

16-23 September 2021

Turks and Caicos Islands Post-Election Seminar

FINAL REPORT



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PROGRAMME OVERVIEW

A CPA UK delegation delivered the Turks and Caicos Islands (TCI) Post-Election Seminar (PES) from 20 - 23 September 2021. Organised through the UK Overseas Territories Project Phase II (UKOTP II), in partnership with the House of Assembly of TCI, the PES set out to equip the new cohort of TCI parliamentarians with the skills and knowledge necessary to perform their duties effectively.

Formatted as a hybrid programme the majority of sessions were led in person and others delivered virtually, the PES provided space for parliamentarians and parliamentary officials to explore a range of topics: roles and responsibilities of parliamentarians and clerks, parliamentary practice and procedure, engaging and communicating with external stakeholders, building consensus across political parties, best practice for legislative and policy scrutiny, and measuring impact and monitoring performance as a parliament.



The CPA UK delegation was led by Kate Osamor MP and included Gagan Mohindra MP, Ms Francisca Gale from the Office of the Clerk of Tynwald, Isle of Man, and two CPA UK staff. This was the first in-person CPA UK delegation since the beginning of the pandemic. It was attended by the majority of parliamentarians, including Hon. Premier Charles Washington Misick and Hon. Speaker Gordon Burton. Sessions and discussions were led by parliamentarians from the UK, TCI, and Montserrat (virtually).

LIST OF PARTICIPANTS

1. Hon. Gordon Burton, Speaker
 2. Hon. Charles Washington Misick, Premier
 3. Hon. Erwin Jay Saunders, Deputy Premier
 4. Hon. John Malcolm, Deputy Speaker
 5. Hon. Edwin Andrew Astwood, Leader of Opposition
 6. Hon. Akierra Missick MHA
 7. Hon. Josephine Conolly MHA
 8. Hon. Otis Morris MHA
 9. Hon. Arlington Musgrove MHA
 10. Hon. Rachel Taylor MHA
 11. Hon. Shaun Malcolm MHA
 12. Hon. Matthew Stubbs MHA
 13. Hon. Kyle Knowles MHA
 14. Hon. Randy Dexter Howell MHA
 15. Hon. Jameka L. Williams MHA
 16. Hon. Alvin Garland MHA
 17. Hon. Harold Charles MHA
 18. Hon. Willin A. Belliard MHA
 19. Hon. Rhondalee Braithwaite- Knowles, Attorney General
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CPA UK DELEGATION

1. Ms Kate Osamor MP (UK Parliament) – [Head of Delegation](#)
 2. Mr Gagan Mohindra MP (UK Parliament)
 3. Ms Francisca Gale, Clerk (Tynwald, Isle of Man)
 4. Mr Axell Kaubo (UK Overseas Territories Project team, CPA UK)
 5. Mr Christopher Brown (UK Overseas Territories Project team, CPA UK)
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IMPACT, OUTCOMES AND OUTPUTS

IMPACT

Through exchange of good practice and a range of workshops, this seminar aimed to contribute towards a more effective, accountable, and inclusive Turks and Caicos Islands House of Assembly.

OUTCOMES

Adopting a flexible and tailored approach, the Post-Election Seminar comprised of meetings, plenary sessions, and interactive discussions. It aimed to deliver the following outcomes:

- 1 Strengthening the technical skills of newly elected and returning Members of the House of Assembly, to deliver their parliamentary responsibilities effectively and efficiently.
- 2 The relationship between the UK (CPA UK, the UK Parliament, Devolved Legislatures, Crown Dependencies and Overseas Territories) and the Turks and Caicos Islands is strengthened further.

OUTPUTS

To achieve the above outcomes, the programme produced the following outputs:

- 1 At least 15 Members of the House of Assembly have attended the Seminar and have greater confidence in performing their parliamentary responsibilities
- 2 Participants have identified and agreed specific changes or actions which they will undertake within six months after the conclusion of the seminar.
- 3 A comprehensive post-programme report with key learnings, which will be circulated with all participants and key stakeholders.

