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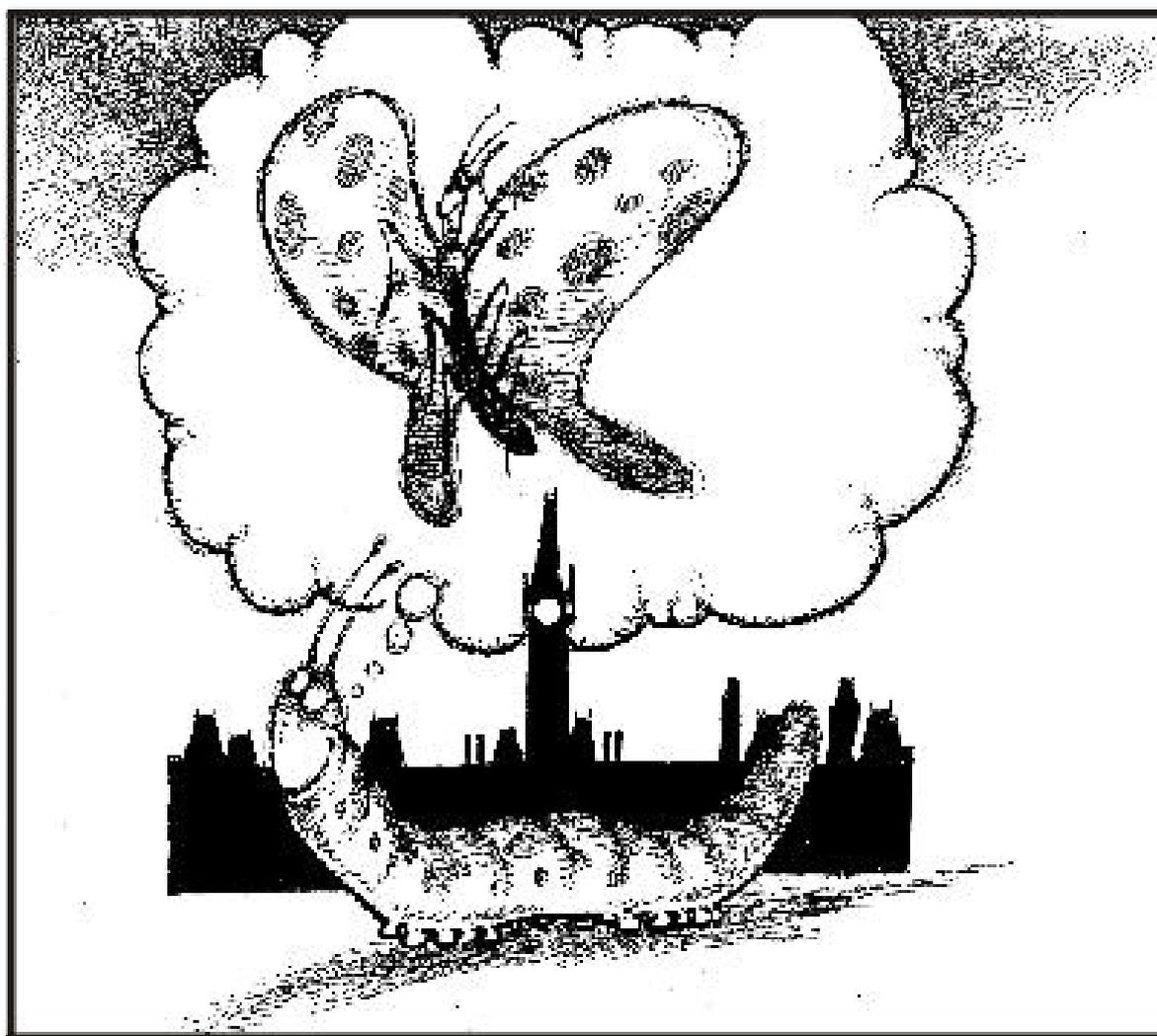
OCCASIONAL PAPERS ON

# PARLIAMENTARY GOVERNMENT

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NUMBER 19/SEPTEMBER 2003

PARLIAMENTARY  
REFORM: A WINDOW  
OF OPPORTUNITY



## OCCASIONAL PAPERS ON PARLIAMENTARY GOVERNMENT

*Occasional Papers on Parliamentary Government* are written, edited and published at the Parliamentary Centre, an independent, non-profit organization. The mission of the Centre includes: assisting parliamentarians, in Canada and abroad, to develop their understanding of external relations; helping parliaments to function more effectively; contributing to the professional development of parliamentarians and parliamentary staff; and supporting democratic development worldwide.

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## In This Issue...

With a new Prime Minister about to take office and three of the four opposition parties with new leaders, the prospect of broad agreement on changes to help Parliament play its democratic role more effectively, as well as providing a more satisfying role for private members, is greater.

During the past year the Parliamentary Centre has consulted extensively with former members, parliamentary officers and other experts. Drawing on their advice, we identified a number of steps that parties and their leaders could take to improve parliamentary effectiveness. Based on further review by sitting members, we refined the proposed steps and sent them to all party leaders and the two candidates to succeed Mr. Chrétien.

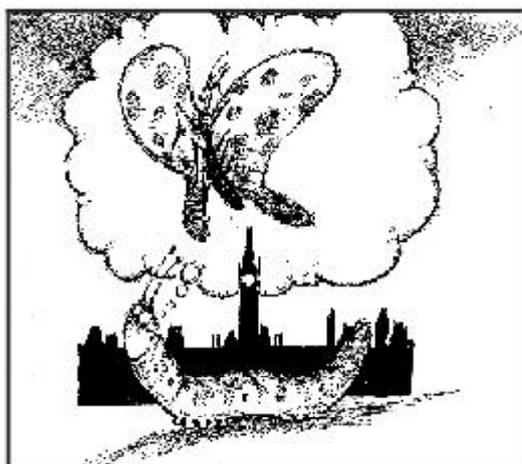
This issue of *Occasional Papers on Parliamentary Government* includes our letter to the party leaders and candidates, our recommendations, a summary of our perspectives and extracts from the panel discussion on May 7, 2003 on the Hill of the proposals.

