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Chair

Mr. Joe Preston

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• (1100)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): I call the meeting to order. Committee, we are in public today.

We have our colleague Kennedy Stewart with us to talk about his private member's bill. He's going to give a five-minute opening statement, and then we're going to grill him severely on his topic.

Let's go ahead and get that done.

Mr. Stewart, at your leisure.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Chair, it's a great privilege to be here today. Thanks very much for taking the time to listen to me.

On January 29, 2014, members from all parties in the House of Commons passed my private member's motion M-428. Motion M-428 instructs this committee "to recommend changes to the Standing Orders and other conventions governing petitions so as to establish an electronic petitioning system", as well as to consider the possibility of triggering a debate in the House of Commons "when a certain threshold of signatures is reached", and finally to "report its finding to the House" within 12 months with proposed changes to the Standing Orders and other conventions governing petitions.

I hope today to provide you the information you need to carry out these instructions with my presentation here this morning and through the testimony of expert witnesses. With my few remaining minutes, I'll outline the current petitioning process and provide more detail as to new measures I think should be adopted.

By way of definition, electronic petitions, or e-petitions, follow the same rules as our current petitioning system, using modern technology to enhance but not replace paper petitions. E-petitions are available to residents of other democratic countries, including the U. K., U.S., Germany, Australia, Scotland, Wales, and Canadian legislatures in Quebec and the Northwest Territories.

Canada's current paper-based petitioning system only allows Canadians to draft and sign petitions in hard copy, which will only be ruled eligible for submission if they: one, are addressed to the House of Commons, government, a minister, or member; two, contain a clear request to remedy a grievance; three, concern a subject within the authority of Parliament, the House, or government; and four, do not contain improper, disrespectful, or unparliamentary language. Paper petitions currently garnering 25

valid signatures receive a written response from the government within 45 days of being tabled.

Motion M-428 proposes that our new e-petition system follow many of these existing paper-based petitioning rules, as well as rely on existing staff and infrastructure, but allow Canadians to draft and sign petitions using electronic means, and that those garnering a certain number of signatures trigger a debate but not a vote in the House of Commons.

I'll end my statement by reviewing the table on page five of the handout that I provided to you. As proposed, e-petitions will help more citizens engage in the democratic process between elections using a very low cost procedure with no fewer than four safeguards built in to ensure only the most serious of issues are ever debated in the House of Commons, with low cost but effective security measures put in place to protect the integrity of the process and privacy of Canadians.

The table details 11 steps by which e-petitions would be drafted and follow through the process.

In step one, much like the current petitioning process, instead of drafting a paper petition and submitting it to an MP, a petitioner would visit the Parliament of Canada website and fill out an online form. This form then would be submitted to a member of Parliament, just as currently, so that the member of Parliament would serve as a sponsor for this e-petition. Without a sponsor, it could go forward no further, so this is a check. The sponsoring MP would notify the clerk, and then the clerk would certify this petition according to the existing rules that we use already. If the wording of the petition meets House standards, then the clerk would post this on the website of the Parliament of Canada, and then, of course, Canadians would be invited to sign this e-petition. They would include as much detail as we do on the current petitioning process, as well as a random security code to make sure there are not more signatures than there should be there. Also, an e-mail would be sent back to these petitioners to make sure that it actually is they who are signing, to work as a check on their signatures.

In this proposal, the e-petition would close after 90 days, with no more signatures added. Then the clerk would review results and send them to the petitioner and the member. If the petition online received 1,000 signatures, in my proposal here, then that would work much like a paper petition. The sponsoring MP would be notified and then the MP could table this in the House for a response. It's almost exactly as we do now. However, if under this proposal, if a petition received 100,000 signatures, MPs would be invited to endorse this e-petition as worthy of debate. If at least 10 members, which is a very high threshold, sponsored the e-petition within 45 days, then the Speaker would schedule a short take-note debate outside the regular hours of Parliament within 30 sitting days.