INTRODUCTION

Over three days, participants and CPA UK delegates explored good practice in strengthening the institution of Parliament. Throughout the seminar examples of good practice were drawn from Montserrat's Legislative Assembly, TCI's House of Assembly, Tynwald in the Isle of Man, and the UK Parliament. Discussions in sessions revolved around four main themes:

- Understanding the functions of parliament and responsibilities of parliamentarians
- Understanding the role of the Speaker and Clerks
- Understanding parliamentary scrutiny
- Fostering relationships and communicating effectively

Invited to reflect on the challenges they face as TCI parliamentarians, participants identified mainly travel between the two main islands and limited resources. They also listed three main goals and opportunities for the current parliamentary term.

Main challenges of being a parliamentarian in TCI
<p>1. Airline travel: Most members residing on the island of Providenciales must travel regularly to the Capital, Grand Turks, when the House of Assembly is in session</p> <p>2. Limited Resources:</p> <ul style="list-style-type: none">• There is no parliamentary research unit, for example, to assist the members in preparing their contributions for debates. Parliamentarians rely on personal research.• The Clerk of the House of Assembly is also responsible for three busy committees, while the Deputy Clerk also supports the Public Accounts Committee (PAC).• The reliance on audio recording to type minutes highlights the lack of advanced technology to have a robust reporting of the work done.
Main goals and opportunities for the current parliamentary team
<ul style="list-style-type: none">• Improving the current state of Leader of the Opposition office, to ensure there is a budget allocated to the office, regardless of the person holding it.• Becoming more effective parliamentarians.• Improving learning opportunities to keep parliamentary staff up to date.

I. UNDERSTANDING THE FUNCTIONS OF PARLIAMENT AND RESPONSIBILITIES OF PARLIAMENTARIANS

a) Separation of powers



Participants observed that the concept of separation of powers promotes the Rule of Law. This is the idea that everyone is equal before the Law. Hon. Rhondalee Braithwaite- Knowles, Attorney General of TCI provided a brief overview of the functions of parliament, which is the branch of government exercising legislative powers. The other two branches are the executive and the judiciary. The role each branch plays in upholding the Rule of Law is illustrated in the table below.

Legislative	Executive	Judiciary
<p>Legislative powers often rest with parliament, whose purpose is to scrutinise policies from the Executive, to ensure clarity on their content and extended purpose.</p> <p>In the UK, for example, when a bill is presented, parliament can amend and apply change where necessary. There is a committee session where suggestions are discussed.</p> <p>The legislative body responsible for debating bills and motions in TCI is the House of Assembly.</p>	<p>The Executive is responsible for enforcing the laws debated and approved in the House of Assembly.</p> <p>In TCI executive powers rest with the cabinet. Its members include elected representatives from the ruling party, the Attorney General, H.E. the Governor and the Deputy Governor who is responsible for implementing ordinances.</p>	<p>The Judiciary is responsible for serving justice for all by interpreting the law.</p> <p>Judicial powers rest with the courts, including the Magistrate's Court, the Supreme Court and the Privy Council which is located in England). In TCI Judges are appointment by H.E. the Governor.</p>

Participants also observed that the House of Assembly is currently under the remits of the Deputy Governor's Office, further noting the impact this may have on its independence and underlining the necessity for the House to be seen as "an independent standalone institution of good governance."

b) Managing expectations as parliamentarians

Participants noted, as parliamentarians, that they are not employed by the government, but by the people within districts that elected them. On the role and responsibilities of parliamentarians they listed the below:

Role and responsibilities of a parliamentarian

- To serve in the interest of the people who elected them.
- To use their mandate to hold the executive to account on behalf of the electorate.
- To scrutinise themselves, their role, and the role of others.
- To focus on examining the bill (s) presented to the House, rather than criticising individuals.
- To ensure all parliamentarians are treated as equals.
- To work effectively to pass laws and legislation that will benefit all citizens and protect their rights.
- To be accountable and deliver on campaign promises.
- To manage expectations.