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Cartoon by Anthony Jenkins



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## PARLIAMENTARY REFORM: A WINDOW OF OPPORTUNITY

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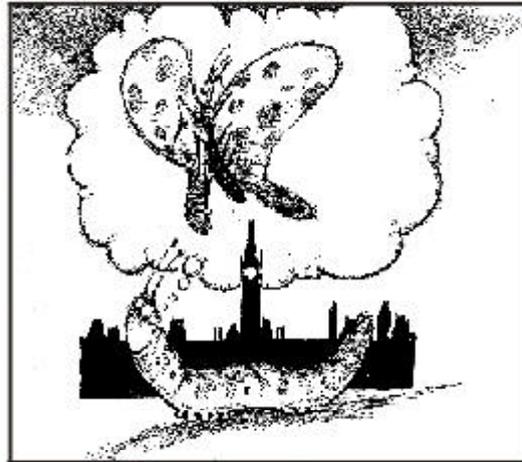
Changes in practices and relationships between Members of Parliament and political parties have tended to occur when party leaders change – and particularly when a new Prime Minister takes office. Accordingly a window of opportunity may open a few months hence.

To contribute to this process the Parliamentary Centre organized a systematic, multi-faceted consultation designed to clarify perceived deficiencies in the functioning of the House of Commons and to suggest steps that might enhance its effectiveness and that of its members. To achieve speedy change we deliberately avoided advocating more fundamental changes. We submitted our proposals for review by distinguished former members and experienced sitting members.

This issue of *Occasional Papers on Parliamentary Government* reproduces a letter derived from this process sent on September 8, 2003 to all party leaders and to the two candidates to succeed Mr. Chrétien as Liberal Party leader. The letter and the attached summary of proposals and reactions outline the steps taken by the Parliamentary Centre, the proposals that emerged from this process and the reactions to them at a meeting on the Hill on May 7, 2003 and from subsequent interviews with a number of experienced members. It urges the new Prime Minister and the other party leaders to explore together ways to improve the culture and dynamics of the House of Commons. A fuller account of the Centre's findings on each proposal than is given in the summary report can be found on our website [www.parlcent.ca/publications](http://www.parlcent.ca/publications).

This issue of *Occasional Papers* is intended to serve as a resource for those leaders and members who wish to probe more deeply. To this end two annexes are attached:

- ◆ a consolidation of our perspective on the current situation extracted from the paper *Forum on Parliamentary Reform* which elaborated our proposals for change derived from extensive consultations; and
- ◆ extracts from the verbatim record of discussion at the May 7, 2003 meeting on the Hill held to evaluate proposals in the paper *Forum on Parliamentary Reform*. Other good suggestions for change that surfaced at the meeting, particularly on proportional representation, have been omitted since this subject was beyond the scope of the Forum paper. However, those persuasive observations can be accessed on the Centre's website [www.parlcent.ca/publications](http://www.parlcent.ca/publications).



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## A CALL FOR ACTION: LETTER TO LEADERS

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*The following letter was sent on September 8, 2003 to The Right Honorable Jean Chrétien, the Hon. Sheila Copps, the Hon. Paul Martin, Mr. Stephen Harper, MP, Monsieur Gilles Duceppe, député, Mr. Peter MacKay, MP and Mr. Jack Layton*

In response to the growing public and parliamentary interest in the effectiveness of Parliament, we at the Parliamentary Centre initiated last fall a project to contribute to the discussion. Over the course of six months, we formed an expert advisory group, prepared a draft set of proposals, organized a forum on Parliament Hill to discuss them and conducted interviews with experienced parliamentarians to test the proposals.\*

As the next step in this process, we are sending the attached summary of our proposals and reactions to them to all federal party leaders and to candidates for the Liberal Party leadership. Our discussions with current members almost always came around to party behaviour and the important role party leaders play in that behaviour. Moreover, discussion of parliamentary reform by party leaders and candidates is likely to attract media and public interest. With renewed public interest, there is a real prospect for a changed dynamic in party relations in Parliament.

The attached summary report presents our proposals and parliamentary reactions to them, together with observations as to the way ahead. We have also identified, and highlight here, a few areas where we see considerable potential for beneficial all party agreement.

The first area of consensus is around the idea of a **multi-level approach to voting discipline**. The importance of private members will be raised by changes that give them greater latitude to express their own views. Constituents will see their MPs in an enhanced role that will in turn make members more accountable for their votes. Deliberation in committees, corridors and offices will be enhanced, and relations between Ministers and private members will be improved. We would stress that consensus on this aspect of party discipline is important to convince the public that real change is taking place. Party differences and wrangling on the issue are apt to convey a business-as-usual message.

Another area of consensus, and a consistent message from MPs, is the need to improve **committee effectiveness and significance**. There were differences of opinion on how this would best be accomplished

but there was also broad support for longer tenure for committee members and for an initiative to strengthen the management of committees. Providing an opportunity for consensus reports to be briefly debated in the House was seen as a way to promote collegial working practices and gain media attention. There was support for ideas such as reporting on and monitoring committee performance and sharing best practices. Many MPs also saw the need for additional committee resources, improved means to engage citizens, and committee membership that better reflects the diversity of Parliament.

Finally, there was clear interest in developing **learning and training supports to help MPs better engage and represent constituents**. A number of members are already quite creative in this regard and have established impressive office services to engage constituents. Their experience would provide an excellent base from which to build a body of knowledge and practice for use by all members. A parliamentary program in support of public consultation should consider a wide range of mechanisms, including information technology.

Our study has led us to the conclusion that significant improvement in the performance of the House is possible without changes in the Standing Orders. Moreover, an approach that engages and attracts the support of all parties in a package of changes will be more successful than changes introduced by the Prime Minister alone.

This letter and the attached summary report along with extracts from the original draft set of proposals and from the verbatim record of the May 7 meeting on the Hill will be consolidated in the next issue of *Occasional Papers on Parliamentary Government* and distributed to all Members in two to three weeks time.

