

Legislatures Efforts to Increase Access Since Covid-19: Challenges and Successes

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CONTEXT

- LEGISLATURES HAD TO ADAPT TO THE COVID-19 PANDEMIC AFTER THE ANNOUNCEMENT OF THE NATIONAL LOCKDOWN IN MARCH 2020.
- PRE-COVID-19 MOST COMMITTEE MEETINGS WERE HELD PHYSICALLY IN LEGISLATURE BUILDINGS WITH ACCESS PROVIDED TO MEMBERS OF THE PUBLIC.
- CLOSED MEETINGS WERE MEANT TO BE THE EXCEPTION.
- DISTANCE AND OTHER FACTORS CONTRIBUTED TO ACCESS BY THE PUBLIC AND PPIPP MEMBERS.

MECHANISMS USED BY LEGISLATURES

- National Parliament and the nine provincial legislatures adapted to the COVID-19 pandemic by providing alternatives to accessing the legislatures.
- Committee meetings were streamed on various platforms- Channel 408, YouTube, Twitter and IONO.



Advocacy During the Covid-19 Lockdown

- PPIP partners and the Action on Legislatures group wrote open letters to the legislatures at the beginning of the pandemic with support and/ or endorsement from other civil society organisations.
- Some of the legislatures provided detailed responses to our letters which provided concrete proposals for how legislatures could continue interactions with the public while performing oversight.

Recommendations

- 1) The legislatures must consider and make available public information on what measures will be taken to ensure that all constitutional obligations of the legislatures are fulfilled during the period of the national disaster.
- 2) The legislatures' work during this time must be structured and systematic.
- 3) Legislative committees must immediately resume their oversight functions over the executive through committee meetings. The committee meetings must be recorded or live streamed to allow members of the public to participate.
- 4) All business of the legislatures must be conducted with due regard for the constitutional imperative of openness and transparency.
- 5) Legislatures must meet their responsibility to notify the public of their pending and planned work.
- 6) Information channels and technological solutions must be effectively employed to allow for oversight work to continue, and to directly communicate with, and facilitate interactions with the public.
- 7) We request that all political parties release their constituency lists, and that the contact details of MPs, MPLs and constituency offices be made easily accessible to the public.
- 8) Legislatures must put mechanisms in place to ensure that issues raised by the public through their constituency MPs or MPLs are dealt with through legislative committee structures.
- 9) Legislatures must provide official information and reports of constituency work being undertaken by elected representatives during the scheduled constituency programme.
- 10) Legislatures must consider by what means they will invite public participation in their work during this time – we especially encourage the use of community media forums for provincial legislatures.

We emphasise that the measures listed above must be prioritised immediately. We invite all legislative structures to continue this engagement with us on the recommendations proposed in both of our letters. We recognise that many of these issues require new ways of operating, and that some of them may be difficult to achieve. We are here to support and assist this critical task.

Access to Legislatures

- PPIP and ParlyWatch had made similar suggestions on how access to the legislature's could be increased using technology.
- All of the above require some level of political will. It is important to note that projects such as the Putting People in People's Parliament , the Action on Legislature's group in Parliament also provided input and advocated for more transparency and accountability in open letters to the legislatures.

OPEN LETTER:

**Effective legislative oversight, transparency and engagement
during the national state of disaster**

Access to Legislatures

- Some of the challenges can be dealt with by having more consistent planning and coordination in how Parliament and other legislatures communicate the business of the legislature's to people.
- Although we note that staff was inundated with increased workloads they performed comparatively well under the circumstances by providing information as frequently as they could.

Challenges in Accessing Legislatures

- Initially, meetings were not all uploaded-in some instances meetings were uploaded later.
- The public was unable to engage fully as they were not in physical spaces with MP's and MPL's due to the move to virtual platforms.
- However, this can be dealt with by for example providing members of the public with opportunities to engage during these meetings using the chat platform and other mechanisms.

Provincial Responses to Providing Access Online

 **PSAM** @PSAM_AFRICA · Mar 27, 2020

How can the legislatures do their work during a time of crisis?
PIPP partners @PSAM_AFRICA @DemocracyWomen @UWC_DOI & PEERC have some recommendations:
dullahomarinstitute.org.za/women-and-demo...

Contact @ZukiswaKota or @SamwatSam for further information on the our letter

#COVID19 #OurLegislature

Can the legislatures function remotely?

The nature of the COVID-19 disaster requires limitation on contact between groups. We do not believe the physical presence should be a requirement for the legislatures to perform some of their functions. The current extraordinary circumstances present an opportunity for legislatures to utilize technology to do so. While it is not always ideal, we hope the recommendations below will meaningfully contribute to a more comprehensive expansion by the legislatures.

Recommendations

1. Allow committees of the legislature to meet using electronic media technologies - making the many members (large, diverse, geographically dispersed) able to attend sessions which are also recorded and made public. The recording and publishing of any online meetings must be monitored, if necessary, the ethics of the legislatures may need to be temporarily amended to allow for such remote committee meetings. Where these allow, these temporary measures should be most thoroughly debated in pertinent legislative sessions on improving the functionality of committees.
2. Members of the Executive are 'appear' before committees (and the public) via these remote conferencing platforms.
3. Increase electronic connections for the public to communicate with committees, including without remote conferencing platforms allow the creation and monitoring by ad hoc committees and a further holding per committee and increase communication between the public and committees (if using such as Twitter, committees should consider protocols for responding to the public in a transparent, but regular manner).
4. United to our recommendations 8.2. and if absent, we urge elected representatives to proceed in reaching out and discuss to increase the public's access to obtain to facilitate the public's engagement through these electronic forms. For a start, the public should be able to access Parliament's website and possibly through live streaming.
5. Produce and disseminate any information pertaining to the legislature and Council of Ministers via social media such as YouTube.
6. Utilize remote and electronic measures for voting where this is essential during the period of an disaster, upon including a temporary change to the rules if this is essential.

Most importantly, any measure that is taken must adhere to the Constitutional requirements that legislatures conduct their business in an open and transparent manner.

While some of these proposals are made specifically due to the current context and should only be in place during the period of this disaster, some of these measures could address the same limitations in public access to the business of the legislatures, especially committees, that existed prior to the disaster and will continue to exist subsequently.

You and 9 others

2 7 12

 **EC Legislature** @eclegislature

Replying to @PSAM_AFRICA @DemocracyWomen and 11 others

[@PSAM_AFRICA](#) Interesting content. I have shared it with my managers.

7:06 PM · Mar 28, 2020 from East London, South Africa · Twitter for Android

- Provincial legislatures have been responsive, however more effort can be made in ensuring that there is more public involvement.
- They made use of social media platforms although our research did not interrogate this in detail.

RECOMMENDATIONS

- Legislatures must ensure that their websites are up-to-date and information is captured regularly including contact information.
- Openness and transparency are critical- any strides made must be continued particularly regarding transparency in the work of committees.
- Live streaming should continue with adaptations (note that other avenues can be explored)
- Legislators must do more to increase public access and ensure that its processes are transparent.
- There was a mixed impact of having meetings moved online. Legislatures should continue to strengthen and adapt other forms of providing access to the public.

THANK YOU