



MAKING THE MOST OF PARLIAMENT

REPORT ON A ROUNDTABLE DISCUSSION FOR MEMBERS OF THE 39TH PARLIAMENT

**Chaired by the Honourable Bill Blaikie, MP
Deputy Speaker of the House of Commons**

**With presentations by Patrick Boyer, the Honourable Don Boudria,
Madeleine Dalphond-Guiral, and the Honourable Lorne Nystrom**

**Organized by the Library of Parliament in cooperation with
the Canadian Association of Former Parliamentarians**

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PREFACE

Making the Most of Parliament is the third in a series of discussions addressing the institution of Parliament. The preceding two were entitled *The Parliament We Want: Parliamentarians' Views on Parliamentary Reform* (2003) and *Strategies for Effective Members in an Effective Parliament* (2005). This latest session, open to all parliamentarians, was organized by the Library of Parliament in cooperation with the Canadian Association of Former Parliamentarians.

Those who attended heard very interesting presentations by former Members of Parliament from four different parties. The session was chaired by Deputy Speaker Bill Blaikie, Dean of the House of Commons and a long-time student of parliamentary government. The Library of Parliament is pleased to make this report on the Roundtable available to a wider audience. A copy of the complete transcript is also available from the Library.

I would like to thank Douglas Rowland, Chair of the Canadian Association of Former Parliamentarians, and his assistant, Julie Mertens, for their help in organizing this seminar. I am particularly grateful to the four panellists for their willingness to share their insights on parliamentary reform, gained in their many years of service in the House of Commons, and to the Deputy Speaker of the House for chairing the session.

William R. Young
Parliamentary Librarian

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CONTEXT

The Roundtable was held a few weeks after the opening of the 39th Parliament. The panellists, including the Chair, represented approximately 75 years of accumulated experience in the House of Commons. They were asked to draw upon this experience and to suggest at least three reforms they would like to see to the House of Commons.

They put the question of reform into an historical context, noting that many things have changed within the last 30 years. For example, there used to be no parliamentary calendar; there were evening sittings; and the House often sat well into the summer. The Speaker was appointed, rather than being elected by secret ballot. Speeches lasted 40 minutes and there was no question and comment period. Private members' business has changed, with all bills now coming to a vote. The language of confidence has been removed from the Standing Orders. The Board of Internal Economy, which used to be run entirely by the government, now has opposition representation.

Despite these changes, many areas for possible improvement were identified. The following pages outline the suggestions made by panellists in the course of the Roundtable discussion.

ISSUES

Electronic Voting

More than one panellist identified the need to spend less time standing and voting in the House. Many other legislatures have introduced electronic voting, and the issue has been studied on several occasions in Canada. It should be possible to introduce a secure system that would allow Members to vote quickly and that would tabulate the results in a matter of seconds. As well as saving time, electronic voting could also make it easier for Members to vote independently of their party on certain issues.

I think electronic voting could overcome some of the institutional weight that is suppressing a lot of MPs. They talk about free votes in Parliament. Well, the real way to make that happen is to bring in electronic voting.

Patrick Boyer

No one can explain to me why the parliaments of India, Tunisia, Saudi Arabia and so many other countries have electronic voting and we cannot have it here in one of the most liberal democracies on the face of the earth. It is fine to say that our clerks are wonderful people to be able to recognize every single person by name. That is a skill, but is it efficient when we vote like that?

The Honourable Don Boudria

I completely agree on the issue of electronic voting. This has been in the works for a long time. It is now 2006; the time has come to act. It is all the more ridiculous to spend such long hours voting that we sometimes lose sight of what we are voting on. This is not helping to make Parliament more appealing.

Madeleine Dalphond-Guiral

While electronic voting might make voting easier and faster, it could also have certain unintended consequences.

I have found that a lot of parliamentary business is done in the melee before a vote. We do not see each other in the parliamentary restaurant any more. We do not even see many of our caucus any more. People have become much more atomized and individualized. But before a vote, you have all 308 people milling around on the floor. ... That is when I go to see the Minister of Immigration about some case. That is when I go to talk to the Minister of Transport about a labour dispute. That is when I do a lot of parliamentary business. We could lose this as one of the unintended consequences of electronic voting.

The Honourable Bill Blaikie

Strengthening the Committee System

The main work of Parliament is done in committee, and there were several recommendations for strengthening the committee system. These relate to the term of membership, communication issues, and staff resource issues.

Once someone is chosen to be on a committee, I believe he or she should be there for the duration of the Parliament, unless appointed to the cabinet or unless of their own volition they want to resign. It is that MP's position to be on that committee, and not to be yanked or moved because all of a sudden his or her questioning is upsetting somebody in the power structure. We have seen too many examples, under different governments, of situations where the independence of parliamentarians on committees was cut down and undermined. They should be on for the term, building up expertise in the legislated areas of that committee's mandate.