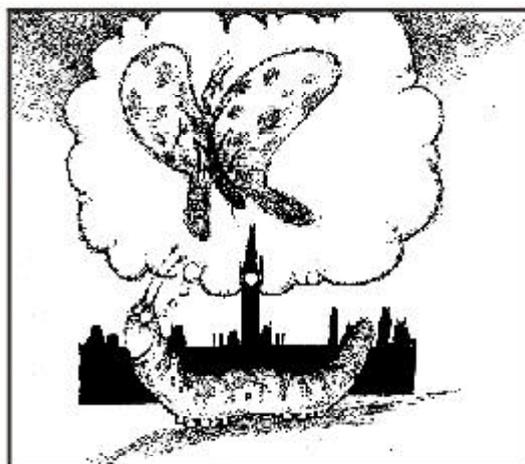
We hope you find these proposals helpful. The Parliamentary Centre has a long history in supporting the effectiveness of Parliament and we intend to continue to explore ways to improve its performance and relevance to citizens.

Yours sincerely,

Robert Miller  
Executive Director

Peter Dobell  
Founding Director

\* The Parliamentary Centre expert group included the following members: Mr. Robert Marleau, former Clerk of the House of Commons; CES Franks, Professor Emeritus of Political Studies at Queens University and a leading Canadian authority on Parliament; Mary Pat MacKinnon of the Canadian Policy Research Network; David Daubney, former MP and now General Counsel with the Department of Justice; and Susan Delacourt, journalist. The Forum on Parliament Hill was led by a panel consisting of the following serving or former Members of Parliament: Hon. Monique Bégin, Ed Broadbent, Hon. Herb Gray, Pierre de Savoye, Albert Cooper and Deborah Grey.



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## SUMMARY REPORT OF PROPOSALS AND REACTIONS

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Parliament, perhaps more than other institutions, is about relationships – principally with citizens, but also with and among political parties, with the executive, and between individual members and their parties. We believe what happens in Parliament that is of interest to citizens – that is, the performance of Parliament reflects the evolution of these relationships at least as much as it reflects authorities, rules, procedures and resources. In this paper we identify areas of weakness as well as some actions that parliamentarians, political parties and the executive should consider in order to strengthen the relationships that are at the heart of Canadian democracy.

### ANALYSIS

Our central conclusions, based on the views of observers and participants from all parties, are that:

- ◆ many citizens do not feel that their voices are heard and their ideas discussed in Parliament and, as a result, are seeking other avenues to express themselves or dropping out of the political process;
- ◆ political party discipline practices and inter-party competition in Parliament have left insufficient latitude for the exercise by private members of personal judgment and the advocacy of the concerns of constituents; and

- ◆ relations between the executive and Parliament have deteriorated, leading to less information-sharing and reduced trust, thereby diminishing the effectiveness of Parliament.

Moreover, these weaknesses are linked in a way that might be termed a ‘negative spiral’. To the extent that Parliament is seen principally as a forum for political party gamesmanship, citizens will not feel Parliament serves their interests. And if Parliament is not seen as the voice and arm of the people, there is less incentive and value to the executive in working co-operatively with Parliament.

Improvements in any of these areas will likely support improvements in other areas – a positive spiral. Is this wishful thinking? While there is skepticism, we believe the timing for consideration of such changes is good. Public interest in parliamentary reform is higher than in recent years. We now have the combination of very experienced parliamentarians and have or will have new leadership in four of the five parties. Moreover, we expect that many parliamentarians would welcome most of the proposed changes.

We have framed the actions as proposals for consideration in three areas as described below.

They, of course, are not independent. A plan of action would need to consider the package as well as the specifics.

## THE PROCESS

The Parliamentary Centre has developed this report by first drafting a document that drew on its long experience in studying parliament and on the advice of a panel of parliamentary experts, journalists and other close observers of Parliament. We then tested the resulting proposals through an extended consultation with Members of Parliament that consisted of a forum held on Parliament Hill on May 7, 2003, a questionnaire posted on the House of Commons web site and a series of one-on-one interviews with MPs. A paper detailing the findings of these consultations is available along with the full version of this report and the verbatim text from the May 7 meeting at [www.parlcent.ca/publications](http://www.parlcent.ca/publications).

In the summary report that follows we provide a brief account of the rationale for a series of proposed action items, the results of consultations with MPs on these proposals and final observations on the way ahead.

**Strengthening Citizen Engagement:** For members to be effective in Parliament, they need to be visibly connected to their constituents and Canadians generally. The steps taken in recent years to provide for members to return regularly to their home ridings and establish riding offices have been useful. We propose two further actions to strengthen direct contact between members and their constituents. In addition, many of the recommendations in the other sections of the report would contribute to a member's effectiveness in engaging constituents.

**1.1 Creating a connecting-with-constituents "resource centre":** *Parliament should consider creating a resource centre to assist committees and members in various consultation/engagement techniques (deliberative dialogues, citizen panels, e-consultation) with citizens in a non-partisan manner. In addition to assistance on new information technology, this could include training staff in public consultation and citizen engagement.*

MPs expressed **divergent views** on this proposal, but there was clear interest in learning and training supports to help them better engage and represent constituents. Many supported the idea of staff

training in public consultation techniques, although they also considered that they were personally effective in consulting their constituents. Others questioned the feasibility of their doing more in this area and suggested that perhaps Parliament itself should take the lead in explaining to the public the roles and services rendered by MPs.

**1.2 Involving members in government consultation with Canadians:** *Committees should consider inviting departments to discuss how they could productively work with departments on consulting citizens. Committee members might add or review the questions, participate in the consultation, and assist in interpreting the results.*

MPs expressed **divergent views** on this proposal, with some expressing support and others doubts arising from the differing interests of MPs and officials. Case by case experimentation is probably the best approach within a framework of ground rules developed by Parliament and the government.

**Harmonizing Party Interests with a Productive Role for Private Members:** We recognize the importance of political parties and their leaders, but also the need for members to be the respected voice of constituents and able in appropriate circumstances to express their own judgment in Parliament, such as through:

**2.1: Balancing party, personal and constituency interests:** *Parties should describe and communicate publicly how their members in Parliament should balance their responsibilities to their constituents and personal judgment as well as to their party.*

MPs expressed **divergent and sometimes opposing views** on this proposal, reflecting differences between political parties and especially between government and opposition members. Any action on this proposal would have to be taken independently by each party but an open discussion of the choices faced by parties and members would be useful, particularly if parties adopt a new approach to voting discipline.