• (1105)

After all this is done, of course, the petitioners and the sponsor would be informed of the outcome of this procedure.

That, in a nutshell, is the summary of the motion and what I'm proposing. I'm happy to take your questions and discuss how we might move forward with this.

Thank you.

The Chair: Thank you, Mr. Stewart.

We will move to a seven-minute round with Mr. Lukiwski.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you very much, Mr. Stewart, for being here. I have a number of questions that I hope to get in on the seven-minute round, but throughout the course of the hour that you're here, hopefully, we'll get them all in.

The first one is about some privacy concerns. I'd like to hear your views and see whether you agree that the privacy of the information that would come through this electronic petitioning format would be secured. Primarily, every political party does data mining; we all harvest names and everything else, through normal means, so that we are able, come election time, to have a pretty good database of people who we consider to be either supporters or accessible or potential. The potential for the number of names coming through electronically I think would far surpass whatever we've seen during the current system with paper petitions.

Would you agree that there should be some sort of a guarantee or a protocol built in to protect the privacy of those people who sign electronic petitions to prevent others, whether they be politicians or other members of the general public, from getting that information, addresses and names and things like that? Does your system address that?

Mr. Kennedy Stewart: The motion I put forward is instructive in that we have to consider this, but again the details are left to the committee. I think this is the perfect committee to review this because you're doing lots of work in this area at the moment.

I did go to the U.K. and talk to the House leader's office there and the backbench committee that looks after this. They've gone through a number of iterations of this process. Initially, the e-petitions in the U.K. were housed in the prime minister's office. Prime Minister Tony Blair had put it in place explicitly for this reason of harvesting data. It was then moved out of there under David Cameron, to further protect people's privacy.

When you look at these various petition systems, for example, what shows up online often is the name and city and that's it. Sometimes nothing shows up online, like in the White House system; they don't provide information online. I think that is probably something that will have to be debated here, and again, this is the perfect place to do so. I would err on the side of privacy for Canadians.

The thing is, what has happened in Australia, for example, where they've had this in for about a decade, is they have done minor tweaks as they've gone through this process, so it would be worth talking to some people who have used that system and ask about the kinds of things that they've done and how we could tweak this to make sure it meets your privacy concerns.

For me, the important thing is that Canadians have their voice heard, not that parties harvest data.

Mr. Tom Lukiwski: Thank you for that. I think we're on the same page there.

I'm not sure if I heard you correctly. I'm sorry, I was trying to read some other information, and I wasn't paying the attention I should have to your verbal presentation.

How do you envision petitions being generated initially? I think I heard you say something about if an MP wants to sponsor a petition, that sort of thing. Do you see a provision within your motion that would allow petitions to be generated from members of the general public? The slight concern I have there is the fact that in some cases—we've seen this down in the United States—some frivolous petitions come forward, like the infamous *Star Wars* petition.

• (1110)

Mr. Kennedy Stewart: Sure.

Mr. Tom Lukiwski: Do you see this being a system in which only legitimate—if we can use that term—petitions are generated, or is there a way in which, if anybody just wants to be a mischief-maker and enters a frivolous petition and probably gets more signatures than they would in a legitimate one, we could deal with that? How does your motion deal with those types of aspects?

Mr. Kennedy Stewart: Well, I think that is a very important concern. This is a serious place of business, and it should be treated as such.

We have a lot of experience with petitioning in paper form. Rarely do you currently get frivolous petitions when you are sitting in the House of Commons. That's because, although the public generates the initial petition, it is sponsored by an MP, and I think that as MPs we all take our reputations very seriously. If we put in frivolous petitions....

That is the first check that I envision for the e-petitioning system: the sponsoring MP would be the initial filter and guardian to stop that.

The second check is that the clerk would still have to review any petition sponsored by an MP. There are rules outlining what can be in a petition. For example, if somebody is swearing in a petition, even if an MP does sponsor it, the clerk would say, "I'm sorry, this is out of order."