Additionally, participants underlined the value of effective communication, to manage the expectations of the electorate. They highlighted the necessity to engage the people frequently, using respectful and honest language when addressing their concerns. Participants summarised good practice in dealing with the electorate effectively in three points:

- Be careful not to make promises that are impossible to fulfil, the language used is important.
- Communicate often with the electorate, even when you have failed to achieve manifesto promises and projects.
- Be robust in your beliefs, honest and transparent, when explaining what can and cannot be done.

On challenges to being a representative of the people, especially for newly elected parliamentarians, participants identified the below, and listed potential solutions to such challenges.

Challenges for a newly elected parliamentarian

- Being unfamiliar with the standing orders, and the laws governing parliament.
- Difficulty finding a mentor to assist with transition from private to public office.
- Lesser speaking time allocation for members with no ministerial portfolios.
- Keeping relevant in the general public's view.

Suggested solutions

- Be honest about your performance and understanding of matters brought to the House of Assembly.
- Choose a mentor who fits your personality.
- Develop your knowledge of unfamiliar areas and create a relationship with experienced parliamentarians and those with specific skills and interest.
- Develop a personal style to reach out to the electorate and contribute to the public debate.

II. UNDERSTANDING THE ROLE OF THE SPEAKER AND CLERKS

a) The role of the Speaker

Participants also discussed the allocation of speaking time in the House of Assembly. Hon. Gordon Burton stated his commitment to protecting the interests of the parliamentary minority, especially in the current TCI context where the Opposition is composed of only two members. Hon. Burton summarised his responsibilities as Speaker of the House of Assembly as follows:

- Chairing parliamentary debates, selecting and calling on members to speak.
- Ensuring debates run smoothly, in an orderly and timely manner.
- Ensuring the rules of the House of Assembly and Standing Orders are observed.
- Managing the House of Assembly's corporate relations with external stakeholders.

The Speaker relies on support from the Clerk, generally, and advice from the Attorney General to determine whether a point of order is relevant, before allowing it to be made in the House of Assembly. Hon. Burton also highlighted three things he expects from members as Speaker of the House:

1. To be on time for house meetings.
2. To be respectful of each other's contributions during debates
3. To be prepared to discuss the matters at hand.

b) Support available to parliamentarians

Participants noted that parliamentarians also benefit from the support of the Clerk of the House of Assembly in the Chamber. In the Committee context, they are supported by the Committees Clerk. Parliamentary clerks are expected to be politically impartial.

Support provided by the Clerk to the House of Assembly	Support provided by the Clerk to the members of Committees
<ul style="list-style-type: none">• Obtaining official documentation of all members immediately following the General Elections.• Assisting with appointment of Speaker, Deputy Speaker and Appointed members at the first house sitting.• Keeping the Speaker informed on recent developments in the House.• Providing briefing notes before parliamentary sessions.• Advising the Speaker and all members on parliamentary guidelines and procedures.• Providing briefing notes for House sittings and committee meetings to members.• Liaising with CPA and Isle of Man.	<ul style="list-style-type: none">• Analysing evidence from witnesses to see how the information fits with what the committee wants to know.• Conducting investigations on topics the committee is interested in and following up on outstanding matters.• Helping committee members to come up with terms of reference to determine the way forward.• Assisting with evidence sessions• Providing advice and supporting the Chair of the Committee.

III. UNDERSTANDING PARLIAMENTARY SCRUTINY

a) Legislative and policy scrutiny

Participants exchanged on legislative and policy scrutiny in parliament, noting the following key points and recommendations as good practice:

- Comply with the Rule of Law.
- Proceed with integrity, honesty, and transparency.
- As a champion for your constituency, prioritise the public interest over personal interests.
- Be prepared to debate.

They also exchanged on methods to ensure that their contributions during parliamentary debates can be clear and impactful, suggesting the below model as effective for the purposes of debating:

How to contribute to debates effectively

- Write an introduction.
- List two points on issues for campaign, backed by evidence to support the points.
- Conclude (repeat introduction, repeat the two points, and display effective advocacy)

b) Scrutiny in a committee context

Participants observed that the lack of resources can be a challenge in smaller jurisdictions for committees such as the PAC. This underlined the importance of working closely with clerks, who have experience and knowledge of parliamentary business. They explored the responsibilities of members of the PAC, described as “a standing committee for examination of the accounts showing appropriations of funds granted by Parliament, to meet public expenditure”, participants also identified ways to ensure the PAC is effective.