**2.2 Voting discipline:** *Parties-particularly the government party-should consider adopting the more flexible UK approach to party voting discipline and work together to harmonize implementation.*

Both government and opposition MPs expressed **strong support** for this proposal to adopt the practice of varying levels of whipping, with pressure to conform with the party position varying correspondingly from strong to non-existent. MPs from all parties thought that the budget would remain a matter of strict discipline.

**2.3 The Role of Whip:** *It is proposed that if the whip were a member of Cabinet, it would lead to caucus being better informed and the views of caucus carrying more weight before policy decisions are made. The concerns of members and of their constituents might thereby be reflected better in legislation.*

MPs expressed **strong, divergent and sometimes opposing views** on this proposal. Some felt that the whip's being elevated to cabinet status would also strengthen his/her voice in reporting caucus concerns while others argued that once in cabinet the whip would be bound by cabinet solidarity and lose a measure of independence in reporting on caucus views. These differences gave rise to other equally strong differences over whether the whip should be elected by caucus. This issue is of concern primarily to the government party and in particular the Prime Minister.

**2.4 Private Member roles:** *Since continuity can promote specialization, parties should consider making longer-term appointments of private members to committees and inter-parliamentary activities and as parliamentary secretaries-for two years at a minimum and perhaps for the life of a parliament. Greater continuity would render committees more knowledgeable, facilitate longer term planning and enhance their effectiveness.*

This proposal received **strong support** from MPs as an important way of enhancing their job satisfaction and committee effectiveness, although it was argued that the practice should be subject to the proviso that Members perform their responsibilities competently. It would be for each party to determine how long to appoint members to committees.

**Expert and Effective Committees, Supporting Parliament:** Committees must be and be seen to be effective in deliberating the public interest as well as being balanced groups of knowledgeable policy experts, advising the House on legislation, and exercising focused oversight of government operations.

**3.1: Informed and balanced advice to the House:** *For committees to be effective as advisors to the House, insofar as practical their membership should be: a) broadly representative of Canadian interests,' and b) knowledgeable about the policies and programs related to their mandate.*

These proposals received **support in principle but concerns were expressed about the difficulty of implementation in some cases**. For example, some MPs pointed out that it is important for those representing agricultural and fisheries constituencies to serve on the relevant committees. Another noted that the Fisheries Committee has benefited from a chair that does not represent a fisheries constituency. Allowing for these considerations, it would be desirable for discussion to take place between political parties to ensure that committees are as representative and knowledgeable as possible.

**3.2 House consideration of committee reports:** *Reports on program and policy matters, which represent a committee consensus, should be debated in the Chamber. Where committee members feel a government response is inadequate, they should also have the means to require the Minister's participation in a debate in the Chamber. This could be achieved without diminishing the time available for government business by starting at 1 pm on Wednesdays. The Standing Orders already provides for a one-hour debate on Wednesdays at one in the afternoon if the Joint Committee on Statutory Instruments concludes that a department is not prepared to revise a regulation that the Committee deems inconsistent with the enabling legislation. Although the authority has been in place for over 20 years, it has very rarely been used. We are proposing this time be regularly used for House consideration of committee reports*

This proposal attracted **unanimous support**. It was noted that such a provision would encourage the adoption of consensus reports and, when accompanied by short debates, would attract media attention. Unsurprisingly considering the rarity of its use, Members were unaware that the time needed is already provided for in the Standing Orders.

**3.3 Consideration of legislation:** Involving committees in considering draft bills and green papers would, on suitable issues, provide an

opportunity to expose members to the complexity of the subject and to identify problems at an earlier stage, enabling the executive to take account of them when deciding on the elements of a bill.

This proposal received **strong support** on the grounds that it would provide government members greater opportunity to express their own judgments, opposition members less need to attack, and Ministers greater benefit of committee advice. The only caveats were expressed by some government members who felt that draft bills and green papers should be referred to caucus for discussion before going to committee. No modification of the Standing Orders would be required so it lies with the government to decide if and when to adopt these practices.

**3.4 Improving committee operations:** *Committees should seek to work more collegially, share information and discuss priorities with departments, and establish an initiative to improve operations that might be overseen by the Liaison Committee.*

These proposals received **general agreement**, although there were numerous suggestions as to how these improvements might be effected, including greater use of sub-committees, televising of committee proceedings and production of annual reports by committees. Committees should be urged to experiment, but it would also be beneficial if the Liaison Committee or the Procedure and House Affairs Committee were to establish a sub-committee to record lessons learned and encourage best practices.

**3.5 Strengthening committee resources:** *The House of Commons should consider increasing staff resources for committees, and experiment with provision of committee staff resources to opposition parties.*

The proposal to increase staff resources for committees received **general agreement** though with caveats concerning cost effectiveness and the need to ensure that committee reports will be taken seriously before spending more money on their

preparation. The proposal to fund opposition committee staff aroused **little interest** on the part of either government or opposition members.

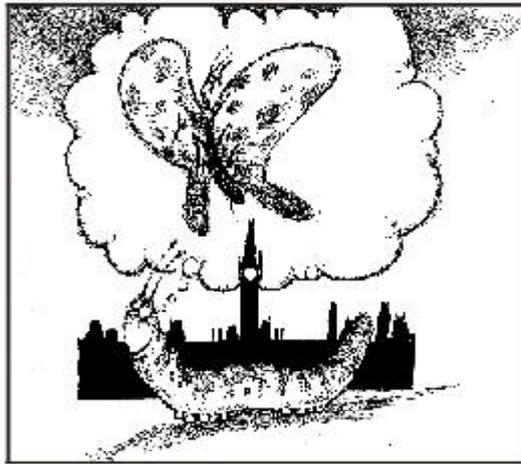
### THE WAY AHEAD

In this paper we offer a perspective on the effectiveness of Parliament, principally from the viewpoints of citizens and of private members. Although public trust in Parliament has weakened, we believe Canadians want to see it play its traditional representation, legislative and oversight roles more effectively. To provide an agenda for discussion, we identify approaches that we believe should be explored.

We are satisfied that important improvements can be made without changing the Standing Orders of the House of Commons. We also believe that the chances for successful reform will be enhanced by all-party agreement and cooperation.

