
The Role of the Whip in the Westminster Parliamentary System

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In July 2010, twenty-six participants from fourteen Commonwealth Parliamentary Association Branches, participated in the Commonwealth Parliamentary Whips Network in Hunter Valley, New South Wales. The idea came from Australia and the workshop was developed in consultation with the Whips from the Australian Parliament. In this article one of the Canadian participants outlines the topics discussed and the recommendations of the workshop.



At the outset let me note that the role of whip is as diverse as the people and the countries in the Commonwealth. There are whips that do the job of both caucus chair and whips. Some of them also do the job as House leader or parts of the House leader job, and even some of the jobs that our leader would do is left up to the whip. When I refer to whips, I am referring to the general term of whip because the job description varies from legislature to legislature, from country to country. In our system in Saskatchewan our caucus chair attends cabinet meetings and I do not. But in Great Britain, they do not have a caucus chair and their whip fulfills both those roles. That individual attends cabinet meetings.

Government whips in some legislatures discuss the proposed program of business with opposition whips, who will share opposition proposed terms of business. A large amount of the whip's time can be spent managing priorities, particularly as frontbenchers may consider that their business is most pressing. In some parliaments a House business committee or similar body controls the scheduling of business.

In Saskatchewan we have a house business meeting. It is chaired by the house leader, attended by the

caucus chair and the whip and our deputies and any staff that is required. We really map out the day and then we take our recommendations to caucus later in the day to get final approval.

The whip has to look after finding speakers for debates. In Saskatchewan only the opposition members speak to adjourned debates, and also in estimates and in committees. Government members are encouraged to speak to the Throne Speech reply and to the reply to the Budget. But other than that, government members are basically silent, and it is by design, or by tradition. Government members certainly have the ability or the right to speak but generally, the opposition feels that would be taking time away from them in adjourned debates. So other than the minister bringing first reading when the bill is outlined, the rest of the time is left to the opposition members.

Some presiding officers do have the ability to limit speeches to a certain time. In scheduling speakers for debates, while it can be important to manage the time available and limit speeches, it is also sometimes important for whips to encourage members to participate. In several jurisdictions whips keep a tally of members asking questions or participating in debates. Members who do not participate as fully as others are encouraged and even coaxed into making a contribution.

Again, adjourned debate lengths and individual speech lengths differ widely among the parliaments. It is important to provide opportunities for private members to make contributions relating to their electorates and other local issues. Generally all members can speak to the Throne Speech and the Budget debate.

Randy Weekes is Chief Government Whip in Saskatchewan. In that capacity he attended the first Commonwealth Parliamentary Whips Network meeting held in Australia in 2010. This is an edited version of his presentation to the Commonwealth Parliamentary Association Conference in Prince Edward Island in July 2011.

Divisions and Voting

In many parties votes are decided in the party room, although there may be free votes on certain matters. That is the way we do it in Saskatchewan, as well. Items of conscience or items that are predetermined by caucus or the leader cannot fall into the category of free votes, but otherwise, generally, parties vote the party line.

Unless a member announces that they will not be voting with the party they are expected to vote as agreed. A crucial factor for such a system is the size of the group. Can all members fit into the caucus room to make such decisions? For example, in the UK, there are hundreds of members, and too many to meet all at once, so they just split into several groups. This can result in a greater tendency for a limited number of MPs to vote against the party. In most legislatures rarely does anyone vote against their party.

Another option for members is to abstain, which is less likely to draw publicity from the press. Members in many jurisdictions are not allowed to leave the building unless permission is sought from their whip.

In New Zealand whips cast votes on behalf of members in most circumstances, although members must be in the precincts of the parliament. In other parliaments members must be in the chamber to vote. Some parties have informal systems of ensuring members attend division. For example, if you miss a division you may have to contribute to a social fund or event.

In Saskatchewan debatable motions have a 30-minute bell, so members do have 30 minutes to get to the chamber to vote.

Quorums are very important in all legislatures and parliaments. In some legislatures members, including ministers, need to get permission to leave the building during sittings. The extent to which quorum calls may be used varies. In some parliaments members can call quorum as many times as they wish, while others are limited to one a day. Quorum calls are commonly used as an opposition tactic to force government members to attend the chamber, or to collapse the debate and to shut the House down for the rest of the day.

In Saskatchewan a quorum is 15 so I have to have 13 members in the chamber on the government side. Of course, the chair or the speaker would make 14 and then one member from the opposition would have to come in to call quorum and they would make 15.