Responsibilities of Members of the PAC

- Be acquainted with the techniques to properly scrutinise submissions and evidence being presented during inquiries.
- Have the skills to conduct evidence sessions and question witnesses.
- Be able to interpret basic financial statements.
- Be prepared for committee evidence sessions
- Agree the objectives of the inquiry and the reports to submit to the House of Assembly.

How to be an effective PAC

- Ask questions to get the precise answer.
- Ensure your questions are clear (e.g. by practicing questions before meetings to test their validity)
- Encourage members to take the lead on inquiries where they are interested in the subject matter.
- Hold private meetings with the Auditor General to know their opinions and draft recommendations.

Participants observed that the committee holds government officials and public bodies to account for the efficiency and effectiveness of public spending, through evidence sessions where witnesses are questioned. They noted, furthermore, that PAC inquiries which conclude with the release of a report, are themselves mainly based on the Auditor General's evidence-based reports. These come with the AG's expressed opinions and are presented to the House of Assembly by the various ministries.

Characteristics of the AG's report

- Highlights discrepancies
- Highlights non-compliance with policy directives
- Highlights non-compliance with accounting standards in government departments and ministries
- Highlights waste of public funds

Responsibilities of the Office of the Auditor General

- Ensuring that reporting agencies policies match their responsibilities, power and resources.
- Ensuring government funds are spent in line with the budget each year.
- Ensuring effective continuous improvements in financial management, business governance and risk assessment.
- Auditing financial statements to ensure they present a true and clear view of public spending.
- Conducting audits of 18 public bodies exclusive for the government of TCI.
- Identifying in the public's interest, where systems of financial control are weak.
- Ensuring efficiency and effectiveness on economy performance.
- Providing advise to the PAC on questioning witnesses.

Q&A session with the Auditor General

1. What happens when serious irregularities or criminal activity are discovered?

Response: Depending on the nature, matters are referred to the Integrity Committee, Financial Crime Unit or Police Department.

2. Are all audits conducted in house or subcontracted?

Response: The department does not have the resources to conduct all audits in house. It currently outsources number of jobs due to the lack of resources. Audits that are outsourced depend on the timeline and skillset.

3. Who determines when to outsource for statutory bodies?

Response: The decision to outsource is made by the National Audit Office and Auditor General as per constitution mandate to ensure the process is clear and transparent.

4. Are reports of criminal nature or irregularities shared with the PAC before submitting for police involvement?

Response: The reports are submitted to the PAC but may be withheld for a period of time depending on the investigation.

IV. FOSTERING RELATIONSHIPS AND COMMUNICATING EFFECTIVELY

a) Working with internal and external stakeholders



Participants shared suggestions for fostering strong relationships with key external stakeholders, including the electorate, which contributes to the effectiveness of a parliamentarian. They listed seven main points to that effect:

How to build strong relationships with the electorate

- Understand the dynamics of the constituency.
- Have conversations with the electorate on what parliament does.
- Engage and support young people through tailored programmes and community events.
- Educate the electorate, especially the youth, on the value of joining or voting for a political party.
- Connect with the electorate by visiting all parts of your constituency regularly.
- Hold constituency meetings throughout your consistency.
- When dealing with stakeholders with competing interests, prioritise key areas such as health and housing.

On fostering relationships with internal stakeholders, participants underlined the importance of having conversations with parliamentarians from their own political parties. They also acknowledged the value of consensus-building across the political divide, which increases the

parliament's capacity to scrutinise the executive effectively. This is particularly relevant in the PAC context, where parliamentarians must work together on behalf of the public, to inspire confidence.

b) Effective communication



To communicate effectively, participants were advised to keep a straight posture and control their breathing when speaking in public (e.g., taking a breath between each line), listen and seek to understand their interlocutor, when speaking with individuals, rather than focus on driving across their own points. Participants were, furthermore, introduced to the SEEDS (Silence, Empathy, Explore, Disclose, Summarize) method for the purposes of communicating effectively.