The third check, of course, is the signature threshold, which is high. I think it is 1,000 to be treated as a paper petition, but 100,000 to have a debate in the House.

The last and final check, which I think is quite strict, is the requirement for 10 members of Parliament to sign on to any petition that gets more than 100,000 signatures. The U.K. has a permanent backbench committee that sifts through all these things. We don't have a backbench committee, so these 10 MPs would in some way act as a floating or ad hoc backbench committee. I think that would really stop it.

Concerning the death star example, we have checked with the clerk's office, and we doubt that it would even hit the floor in Parliament here, so it wouldn't hit as an e-petition either.

Mr. Tom Lukiwski: Okay. Maybe I'll just make a comment and then come back to questions after.

I know that in 2003, the procedure and House affairs committee undertook a study on e-petitions. I wasn't a member of Parliament; that preceded me by about one year. My colleague Mr. Reid might have been part of that committee.

I know that they concurred in their report; however, members of the procedure and House affairs committee still had a number of concerns at that time, and therefore, nothing really was done beyond concurring in the report. There was no movement. Obviously, we haven't adopted this system to date.

What I'd like to suggest for the benefit of the committee is that we perhaps get a bit of a briefing on what some of the concerns were and maybe try to discern exactly why this didn't move forward, because it is not a new proposal.

Mr. Kennedy Stewart: No.

Mr. Tom Lukiwski: It may be a good one; it may not be. I would like to get a little more information.

When we start to have witnesses here, the obvious choice of somebody to come forward would be the Clerk and probably someone from IT. I'm assuming you've anticipated that what would have to happen is that the administration of the House would have to build some sort of portal to receive these things. I don't know how that works, frankly.

Have you been made aware of any concerns from the 2003 report on e-petitions?

The Chair: We'll let you answer that under Mr. Scott's questioning.

Mr. Scott, you have seven minutes.

Mr. Craig Scott (Toronto—Danforth, NDP): Thank you, Chair.

Well, we have lots of time in the hour, so if you could, quickly answer Tom's question.

Mr. Kennedy Stewart: Sure.

Have I been made aware of any concerns? They are the ones you have already raised of the nature of frivolous petitions using up House time. The proposal I've put forward with the four checks is specifically built to make sure that doesn't happen.

Was your second question regarding whether there had been any other concerns?

The Chair: There had been other concerns in a previous report from this committee, and we were wondering whether you had looked into those.

Mr. Kennedy Stewart: Yes, we have. That was 10 years ago. Many other countries have put this system in place since then, so there is plenty of experience out there, even within Canada with Quebec and the Northwest Territories. The clerks of those legislatures would be excellent to talk to as well, if you're willing to hear them as witnesses. I think they could provide lots of expertise, as could people from other countries.

• (1115)

Mr. Craig Scott: Great.

Kennedy, you mentioned that if 100,000 signatures were reached, there would be an after-hours take-note debate. Then you say that the petitioners would be notified of the result, of the fact that there was a debate. I know that in some systems when that takes place an e-mail goes out with a link to the URL, so that people can actually see the debate. To me, that is a very concrete way for people to feel that Parliament took the petition seriously, and they can judge the debate.

Is that something you would contemplate, sending out the video?

Mr. Kennedy Stewart: Absolutely, and when we talked with House leader's office in the U.K. and with the Hansard Society in the U.K., probably the best part of the whole process was that citizens were able to get direct feedback on their concerns.

If you've taken the trouble to get 100,000 signatures on a petition on very serious issues, and Parliament of course takes it seriously and has the debate, what they do is they post it online, all the debates as well as the response from the government, and then send an e-mail back to folks saying where they can go to look at the debates. In fact, the call has been to try to enhance that to make sure citizens get more feedback and then they tend to participate more. That has been a huge highlight of the process.

Mr. Craig Scott: With that feature in particular, I personally see this as...I wouldn't call this transformative. It's building on what we already have, but it's also at the same time quite positive, an incremental change towards a more collaborative element in our democracy. We will remain a representative democracy, but the participatory side can only help.

