your submission summarising the key points of your submission. Your executive summary should provide the reader with everything they need to know about your submission without having to read through the entire document.
- Before writing your entire submission, make sure to read the Terms of Reference (ToR) clearly as this will articulate the exact type of information the Committee is looking for. Whilst it isn't compulsory to address all of the ToR in your submission, try to respond to as many of the issues raised as possible. If there are other relevant points that aren't included in the ToR, feel free to include these in your submission as well.

- Your submission should clearly set out policy recommendations on your organisation's behalf – be as specific as you can with these! Use definitive statements when outlining what your recommendations are. Some submissions will provide a list of policy recommendations in addition to an executive summary as part of the structure of a submission.
- Use as many relevant case studies, statistics and factual evidence as possible to substantiate your main points and recommendations. Primary evidence sources are ideal to include however secondary sources are useful as well. Do not rely on assertions throughout your submission.
- Submissions are public documents so feel free to include references to the major achievements of your organisation and highlight your contribution to the community (provided that it is relevant to the subject matter at hand).
- Avoid over-reliance on jargon whilst writing your submissions as this will disengage the reader. It is important to remember that some broad-ranging Parliamentary Inquiries will receive hundreds of submissions from interested stakeholders and that non-experts being able to engage with your subject material is critical.

Once you have lodged your submission with the Committee Secretariat, the work doesn't end there! Consider writing a media release summarising key points from your submission. Putting out a media release shortly after lodging your submission will help amplify your key messages to the general public and highlight your advocacy to your direct constituents as well. Many large stakeholder groups such as industry associations will do this. If the Final Report is beneficial for your stakeholders, consider writing another release then as well claiming credit and emphasising your organisation's contribution to the inquiry.

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