Patrick Boyer

I do not think appointments are defective in terms of the whip having the authority to make appointments on behalf of the parties. Committees are a microcosm of the House, we all recognize that, and it is reflected in the way people are appointed. Where it is hopelessly defective is that every September you have to pretend that there was an election during the summer, restart all of the committees, and waste weeks and weeks of House time getting the committees kick-started again. That is absolutely wrong. It wastes the time of everybody around here. There's no logical reason for that. Make that list permanent for the Parliament.

The Honourable Don Boudria

Some committees are non-partisan. I have had the opportunity to sit on such committees. However, there is obvious partisanship within other committees. It is extremely frustrating to see that, whenever there is a vote, the members who worked on a file and took part in all the discussions are replaced. This goes against all logic.

Madeleine Dalphond-Guiral

I think stronger committees are very important in terms of giving the MP more power and more independence and more scrutiny of the executive. One thing that I think should be done is more independent staffing on parliamentary committees. I also believe the committees should be able to initiate legislation, to bring it to the House and be able to schedule that legislation. I believe there should be permanent membership in committees as well. I think there has to be the free selection of chairs. It is important that you have freedom from the Prime Minister's Office and the leaders' offices in terms of who the chairs and vice-chairs should be.

The Honourable Lorne Nystrom

Use of Time

A number of suggestions were made relating to how the House of Commons organizes its time.

I have spoken many times about the necessity of having a better timetable for parliamentary affairs. I like the announcement by the Prime Minister of a fixed election date. That has been done in British Columbia, and it takes some power away from the Prime Minister to manipulate that date for his own partisan reasons. Of course, if a government falls, then there has to be an election, but outside of that there should be a fixed date every four years. I would extend that to have a fixed budget date. Provinces can't proceed with planning, because they're not sure what the federal budget will have. Municipalities, school boards, and hospital boards don't know what to do because they're not sure what they're getting from the province. If you had a fixed budget date every year, you could then have planning by all kinds of associations and organizations, including provinces, municipalities, school boards and the private sector. I would also have a fixed date for a throne speech. You just schedule these things. Right now, these are timed for, in part, partisan reasons.

The Honourable Lorne Nystrom

One of the problems is the time allowed for debates on bills. We do not need 30 hours of debate. It is true that parliamentarians are there to talk, but they should also be there to understand. When we take the time to listen to every speaker and numerous repetitions, we are wasting energy, in my opinion. We need to prepare our speeches, be more rigorous and be better informed.

Madeleine Dalphond-Guiral

Question Period

Question Period is the highest-profile part of the parliamentary day and the panellists felt that it does not need drastic reform. However, there were some suggestions for minor changes.

If there is any change that I would make, it is with regard to the practice that has developed that those who would be recognized by the Speaker during Question Period are on a list established by the parties and the parties' whips. Where did that come from in a representative assembly of elected parliamentarians? If there is any place and any time in the accountability exercise that Parliament is meant to perform, and for parliamentarians to vie with one another to get up and ask a question, it ought to be question period in Parliament. Where did it ever happen that this was something that was also going to be put under party control?

Patrick Boyer

There is another possibility that has potential. I am talking about something called an inquiry, which is a debate on a specific subject between an opposition representative and a government representative. Such exchanges are not short, but rather last for half an hour or so. Such well-prepared and serious meetings, where parliamentarians and ministers respect one another, could help increase Parliament's credibility.

Madeleine Dalphond-Guiral

The Estimates Process

A number of comments reflected dissatisfaction with the way parliament examines the expenditures of the government – an exercise that lies at the heart of parliamentary accountability.

Actually bring the minister. Do not take no for an answer. Do not accept that he or she cannot come for three months. By the way, it is no easier when you are on the government side; the ministers do not listen either. So getting them to show up, reviewing the estimates, passing them – it is part of the accountability, just like question period.

The Honourable Don Boudria

To be effective in the estimates review, Members must be informed and know their area. For a lot of Members, it is a revolving door; they are in and out of committees all the time. They get questions from the research department of their party, and then they are back to reading something else. Be informed and be dogged, and use the estimates process as a public forum. Have some goals, have some objectives, and be determined and stick to it.

The Honourable Lorne Nystrom

Most committees have excellent researchers. Do not hesitate to consult them. The documentation they send us, even if we sometimes get it at the last minute, is non-partisan and very professionally written. If anything is unclear, you need only call the researcher, who will find your answer for you. If you do not know about this service, you cannot use it, but that is what they are there for.

Madeleine Dalphond-Guiral

Other Issues

During the course of the Roundtable, a number of other problems were raised and reforms suggested, such as the following.