We think that setting out specific circumstances where private members could reflect their personal opinions or those of their constituents would add to the credibility of the House with the electorate. In our opinion a healthy political system makes room in clearly defined situations for private members to differ with their party if they have good and accepted grounds for doing so, it being understood that in those circumstances dissent is not disloyalty.

Central to the process we envisage would be some adjustment in the relationship of private members to their respective parliamentary political parties, with the impetus for change coming from the parties themselves. While it is self-evident that the government party has the greatest potential capacity to effect a change in the dynamics of Parliament, very little can be achieved if the other political parties are not also engaged in a mutually agreed effort to explore new relationships. Changing culture is not simply a case of agreeing to change; rather it is an exercise in developing understanding through discussion, deliberation and experimentation.



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## ANNEX 1: OUR PERSPECTIVE

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In Canada public confidence in parliamentary democracy is weakening. Parliament is not playing effective roles in legislation and financial oversight. Private members often are heard to say that they “cannot do the job I was sent here to do”. To be sure, many members devote exceptional effort and skill in support of the interests of their constituents and all citizens. Yet, based on the experience of the participants and observers who advised on the preparation of this paper and our own work with parliamentarians, we believe that Parliament needs revitalizing.

Canadians see conflicts in Parliament too frequently as battles among political parties jostling for advantage rather than genuine differences regarding public policy. They see some Ministers treating Parliament – the people elected to represent citizens’ interests – more as a “procedural hurdle” than as an essential step in obtaining legitimate public acceptance. They sense that their voices and those of their fellow citizens are not adequately heard nor respectfully deliberated. A balanced portrayal of Parliament might improve its public image somewhat, but we believe that the gap between public expectations and current practice is real and growing. For these reasons the need for parliamentary reform is now resonating with the public.

Explanations of the causes of this decline vary. Some observers point to the regionally fractured nature of party representation in the House. Other observers see fundamental flaws in our electoral system and in the Westminster parliamentary system, matters that would require fundamental – even constitutional – change. We recognize that such factors are important in how effectively Parliament plays its role in representing citizens and overseeing the government. At the same time, we believe there can be improvement without waiting for a fundamental shift in the current system of governance.

The parliamentary reform initiatives over the last twenty years have addressed certain weaknesses. In particular, important improvements in the committee system were made in 1985 and the pre-budget consultation procedures introduced in 1994 have facilitated improved public engagement on these important public decisions.

But public expectations of parliament and democracy have evolved with a more educated public and the changes in communication technology. People want to be heard and engaged on public policy issues. Faith in a ‘paternalistic elite’ has disappeared.

Notwithstanding the strong support for representative democracy in Canada, participation in elections and membership in political parties have decreased. Citizens seem to be gravitating to other means for expressing their public policy interests.

Over the last hundred and more years, political parties have evolved to play a critical role in the democratic process and in the functioning of the Canadian Parliament. Parties – together with effective leaders – are the glue that makes it possible for a large number of members to more quickly arrive at a consensus. In addition, they have also increasingly become the principal vehicle for selecting and *branding* candidates to compete to become representatives.

Has the role of parties become too pervasive? Parties now play the dominant role in managing parliamentary activity – the agenda of the House, of committees, and of resource allocation. Oversight, which should be the least partisan activity of Parliament, as all parties are interested in integrity and effectiveness, is affected as well. With the partial exception of the Public Accounts Committee, the key instruments of oversight – Question Period, the Business of Supply, and committee review of policies, programs and departments – appear to be becoming more occasions for party competition than opportunities to challenge the executive on behalf of citizens. In addition, there has been a rise in the last generation of party professionals whose primary concern is with party image and its impact on the next election. And the more Parliament looks simply like a forum for inter-party battle, the less it will seem the voice of the public interest.

Political parties are an integral part of the parliamentary system and we recognize their importance and value. Clearly, they assist the electorate to understand the policy positions of the candidates and help them forecast their behaviour in Parliament. We also recognize the fundamental importance of consensus-seeking institutions – and the roles parties can play in arriving at consensus – especially in a country as large and diverse as Canada. For these reasons balancing the responsibility of private members to their parties, their constituents and their personal judgment must be addressed. This is particularly important for members of the

governing party since its leaders form the government and direct the public service.

To the extent that Members of Parliament deliberate the public interest, actively oversee government, and shape legislation, these functions tend increasingly to occur in committees. Moreover, committees are where members can actively engage citizens, can question experts, can deliberate in smaller groups and become knowledgeable on specific issues. In addition, committees can travel to locations outside Ottawa to get a better sense of citizens concerns and interests. Committees in the past have done excellent work in this regard and still do. Notwithstanding that useful and often very intense effort, we believe that there is substantial scope for committees to strengthen Parliament's performance in legislation, oversight and policy deliberation.

Finally there is the question of the role of the individual representative in engaging the Canadian public. While private members play this role more actively than in the past, it is evident that the expectations of citizens have grown even more rapidly. In addition, before polling became a tool enabling the executive to know how the public feels about new policies, private members were regarded by Ministers as a good source of advice on regional public reactions to government initiatives. This role has largely disappeared.

It is necessary to focus reform on more than the rules, structure and resources. It is important also to look at the underlying relationships on which Canadian parliamentary democracy is built. This package of proposals focuses on changes in relations between members and the public, members and their parties and members and the executive branch of government.

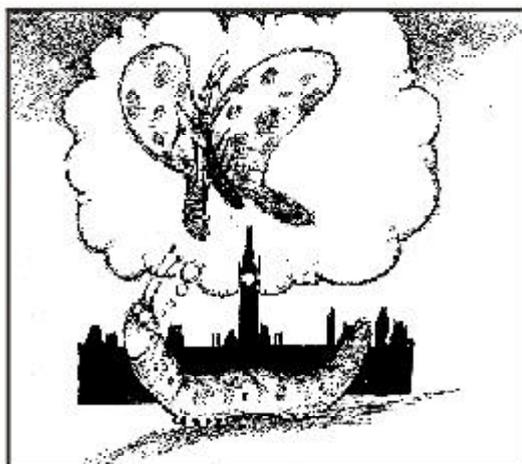
This overview of parliamentary effectiveness indicates a need to:

- ◆ **strengthen citizen engagement** by increasing the capacity of private members to engage the public in their legislative, oversight, and representation roles;
- ◆ **harmonize party interests with a productive role for private members** and

◆ **improve the effectiveness of parliamentary committees** by updating their practices and the visible consideration of their work.