But as far as attendance in Saskatchewan, yes, quorum is 15, that is the bare minimum. But of course what we really need is to have one more member than the opposition. But our premier has set fairly high expectation of attendance in chambers and that has been part of my job, to make sure that there are members, whether they are private members or cabinet ministers, in their seats. They, of course, think this is a pretty general rule that all members including the ministers have to get approval from the whip to be absent from not only chambers but absent from caucus, in session, outside of session. Also, there are rules about travelling outside the province during session.

Another discussion took place on pairing and proxies and leave. Some legislatures have that set up where they cooperate between the parties. In Saskatchewan we have not generally done that. It has been just left up to each side to make sure they have the right number of people in the legislature.

With committee and delegation memberships it is interesting to note that in many legislatures and parliaments it is left up to the whip to appoint members to committees. That is not the case in Saskatchewan where it is really the prerogative of the leader or the premier, and he may ask advice from whomever he likes, but it is his decision to determine membership on committees.

Attendance, Conflict of Interest and Other Issues

In Saskatchewan the whip has a role to play if a minister wants to travel outside the province. The minister's chief of staff would email me, as whip, the information and where they are going to and the reasons they need to be outside the province. I would sign off first and then it goes to the premier's chief of staff. Then either the premier or deputy premier would have the ultimate approval of whether a minister is going to be out of the House. Many times things change rather rapidly, so members are asked to stay back at the last minute on various issues.

That is not only important within various caucuses but also between caucuses. In Saskatchewan the main rule of negotiating back and forth is left to the House leader or the deputy House leader. I sometimes play a role in that as whip, but that is generally left to the House leader in areas where we are determining speaking orders and time allocation. I do negotiate with the opposition whip to a certain extent. But generally those issues are decided by others and we basically just carry out what we have been asked to do. By cooperation, when we first formed government, we did agree on lengths to speak during Throne Speech

debate and the Budget. In the last couple of years there has not been agreement but the general intention is to allow all members to speak.

Of course, within our own caucus I work very closely with the caucus chair and share many of the responsibilities that other whips have totally. So we – the House leader, the caucus chair and myself – certainly have an open door policy to members who have issues of whatever sort.

There was a lot of discussion about when we are in session and we are not only away from our families but we are away from our constituents, and so there was a discussion around that balance of our responsibilities. Many whips spoke of the difficulties of when governments change and that is either from going from opposition to government or government to opposition. There are a lot of bruised egos and everything from seating arrangements to office space, and just plain people that are possibly even depressed about the results and their loss of job.

There was a lot of discussion about professional development and training for parliamentarians. It was a very important topic during the whip's workshop in Australia. With the fixed terms in the Australian Senate it is much easier to organize training prior to new senators taking office. Training includes mock chamber sessions with the president, whips and others, which are very useful. Spouses and children may also have orientation sessions provided by whips to understand the work of senators.

The Australian House of Representatives organizes an induction course for new members, but a problem can be an overload of information. New Zealand has as a candidacy college to prepare candidates well in advance of the elections and campaigning. Similar systems in the UK, where potentially unsuitable candidates can be identified early in the process.

Across jurisdictions there could be benefits in greater concentration on ethics training and training on the use of entitlements. It may be useful to develop a training manual for members which would include subjects such as ethics and appropriate conduct. Such a manual could be particularly useful when parliaments have a large number of new members, of which some may even be given roles as whips. Perhaps the whips network could develop a manual for whips to use across jurisdictions.

Finally, training in some jurisdictions could be more comprehensive in respect of ministerial staff and electorate staff who need to understand how the parliament operates and why, for example, ministers need to be present at certain times.

My experience, when I became a candidate in 1998, was that our party did some of that work, and I know one of the senior members who had been elected before gave a presentation at one of our conventions about the role of a MLA. It was useful, but it certainly was not the in-depth training that the whip's workshop came out in favour of.

When we were first elected as MLAs, our legislative staff gave the orientation about not only the role of the MLA, but everything from financial services, receipting expenses and all the rules. There are so many things then and certainly it was information overload.

There are codes of conduct and it is pretty general. A good approach may not be to set down too many rules, but generally have a high stand of behavior and awareness of what is expected. Pre-selection processes, standing orders and the like should be enough.

In New South Wales there is a code of ethics document and an ethics adviser. In the Australian Capital Territory there is a code of conduct for all members, and a similar one for ministers. In the Northern Territory there is a protocols document canvassing issues such as travel, management of alcohol consumption and so on.