When it comes to youth engagement, do you see any particular benefits to this? We often focus on youth engagement as being made—or make it or break it—at election time and the rates of voting often disappoint, but maybe we're not doing a good enough job engaging. Do you see this as a youth engagement reform as well?

Mr. Kennedy Stewart: Yes, and I actually think your first and second points are tied together. I think that the take-note debates we have in the House are tremendous. Because there are no votes attached—and that's my proposal as well; there would be no votes attached to these—they're a chance for people to have some of the best orators in Canada talk about issues that are important to people. They could see that connection, that they have signed a petition about a certain area of interest to them and then they see parliamentarians taking it seriously in an hour's debate. It's easily accessible in that they could watch it on their phone rather than going to the House of Commons. I think that would do something to help. I don't think it's a panacea, but I do think it's a step in the right direction, and again, with very little effort on our side to do so.

Mr. Craig Scott: In another study on the Standing Orders, we're looking at whether to clarify that the clerk of petitions should be accepting petitions, or signatures on petitions, from Canadians living abroad. I believe that's one of the issues. Do you have any thoughts on this? If we were to move that way in the current petition process, would there be any problems on this side with that? Would there need to be specific safeguards to make sure the people signing from abroad are actually Canadians?

Mr. Kennedy Stewart: To just back up a little bit, with the current paper-based petition system we have, those signatures are currently verified. How the clerk verifies them from my understanding is, they are just looked at to see whether all the signatures look the same, whether it is the same handwriting for all of them. If so, the petition is ruled out of order. It is kind of a quick eyeball test.

If you do the electronic petitions, of course, you have this wonderful thing called an IP address that you can study. With the addition of e-mails being sent back, you can verify where people are from. It actually is a more robust signature than what we currently have.

Depending on what rules you deem to adopt, the way I was looking at this it would really be people only from within Canada. If the committee were to change the Standing Orders to say that it could be from Canadians outside of Canada, one way the U.S. deals with that is to make people pre-register before they sign up. They just indicate their country of origin, that they're Canadian, that type of thing. In fact, I think this would make it a little easier if you're registering things online, just because of the IP address and the ability to use e-mails as a kind of a proxy signature.

● (1120)

Mr. Craig Scott: I was once tempted to sign—I will not say I signed—a petition to change the name of a former respected colleague, Stockwell Day, to Doris Day.

Mr. Kennedy Stewart: Right.

Mr. Craig Scott: I think Rick Mercer was behind that. That is an example of something that would obviously be frivolous.

One of your safeguards is that by the time it gets to 100,000 signatures, 10 MPs must have decided to endorse it, in the sense of endorse the fact that there should be debate. I assume they don't necessarily have to say that they agree with the content; it's the debate.

I don't see any requirement for this to be cross-party or at least from two parties or at least from one party and have one independent. At the moment you're happy with the idea of 10 MPs, and it doesn't matter if they are all from one party.

Mr. Kennedy Stewart: Again, this is what the committee should decide. I think 10 MPs is a large number and more than in other places. If it were found to be too onerous, then you could always reduce it at a later time, but I think you should err on the side of caution.

On the Doris Day petition, because I do get that a lot, talking about e-petitions all over the place—and Rick Mercer made it famous, unfortunately—that would never make it to the website. It's a hypothetical idea that Parliament, the House of Commons, a minister, or a member has no ability to change, so it's outside the authority of these bodies and it would never make it on the website.

I'm trying to give you an idea. I think it's a great example, and I do have concerns that people will put anything they want up on the website and it would make a mockery of this place. They would never hit, and only serious issues will make it to the take-note debate, if that's where we go with this.

The Chair: That's super. Thank you.

Mr. Hsu, you're up, and thank you for coming to the committee today.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Thank you, Mr. Chair. I don't think I have substituted on PROC before. I've testified, but not substituted.

It's a pleasure to be here today. I'm also glad I'm here today because I am looking forward to what comes out of your motion, Kennedy.