Our proposals are grouped together into these areas to facilitate presentation and discussion. In their application and impact, however, we see them as an integrated package.

*These observations are extracted from a paper entitled Forum on Parliamentary Reform that was distributed to Members prior to the May7, 2003 meeting in the Railway Committee Room.*



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## ANNEX 2: EXTRACT FROM VERBATIM RECORD OF MEETING ON MAY 7, 2003

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*Extract from verbatim record of discussion at meeting on the Hill on May 7 to discuss proposals in paper 'Forum on Parliamentary Reform'. A panel of distinguished former members and a soon-to-be former member opened the exchange followed by comments from sitting members.*

**Monique Bégin:** Good afternoon, everyone. I'm calling the meeting to order.

**Deborah Grey** (Edmonton North): Something that we have fought hard for in this Parliament, as well as previous ones, is to make all private members' bills votable. We think that this is important because private members do bring forward important pieces of legislation. We are out and about in every community across the country.... We might just as well buy lottery tickets when it comes to private members' business. To be able to say, "I was drawn", is one thing, but then you have to go and state your case before a committee to find out whether it's actually votable or not. We think that all private members' bills should be votable. There has been movement on that in this Parliament, we're glad to say, and I think it should happen sooner rather than later. So we've been glad to make a few changes there.

The idea about standing committees in the House of Commons...and how much individual power or influence they should have shows that members of

Parliament are capable and that committees should be effective. The recommendations they come up with certainly should be paid attention to.

**Ed Broadbent:** I want to concentrate on a few of the things that I think are very important in this report and I urge everyone watching this to read the report – MPs especially – and give consideration to its solid recommendations. I'm talking about three only here I want to agree with.

The first is the suggestion that parties themselves have an obligation to go to the public with a statement about how they see the role of an MP once he or she is elected. What are the obligations in terms of following a party platform versus perhaps regional differences? What happens in a conflict between national policy commitment and the local difference? What role an MP will have in the House of Commons vis-à-vis his or her own party in terms of independent votes? What will the party do if it makes commitments, whether it's in the government or in the opposition, on a certain policy matter and with

integrity finds out a couple of years later that the reality of Canada has changed or new information has come forward? Do you still hang in there with the policy that you campaigned on two years ago, or do you sensibly, perhaps in the view of some – certainly of me – make changes? The important point I want to agree with the recommendation on is that the parties in Canada all have an obligation to spell out what their views are in terms of the MP on these important issues and to think them through.

Secondly, the idea of voting discipline in the House. I really welcome the recommendation that we should ... have varying degrees of seriousness in terms of voting against a measure, the result being that relatively few votes in the British House of Commons are matters of confidence. This facilitates more collaborative discussion amongst all the parties, takes the heat of government members to always vote the party line, and I think is long overdue in our House of Commons and would benefit the House and therefore get the higher degree of credibility for the House coming from the people of Canada.

Finally on the measures, I especially like the suggestion that our committees become more professional with parties appointing their members to committees for the life of a Parliament so they develop a sense of expertise. They know what they're talking about because they don't have to go from one committee on one day to another committee on another, or they're changed after three months. So give members a longer duration on committees and also beef up the research capacity of the committees.

**Herb Gray:** The first thing I want to say, and I don't want to take the time to dwell on this, is that, fortunately, Parliament is a much different and much better place than it was when I arrived in 1962. In terms of relevance of the ordinary member, in terms of involvement of members and the public, there has been a vast improvement. Just for example, in those days there were no constituency offices for MPs. There was no staff for research or constituency problems.

I want to respond to the excellent working paper before us, in a couple of key areas. I do want to say that what I heartily agree with in the paper is that things should be done which do not require constitutional change or major disruptions in the elections system. Otherwise, with all due respect to

other comments, we run the risk of getting bogged down in those areas rather than responding to the changes in policy and administration of policy that the public will expect after the next election and the elections after that. I heartily approve the approach in the working paper.

This also gave me a chance to take out the reform package which I proposed to the House when the Liberals came back in 1993.... One proposal was to have a formal, open pre-budget consultative process. This has been written into the rules. This has become part of the system and has been very successful in not only involving parliamentarians but the public in an open way that didn't exist before the change in 1994 in the formation of the budget and not just after it was locked in and tabled in the House.

Another proposal was to change the routes for legislation being considered by the House and its committees. One option is for the government to send a bill to a committee only after second reading approval in principle, but I said we should also have the opportunity to have the bill referred to the committee before second reading so there would be more opportunity to consider amendments without the government having to worry about possible issues of confidence, without extreme partisanship arising and, at the same time, giving a vehicle for ministers to make changes without undue embarrassment. I also proposed that there be a vehicle for a committee to be given an order to bring in a bill.

What's happened? The rules were changed but the two new vehicles have been relatively rarely used. I'm told it's not used more often because ministers and their officials fear there'll be pressures to change things they think have been carefully negotiated within the government, and perhaps through other forms of consultation. I think the reverse is what Parliament is all about, that the brokerage function really should take place among parliamentarians in the committee system.

I would propose, as is proposed in the paper, that all bills – with the exception of budget bills – have to be sent to committee before second reading. The exception would be budget bills. And more use be made, especially for private members' measures, of orders for committees to bring in bills.

I also agree heartily that we should get back to the process that existed when I first was a parliamentary secretary and a committee chairman, that these not be limited to two-year cycles, or even for committee chairs, more frequently. I think having the professionalism and the knowledge that comes from serving for a longer period is most valuable and we've lost something in the two-year change.

I also think, with respect to the responsibilities of members of the government caucus who are in opposition be clarified through adopting the British whip system in a formal way. We have that partially now with respect to private members' business and the government ministers are supposed to say what they think of a private member's bill, and then when it comes to a vote, then it's up to the members to vote. But we should extend that so we have this formality for all measures.