In Saskatchewan we are given a code of conduct document which is fairly general. Other ethical issues are best dealt with informally by whips on an individual basis rather than relying on codes of conduct or public inquiries. Many jurisdictions have an interest register on which members must declare such things as ownership of property and shares.

In Saskatchewan we have a Conflict of Interest Commissioner. Once a year, or within a couple of months after a general election, we are to disclose all our financial assets, personally or shared with family members. In our system, some of it is made public. It is online. If the Conflict of Interest Commissioner is asked to do an inquiry into an individual for whatever reason, he will do his due diligence and investigate whatever the circumstances are and he may or may not disclose that personal information.

In Queensland the Fitzgerald Inquiry led to an Integrity Commissioner from whom members can seek advice on their own interests registered. The commissioner must contact all members once a year, which is useful. In Sri Lanka, whips are responsible for the parliament only, not other aspects of members' duties and personal issues.

Entitlements and Discipline

Another very important and interesting area that was discussed was supporting parliamentarians and remuneration and conditions, and we know how dicey that can be.

Parliamentarians in some countries are paid very little. Many do not get allowances to travel and other expenses. Members' entitlements in Queensland are now arranged as lump sum allowances, and it is up to the discretion of the individual members to allocate as appropriate.

In Kenya a Parliamentary Service Commission was formed to look into the living circumstances of members. This has led to large increases in salaries. But members are expected to put a lot of money back into their constituency. There was a concern that in systems where members are not paid fairly bribery and corruption could occur.

In some jurisdictions, in serious cases of discipline, members could be expelled from their party until a matter was resolved.

Discipline can be a difficult area. Whips need to be careful about taking away things like committee memberships. In some jurisdictions members must comply with whips' directions otherwise disciplinary action is initiated. Some parties have structures in place to deal with disciplinary issues. For example, the opposition party in Bermuda, a caucus disciplinary committee discusses disciplinary matters.

In Saskatchewan, the House Leader, Caucus Chair and Whip work closely together. People usually that we identify that have disciplinary issues I try to deal with them myself, and in most cases we do. I mean, members have, like everyone, personal issues and medical issues that have to be taken into account during session, and I try to deal with them on a one-and-one basis. We certainly have an open door policy. In some cases these members will go to the House leader or the caucus chair, so we work together closely to work out any of the issues.

Ultimately, as an example, what we have done in our caucus is, try to deal with these issues early in one-on-one. If the Caucus Chair and I cannot resolve them they may go to the House leader. If it cannot be resolved, we will take the issue to the deputy premier. If the deputy premier cannot get the issue resolved with the individual, the premier will intervene.

The other very interesting area that came up was counselling. In our legislature, and in many parliaments, there is actually a counselling firm that is available. We hear the numbers, how many times it is used in a year, but of course, we never know who the individuals are. This service is available to all public

service members, not only MLAs, so my experience with that is helping MLAs and family members who have issues that need counselling services.

Recommendations of the Workshop

The workshop participants agreed on the following recommendations:

- The Commonwealth Parliamentary Whips Network is a worthwhile endeavour and should be supported. The network should come under the CPA umbrella with support from CPA headquarters.
- Coordination of the network could be undertaken by a CPA Parliament the way the Commonwealth Presiding Officers' conference has been coordinated by the Canadian Parliament.
- An annual workshop should be held commencing from 2012 with the venue for the workshop rotating around CPA regions, with each region able to send two whips to the workshop, and the host region able to send more whips thereby providing an incentive for regions to seek to coordinate the workshop.
- Funding should be sought from the CPA Executive Committee for an annual workshop and for any relevant related activities.
- The network should seek to establish communication links with whips across the CPA including email links and a possible website that could be linked to the CPA website.

Workshop participants agreed to establish a coordination group to further develop the Commonwealth Parliamentary Whips Network with the Australian parliament's whips and the CPA Australian Region secretary to take the guiding role in relation to coordination. I am a member of that coordination group and we made one fundamental decision, and that is to proceed with a future workshop.

The individual who came from the CPA Secretariat made it clear that they did support the initial workshop financially. But with the financial downturn in the world economy, and in the United Kingdom's particular circumstances, there was a hesitation whether more funding would be given to things like a workshop.

But we decided to go ahead with it anyway and hope to see it develop into an annual workshop. We do not want it to turn into a large conference with hundreds of delegates. A workshop where there are 25 to 35 individuals, where it can be more informal and we felt it more productive. So we are going ahead with a request for funding from the CPA Secretariat, and if it is approved, it will begin in 2012 and proceed from there. Perhaps Canada or one of the Canadian regional branches will be in a position to host the workshop one day.