SEEDS for Effective Communication

1. Silence – allow others to speak their mind.
2. Empathy – use non-verbal cues and positive affirmations to show you understand the message.
3. Explore – ask open questions to find out more (when? where? why?).
4. Disclose – share own experience to build trust, without taking over the conversation.
5. Summarize – listen carefully and repeat what was heard.

Participants were advised to use empathy to get more information out of their interlocutors and allow the conversation to flow. They also noted the importance of making eye contact, expressing respect, providing encouragements, and phrasing questions based on the answer

given. To make an impact, therefore, participants were advised to adapt their communication to the style of the individuals in front of them, once they have listened to them. This suggestion accounts for the fact that individuals are broadly categorised as introverts (blue and green) or extroverts (red and yellow) based on personality traits, although the two categories may overlap in some individuals.

Introvert

Love to be by oneself
Detailed oriented
Analytical
Problem Solver

Extrovert

Task oriented
Speak in short sentences
Straight to the point
Comforting

Include others opinion
Slowly interactive
Friendly

Energetic
Friendly
Free spirited
Sees the big picture

MONITORING AND EVALUATION

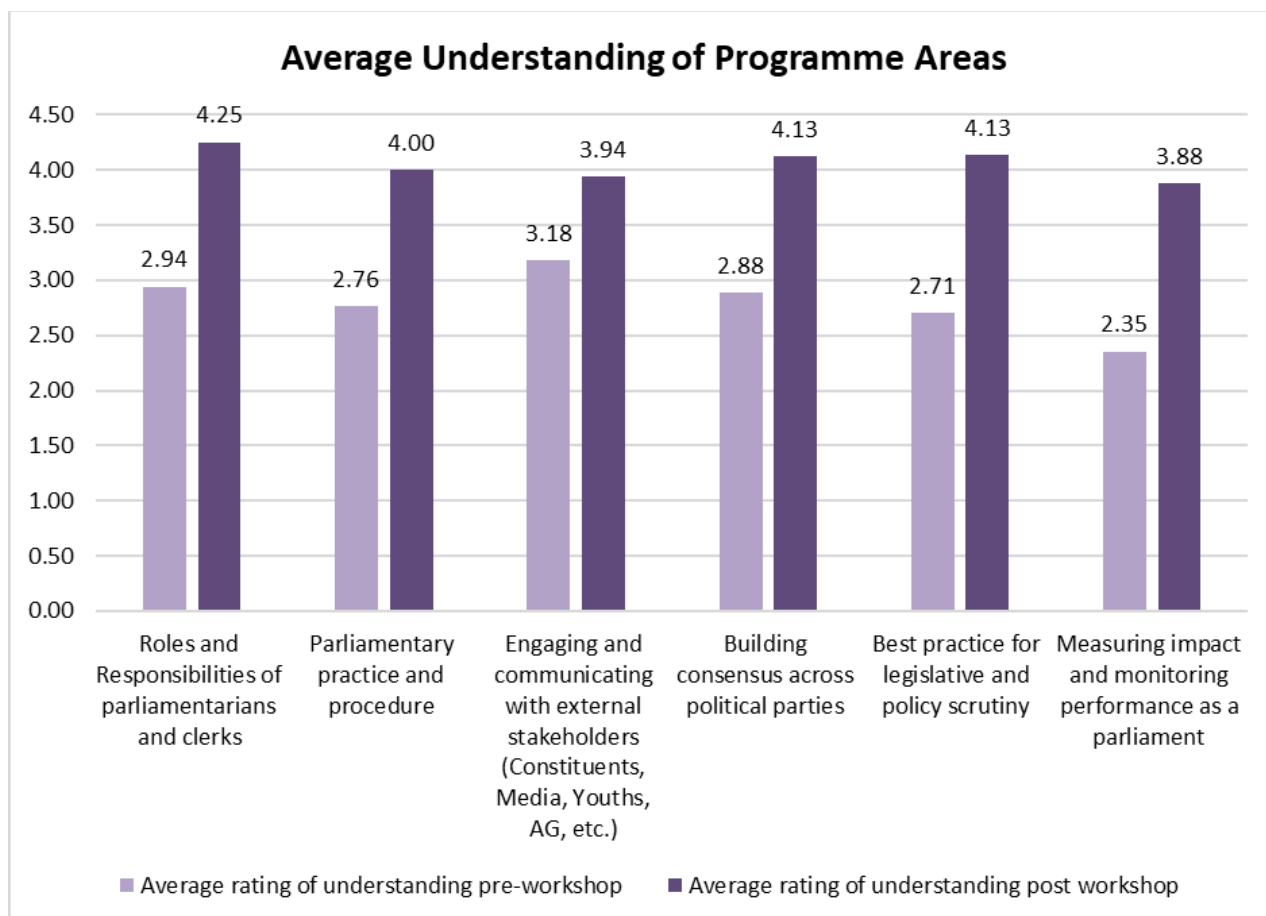
a) Monitoring performance as a parliament