**Pierre de Savoye:** I was elected in 1993 and became a member of a committee. I remember it was the Health Committee at the time. I followed with interest the ongoing debate. They were debating generic labeling of cigarette packs, then they studied drugs. So I did my homework, and in that I was no different from the other members of Parliament that I knew. There were 300 members in the House of Commons, excluding the Speaker. Members worked diligently. They read their documents, attended committee meetings and tried to know what they were talking about. Sometimes we even had to work hard to get there.

But a few weeks went by and after months of committee hearings, as we were coming to grips with the issues at hand, thanks to all the information we were provided with from the experts who testified before the Committee, as we were starting to know the different stakeholders and to create a network of contacts, the leader of my party came to see me and told me: "I need you in another committee where your contribution will be an asset". Of course, you don't say no to your party leader. So I said "sure, if I can be more useful elsewhere, I'll do it". In the meantime, all the information you had gathered and all the expertise you had gained would be of no use. Not so much to me – I still remember what I learned – but to the party, to Parliament and to society in general.

The first time something like this happens, you say to yourself: "well, let's chalk it up to experience. After

all, I need to try my hand at different areas in order to learn how government works". It's only natural, but when it happens a second time and a third time, you start thinking – especially if you have worked in the area of corporate information systems – that human resources are being wasted. That goes for you but also for the people around you. How many times have we had to deal in committees with a new parliamentary secretary or new critics from the other parties? We work together for weeks if not months, we negotiate compromises to develop ideas, and we manage to do it, because, you see, in committees, members are open to finding mutually agreeable ways of pushing forward a bill. We work to create some good contacts so that we don't have to start everything again from scratch, but rather so that we would be able to build on the human relations we developed. But guess what, the critic from the opposite party or the parliamentary secretary is appointed to some other position, and we are back to square one. The very functioning of committees is hampered by that.

The human relationship that exists between members of Parliament from different parties is fundamental. That is true in all the sectors of society, and even more so within the Parliament of Canada.

I was struck by another thing. Between 1994 and 2000, I represented the Bloc Québécois on the Canada-US Interparliamentary Group. The Group meets every year, once in Canada and once in the US, to exchange ideas on a number of issues that affect relations between the two countries at different levels. I was a member for 7 years, which gave me an opportunity to meet with American senators and members of the Congress. In most cases, we met the same people, who specialized in the same areas. Frankly, I used to be embarrassed because, on the Canadian team, they weren't always the same players. Despite the fact that we were well briefed and well informed by senior officials on the items that we were going to discuss, we did not possess the expertise of our counterparts, i.e., our American colleagues. Again, that does not serve our Parliamentary system, nor does it serve the Canadian and the Quebec society.

**Monique Bégin:** I was on the government side and being moved all the time. I thought it was just such a misuse of talent and all of that. I was also discovering politics and the super stupid partisan side of it. There's

good partisanship and there's stupid partisanship and very often it's not even needed to score like kids on parliamentary committees all the time.

Also, I had the good fortune to sit on what I think was the first travelling committee across the country—we didn't go abroad, across Canada—the Special Committee on Immigration Policy, if my memory serves me well, of 1974. I also come from the time when green papers and white papers existed and there were pre-legislation discussions in a more or less broad fashion.

I remember Benno Freesen, Senator Riel, Aideen Nicholson and Andy Brewin. That was really a committee that had somehow created a safe space between ourselves such that there was a great respect between members and the least partisanship possible. It was just, I think, a committee that did a great job. We were specialized probably because we had to travel and they were stuck with us somehow.

**Reg Alcock** (Winnipeg South): There is an observation that was made by Professor Ned Franks. He credited some of the problems in the House to the big changes that took place in 1984 and again in 1993 when, essentially, the institutional memory of the House was wiped out. A whole bunch of us came in at that time. What did we know? We knew, in my case, that we were going to fight with the then Reform Party. That was our job. We carried all of that into committee. What I observe now is that as members have gotten more experience and have been here longer, it is the members now who are saying this is nonsense. We have the odd situation on the committee I have right now where we have an opposition member arguing for the government to get on with the passage of a government bill because he wants the result. We've gone through that. There's been a transition here that I think is pretty important.

What we're on about now is rebalancing the power relationship between the executive and the House. I think we are trying to walk through that in a way that returns some authority and reason for members to be involved. Why would a member spend time on a committee when there is no result from that activity? That is part of the problem that we have right now.

Stabilizing committee membership is critical. I've argued that we should make immediate appointments and have them run from election to election as it is

done in the British House. I think we have a consensus now on at least throne speech to prorogation, which is an improvement, but I think we could go further with that.

We need to sort out the role of the parliamentary secretary. Again, on the comment about every two years, I think that has been destructive and has diminished the role of the parliamentary secretary. In some cases it has worked well. In a lot of cases it's hard for people to get committed to it. We need to figure out and revisit what the role of the parliamentary secretary is on a committee.

We do have a problem in the House in the way we fall back on mathematics right now. If we're going to have a committee, because of the balancing and the four parties, we have to have so many Liberals and so forth, and that builds the committees up to such an unwieldy size that when you're trying to meet all the committee responsibilities in the House there simply isn't the manpower to go around in an effective way and so the smaller parties get shut out of a lot of debates and the larger parties end up having members jumping from committee to committee simply to fill quorum counts as opposed to dealing with legitimate expertise.

A final comment. We spend all our time exposing just how dishonest and corrupt and venal each other is in a direct way and then we wonder why the public doesn't have any respect for politicians. More subtly, we do it every time we seek expertise elsewhere. We create a third party committee, a blue ribbon panel. What are we saying? We say we're going to hand off important public decisions to unaccountable third parties because we, of course, are too venal or corrupt or stupid to make those decisions. There is an implication in this activity that is important and we need to start to think about it. If we want people to run for this place and if we want people to be proud of the work that's done here, we have to be proud of ourselves. I don't see a lot of that.

**Pierre de Savoye:** If I could perhaps add that too often committees are used, as Ms. Grey suggested, as a reward. The same goes for parliamentary associations travels, which are also too often used for the same purpose. It's a carrot and stick game.