I want to note that Tom Lukiwski brought up a couple of tough topics that I thought were important.

Do you think it makes sense for this committee to get an informal stamp of approval from the Privacy Commissioner for the process of how to deal with the information that is needed to verify a petition's signatories?

You can imagine there are people willing to pay for that information, so there's certainly an incentive to accidentally sell it. I'm not saying that anybody would do that, but there is a need to protect that information. Does it make sense, do you think, to ask the Privacy Commissioner to say this is their process for getting rid of the information so it can never get out?

Mr. Kennedy Stewart: I think it's a great idea, and thanks for the question.

The thing is to try to get this petitioning system right by talking to other jurisdictions, but also talking to experts from within the country. I think that's a great choice for a witness, if the committee has time, to get solid advice. Especially as we move into this era of big data we hear about all the time, the privacy of Canadians is paramount.

Again, the idea here is not that this would be a tool for mining data, but it would be a tool for Canadians to access the House of Commons in a small but significant way to enhance democracy and catch up with other countries.

I think it's a great idea to get that. Of course, the Privacy Commissioner would talk to other jurisdictions that already use this. They might also have some insight on how this works in practice.

Mr. Ted Hsu: My second question is also related to previous questions. It's about sponsorship.

I've always had this policy. I wrote it down pretty soon after I got elected that I would present to the House in the usual way any petitions submitted to me by my constituents, whether or not I agreed with them. I think that's pretty important because it's important to my belief in how we should be representing our constituents.

My concern, and I think this concern can be addressed, is there's always this confusion—and I think people have a different understanding of what it means for a member of Parliament to stand up to present a petition. There are, I think, a significant number of people who believe that means the member of Parliament supports the petition. That's why I felt I had to write things down and be very clear.

Do you think it's necessary to state very clearly that a member who sponsors a petition does not necessarily support it? Where in the e-petitions process would you do that? For example, if this e-petition process were set up and the petitioner did come to me as their member of Parliament, because the petitioner was my constituent, I feel I would be obliged to be the sponsor, but I don't want to have this big page somewhere with this petition, and then the words "Sponsor: Ted Hsu", unless there's another line that says Ted Hsu is sponsoring this petition because it was started by his constituent and he has a duty to do that, and he doesn't necessarily support this petition.

Would that be an appropriate safeguard?

• (1125)

Mr. Kennedy Stewart: There are a couple of examples.

In terms of explanatory notes, websites and other jurisdictions have space not just to list the petition and sponsor but they often include other statements, videos, or things, so the sponsoring MP

might be able to have a statement or something regarding that, or there could be a blanket statement that covers that.

It's interesting because I actually have the same policy on petitions, but that might be something we'd have to reconsider. I'll use an extreme example here just to illustrate the case. If somebody from the public—and this actually happened in another jurisdiction—said that we would like to declare July 16 Hitler day, which wouldn't break the rules of the House necessarily and may go forward, the question is, would you as an MP sponsor that.

That is where this check is actually very important, because it is your reputation as an MP who would initially say, "Would I sponsor a petition that calls for a Hitler day?" If somebody did in the House and say it got 100,000 signatures, which I don't think it ever would in Canada, but just say it did, then 10 additional MPs would have to say, "Yes, I agree we should debate this."

I don't think that would ever happen. I don't think anybody in this room, despite a blanket policy if it was from a constituent, would sign that.

That is such an important check. It shows our role as MPs how seriously we take these things. Again, it's an extreme example and it may not be to my benefit because now you're thinking about that, but it does illustrate how we as MPs act as a very strong filter in this particular system, and maybe in a way where we don't currently do as much on paper petitions.

Mr. Ted Hsu: I think you're correct in saying that before a debate takes place, there should be a large number, like 10 MPs, sponsoring it. It makes me think that for a sort of less ambitious petition there should be an option for a member of Parliament to actually state online, "I have a duty to sponsor this because it comes from my constituents, but I disagree with this petition."