Participants explored how to measure impact and evaluate performance as a parliament. They underlined benchmarking as an effective tool for self-assessment, which provides the opportunity to follow up on progress made in different areas of work, identify the strengths of the legislature, as well as areas that may require improving. Participants were also encouraged, as they monitor and evaluate their own progress as a parliament to focus on issues that matter when framing their goal, then evaluate their achievements and whether the agreed timeframe was met.

b) Evaluation of the programme

Each participant completed a pre-assessment form at the beginning of the post-election seminar and a post-assessment form at the end, on which participants evaluated their

own level of understanding in the six areas the programme explored. The scale of understanding extended from “None” (1) to “In-depth” (5), including “Basic” (2), “Moderate” (3), and “Good” (4). A close analysis of the feedback forms indicated overall a 46% increase in the participants’ understanding of the different areas explored throughout the programme, on average, as illustrated in the following chart:



Further to the knowledge shared and obtained throughout the post-election seminar, participants committed to the below:

1. Ensuring there are at least two functioning committees of the House of Assembly.
2. Taking on more responsibilities for finalising and publishing reports.
3. Agreeing on a process for setting deadlines.
4. Return to former House of Assembly office location with updated and advance technology so the public can be aware of what is going on.
5. Involving Ministers on outstanding report within their various ministries. The Permanent Secretaries /Departments would be informed on outstanding request being shared with the Minister.

Through the UK Overseas Territories Project (Phase II), CPA UK will approach the TCI House of Assembly on a six-monthly basis, to identify tangible outcomes for participants in their roles as parliamentarians, which can be attributed to the recent training. This will be the opportunity for CPA UK, in partnership with the House of Assembly, to also identify areas where additional support and training may be required.

Phase Two of the UK Overseas Territories Project (UKOTP II)

UKOTP II is led by CPA UK in consortium with the UK National Audit Office (NAO) and the Government Internal Audit Agency (GIAA). The first phase of the project (2016-2020) focused on supporting Public Accounts Committees (PACs) and audit offices (internal and external). Since 2016, funded by the then Foreign and Commonwealth Office (Conflict, Security & Stability Fund), the project has brought together parliamentarians and audit officials from the Overseas Territories and the UK to discuss frameworks for good practice and priorities in public financial management, and assurance over governance, risk management and control.

Based on the findings and lessons learned from its first phase, the second phase of the project (UKOTP II) has set out to provide a broader remit of governance support, to improve the capacity of parliamentarians, parliamentary and electoral officials, and public auditors in the UK Overseas Territories (OTs) to conduct their legislative, oversight and electoral responsibilities. UKOTP II supports a holistic and integrated approach to promoting good governance in the OTs by working in four spheres (elections, assemblies, and internal and external audit offices), across the electoral cycle (pre-election, election, and post-election). In its second phase, the project remains committed to strengthening the role of parliamentary scrutiny across the OTs and building the capacity and effectiveness of important financial oversight institutions.

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