Private Members' Bills

Although the process overall is quite good, there is one major defect relating to bills requiring a royal recommendation. When a bill requires a royal recommendation, right now it is debated at third reading, even though we know that the government will not provide the royal recommendation. This wastes everyone's time. Another bill that could be passed is not moving ahead because we are wasting time on something that we know will stall at the end of the stage. This is a major flaw in the system. I think it results from an incorrect interpretation by a chair occupant some years ago. It has been repeated many times since and not been made better. It has just been institutionalized in an unworkable manner.

The Honourable Don Boudria

Free Votes

We have made progress in this area but I think we have, in our country, one of the most handcuffed systems in the world in terms of the lack of free votes for the ordinary Member of Parliament. If you look at Britain, in the heyday of Margaret Thatcher and at the peak of popularity of Tony Blair, both those governments lost many votes in the House of Commons but the government did not fall. So there develops, then, a culture in which you're more able to express your own point of view, you express the point of view of your constituents, or whatever, without all these consequences. I think that fewer confidence votes and more free votes is the way we should be going.

The Honourable Lorne Nystrom

Respect for Witnesses

Witnesses often travel long distances, yet when they come into the committee room, the members are not there. I remember chairing a committee and adjourning the meeting, out of respect for the witnesses. When only two members of the committee are present, it is extremely unfortunate. If members of the public knew this, they would not be proud of their parliamentarians.

Madeleine Dalphond-Guiral

Uniform Rules for the Operation of Committees

My recommendation would be that a document, call it *Committees: A Practical Guide*, be reworked in such a way that it could be tabled in the House, and the House could actually vote on it. Then you would make it part of the rules. It would not solve everything, but right now the process is too slack. It is not even clear, for instance, whether, if a member is filibustering in committee and you arrive at the time of adjournment, the committee adjourns or not. The opinions on that are all over the place. Some people say that you continue to sit forever. Others say, no, when you arrive at the time of adjournment you adjourn. Even concepts like that are not clear.

The Honourable Don Boudria

Committee Reports, Government Responses and Motions to Concur

One of the areas of disagreement was whether to change the concurrence procedure, and specifically whether concurrence should be moved only after a response is received from the government.

There are a few things wrong with the structure for the adoption of committee reports. We have always had a process to concur in committee reports. It means the House is agreeing with the report of the committee. However, the government has 180 days to respond and we forgot to take that into account when it comes to concurrence. What happens now is that if the opposition wants to delay a proceeding, it moves concurrence in a committee report. That has to be restructured to go back to its original purpose. In my view it is absolutely silly to concur in a report until you've read or seen the government's answer. The government should produce this answer, and then the House should have 10 days to decide whether it still wants to concur in this report or not in light of what the government has said.

The Honourable Don Boudria

If the House wants to concur in making that report a report of the whole House, why do you have to wait? If the House of Commons wants to amplify the voice of the committee by voting concurrence, that is the House of Commons speaking, that is not the government speaking.

Patrick Boyer

PANELLISTS

- **William Blaikie** has been a Member of Parliament since 1979. He was House Leader of the NDP from 1996 to 2003. He served on the Special Committee on Reform of the Standing Orders from 1982 to 1984 and on the Special Committee on the Reform of the House of Commons from 1984 to 1985. He was elected Deputy Speaker of the House of Commons in April 2006.
- **Patrick Boyer** was a Progressive Conservative Member of Parliament from 1984 to 1993. He chaired committees on election law reform, equality rights and the status of persons with disabilities. He served as parliamentary secretary to a number of ministers, including the ministers of External Affairs, National Defence, Industry, Science and Technology, and Consumer and Corporate Affairs.
- **The Honourable Don Boudria** was a Liberal Member of Parliament from 1984 to 2005. During that time he held a number of positions, including Chief Government Whip, Minister of International Co-operation, and Government House Leader from 1997 to 2003. He served as Chair of the Standing Committee on Procedure and House Affairs from 2004 to 2005.
- **Madeleine Dalphond-Guiral** was a Member of Parliament from 1993 to 2005. She was a founding member of the Parti québécois in 1968 and a founding member of the Bloc québécois in the riding of Laval-Centre. She became the first woman to serve as Whip of the Official Opposition in 1993. She was critic in areas relating to persons with disabilities, human rights, and citizenship and immigration.
- **The Honourable Lorne Nystrom** was a Member of Parliament from 1968 to 2004, except during 1993-1997. At the time of his first election he was the youngest person ever elected to the House of Commons. During the course of his parliamentary career he held a number of positions, including Deputy House Leader and Deputy Whip of the NDP. He was also NDP critic on electoral reform and parliamentary reform.

Members in Attendance

- Patricia Davidson
- Brian Jean
- the Honourable Jack Layton
- Brian Murphy
- the Honourable Shawn Murphy
- Penny Priddy