Mr. Kennedy Stewart: Sure.

Mr. Ted Hsu: Right up front, I could just refuse to sponsor the petition, I suppose, but I also have this feeling of duty to my constituents to make sure that if they want to petition their Parliament, they can through their member.

Mr. Kennedy Stewart: That's a choice individual members would make. It would be fairly easy to put a place on the website for an MP to have an additional statement.

The Chair: We'll go to Mr. Lukiwski, for a four-minute round.

Mr. Tom Lukiwski: Kennedy, you mentioned that the threshold of 100,000 people would require signatures of 10 members of Parliament to then trigger perhaps a take-note debate. Right now on paper petitions only need 25 signatures are needed to require the government to make a response.

Mr. Kennedy Stewart: Right.

Mr. Tom Lukiwski: If a petition came in with less than 100,000 signatures which didn't trigger debate, have you given any consideration to a minimum threshold that would require a government response?

The reason I ask that is I assume that if we went to a system of e-petitioning, it would be far easier to gather signatures than it is currently.

Should the threshold be raised from 25, and if so, what do you think that threshold should be? Have you given that any thought?

• (1130)

Mr. Kennedy Stewart: Yes I have. I actually have consulted on this. I agree that 25 is too low in terms of having an e-petition online and requiring a government response. I was thinking more in the neighbourhood of 1,000 signatures. Again, that is a fairly high threshold. It's 20 or 40 times the current level. However, that is something that is probably overly conservative in the sense that it would probably reduce the number—

Mr. Tom Lukiwski: Can you repeat that? I love it when people up there say that.

Mr. Kennedy Stewart: I don't mind if you think this is a Conservative idea. That's fine with me.

Again, that would limit the amount of work that would be placed on the departments that have to answer these, but it wouldn't stop this from being relevant.

The current paper-based petition system would continue to work as usual with the 25 and I see those as very localized. Somebody comes to your office and says they want a new bridge or something, and you get to 25 signatures and read it in the House. The electronic petitions would probably be national in scope, but it would be very good for dispersed groups.

I think of first nations or small businesses that are spread out across the country that don't have a chance sometimes to come together and bring their issues here, especially if they don't have the lobbying resources that other groups have. It makes a lot of sense to try to bring this in, especially in very large geographic areas. When you think of northern constituents trying to sign paper petitions, it would be quite difficult I think.

Again, this would facilitate the groups that may have been left out to be brought into the process.

Mr. Tom Lukiwski: I imagine that's something the committee could consider, what the minimum threshold should be, but I'm glad you have given that some thought and checked out other jurisdictions.

Mr. Kennedy Stewart: Absolutely.

Mr. Tom Lukiwski: There are several jurisdictions you have already identified, the U.K., the U.S., Australia, and perhaps others that currently use the e-petitions model. Is there any particular model from any jurisdiction that you would like to see the Canadian model based on?

Mr. Kennedy Stewart: A modified version of the U.K. system seems to be.... Our institutions are really modelled after the U.K. institutions, and the great thing is that the behind-the-scenes work is also similar to ours. When we talk to the U.S., their system is so

different. The “we the people” petitioning system is based out of the President's office. They don't have clerks. They have managers. If you go to the U.K. system, it's easy to see that if somebody gave us advice from there, we would be very familiar with how things work behind the scenes.

There are a few differences. For example, I mentioned the backbench committee. We don't have one. We would have to find some kind of substitute, and that would be, perhaps, the signatures of 10 MP sponsors. That's where I would definitely start.

I have talked to the House leader's office over there, as well as a few other organizations that would be happy to provide that information to you, if you'd like to call them as witnesses.

The Chair: Super, thank you.

We'll go to Mr. Christopherson, for four minutes, please.

Mr. David Christopherson (Hamilton Centre, NDP): Thank you very much for being here, Mr. Stewart. I want to congratulate you on doing what you can to bring Parliament, kicking and screaming, into the new millennium. It seems to me it's an obvious thing. This is not a question of whether this is going to happen; it's really a question of when and what it will look like.