Moving beyond all this, one must understand, as was mentioned by Mr. Alcock, that committees have an

unwieldy size. On the government side, numerical superiority needs to be maintained. Therefore, we don't necessarily always end up with the same players around the table. One of the appalling things that happens – at least I find it appalling – is that when it's time to vote on a committee report, all of a sudden, you have a majority of members on the government side. All too often people who had not participated in the debates were now going to decide on the merits of a document that may no longer reflect what the active members thought or had agreed upon. That creates all sorts of distortions.

**Albert Cooper:** Even though the committees, in my mind, have a lot of power, one is that extension of the partisanship out of the House and into committees. I think that was reflected, particularly when I was on the government side. We were so busy moving bodies from committee to committee to make sure we didn't lose important votes or agendas, and you had no permanence. You had no sense of ownership of that committee by the members. As a result of that, I don't think we're losing the powers.

Back in my time there was one chair who I thought stood out particularly well and effectively and that was Don Blenkarn. He took advantage of the rules to the fullest. He pushed the government right to the edge every time, even though he was a government member, and, as a result, his committee, I thought, took on tremendous power. I think that is a really valid point.

**Diane Ablonczy:** (Calgary-Nose Hill)

It is important always to bear in mind that democracy means rule by the people and that if the people have no voice through their elected representative, effectively democracy stops in Parliament, and so the ability of members of Parliament to reflect the wishes and the views and the interests of their constituents is very important.

The committee situation is one that is of great frustration to me. So often – and I have sat on a number of committees – the purpose of the exercise does not seem to be to address the issue thoughtfully, from a variety of perspectives, and come to the best consensus possible for the country, but is simply, to be candid, on the part of the governing majority, to ramrod through whatever the minister has decreed through the parliamentary secretary, or sometimes,

on the part of the opposition, to simply oppose for the sake of opposing – just because, God forbid, that we should agree with the government.

As an opposition member, I've actually enjoyed sitting on a number of committees because that gives me an opportunity to get very well grounded in a number of policy areas, and that is important. Sometimes, let's face it, it's kind of nice when you change faces and have to duel with new personalities and new perspectives, but I do agree that having some long-term substance is important. The committee I sit on now, the immigration committee, has had the same chair for a long time, and I believe that is part of its effectiveness.

The second thing I'd like to say is that I agree with Herb when he says that the committee should have a kick at new legislation before it's introduced. I think there's probably less invested in legislation before it's tabled than afterwards, and probably there is more flexibility in fixing it or tweaking it or designing it to actually achieve the purpose for which it was intended. I really agree with that. In some of the areas where this has been able to happen, I believe it has been extremely helpful.

The third thing I would say is – I say this every time we have these discussions, but I will say it again – all of these recommendations will only begin to approach the problem until we have leadership in government, starting at the Prime Minister level, with an intense commitment to freedom and the democratic workings of Parliament. As long as we have leadership that pulls people off committees because they're not towing the line, or stifles debate because it might be embarrassing, or whatever high-handed measures are taken – whipping members into shape when they clearly don't agree – I've seen members do 180° on an issue because they've been talked to from somebody, I don't know who. That destroys my respect for the process, never mind Canadians' respect for the process.

**Sue Barnes** (London West): I would hope that one of the improvements we could make is maybe give a couple of hours of debate for the members who have worked on the committee to go into the House and give their side of what value they found in that report. Now we table it and we wait for the response of the minister and that's it. Like every other member of

Parliament, we are busy and we're moving on to the next project so we stack these reports up from the other fora and chairs of other parliamentary committees to read in the summer or the break period. Really, all this work isn't even shared properly among our colleagues. We could use the House in that way, not just with the written report but an oral presentation immediately after tabling. That would be an improvement and would give some validation to the hard work of the committee members of each party. Maybe it's just enough time – an hour or two hours – so that every party that participated would get a chance to say its piece. I think that would make it less political.

**Walt Lastewka** (St. Catharines): Having the legislation come earlier to committee or having the minister challenge the committee to come up with legislation is very good. We just had a study that was in depth and it was a request from the minister. I notice that more and more the committees are getting requests from ministers to study a specific topic, but the money has to flow. That is very much key, and I'll give you an example. The Romanow report took \$15 million, while 19 committees have to somehow survive with \$2.4 million. Tomorrow we will stop certain committees from functioning until there is more money.

We continue to add work to committees. We continue to add committees, but the money doesn't flow. What has to happen is if there is a request from a minister, the money needs to flow with that request because we get ourselves into a situation. The culture of the minister and the departments has to change.

**Reg Alcock:** If you are going to allow committees to take on a greater role, that is going to call for leadership that is prepared, as Deborah has said, to facilitate it. There is a problem. I've been through two other attempts to do this. What will happen now is committee X will make a decision that is difficult or creates a problem or creates controversy, and the first thing that will happen is the media will rush to

the Prime Minister to ask him how he's going to fix it. The pressure is always thrown back at the centre and the centre has been too willing to accommodate that. There is going to have to be some learning on all sides to put the responsibility because along with the authority for committee to act in this way goes the responsibility to deal with the outcome of that.

**Pierre de Savoye:** Committee work is important work. It's extremely exigent on every single member. Society doesn't realize that, and I would add to this that the media is not really interested in committee work on a daily basis. The media comes with its cameras only if there is something ugly that might happen. Then it is there for whatever could happen, but important work is being done, important searching, important questioning, important new directions or options are being investigated.

**Mauril Bélanger** (Ottawa-Vanier): I was Parliamentary Secretary to the Minister of Heritage in the 36th Parliament. I was beginning to know a little bit about the business of the Committee at the time, then another bill came along. As Parliamentary Secretary, I had to support the Government's position but I also agreed on my own behalf to an amendment at the Committee stage despite the lack of willingness on the part of the Government. The bill was passed and eventually became part of an act.

There are other things we could do at the committee level. For instance, in the Committee that I chair, a motion was tabled and carried unanimously on two separate occasions for the purpose of reducing quorum from nine members to seven. It's still somewhere out there, as it has yet to be approved by the Board of Internal Economy, which deferred it to the Committee on Modernisation, which in its turn has not studied it yet because of the Government's apprehensions. While the Government may have concerns, there is however a unanimous commitment to reducing quorum so that we may have more leeway.