They couldn't quite get there in 2003. They started to define it, but they couldn't bring themselves.... I don't know whether this is the time or not, but one would hope. But that time is coming and quite frankly, the whole aspect of how we do business will be analyzed over a very short period of time, I think, as we go through this transition period from sort of the old world to the new world.

I want to go straight to something that I have to get past. Right now, 100,000 signatures and 10 MPs can command the floor of the Canadian House of Commons for three hours. Is a take-note debate three hours?

A voice: One hour.

Mr. David Christopherson: I am getting different answers. Who knows? Can the analyst please—

The Chair: We'll look it up for you.

Mr. David Christopherson: Whatever it is, it's a given period of time and right now the only way you can get the floor is through a private member's motion, or if you have a bill, or if there is agreement by the House leaders, but there are very few mechanisms that result in the House—

Mr. Tom Lukiwski: Emergency debates.

Mr. David Christopherson: Yes, emergency debates. My colleague is helping me.

We are now creating a new avenue where the order is given that the House of Commons shall meet. That is a very big deal. It's a lot of money. It commands the attention of every member of Parliament in terms of having to be aware there is something in the House that they may or may not feel they need to be a part of.

I'm looking at it and asking if that threshold is sufficient. It's a great idea. I especially like the follow-up idea, because right now with petitions people sign them, but do they think about them again? Do they get much follow up? Maybe, but oftentimes no. The real moment is when they sign it and then when it's presented, but other than that, there is not a lot of impact. In this case, I really like the idea that they're notified electronically that there was a debate; the link is provided, and one can see what was said. This is excellent stuff.

Talk to me about your comfort level with the notion that 100,000 signatures, which you can do from home, with 10 MPs signing—and if something is motherhood enough that may not be very hard to get—now triggers x number of hours of House of Commons time. Give me your thoughts on why you think that threshold is sufficient, and why we won't be inundated with what would be petition debates, I guess. Help me work through that, Kennedy. I'm having some problems being comfortable with the idea that you could command the House of Commons to meet for x period of time with all the money and everything that means, with 100,000 signatures and 10 members.

Give me your thoughts.

• (1135)

Mr. Kennedy Stewart: Yes, I think that's why the experience from other jurisdictions is really important. This is the fear in the U.K. as well. They thought, "Oh boy, we're going to get swamped with these kinds of things that nobody really wants debates that are frivolous".

The evidence there is that it has been working for three years. They too have a 100,000 person threshold, but they have 60 million people rather than 35 million, so it should be easier per capita to have signatures. They've only had just over 20 hit that level of 100,000 signatures.

Mr. David Christopherson: What period of time?

Mr. Kennedy Stewart: Three years and they've only had about 20 debates. It works out to about six debates a year that they—

Mr. David Christopherson: So far.

Mr. Kennedy Stewart: What they found—and this is why the U.K. witnesses are so important. When they put this system into place, they had this initial big spike. Everybody was very excited about it and you did get all kinds of ideas, but as it moves through the process you find that there's a culture that develops around it. Within the country people get used to the system and we're finding fewer and fewer petitions that are questionable, more that are serious. People have thought them through, not just the people who sponsor them, but the signatories as well. They're finding that people will not sign things which they don't think are worth signing.

There is evidence I could present to you that shows the graph of how it's worked. It's settled into something that people now accept as a serious piece of business and they don't abuse it. It shows by the

number of debates that have come forward, which is one every two months.

I will mention some of the topics that have made it through in the U.K. system. One was asking for full government disclosure and publication of all documents, discussions, and reports relating to the 1989 Hillsborough disaster. That was a soccer stadium that burned to the ground and there was never an inquiry. The local people there.... If you ever go to that area you know it's something that haunts the area. They were able to get 100,000 signatures and have a debate in the House on it which was a tremendous success.

The Chair: Thank you.

The answer is a take-note debate is four hours.

Mr. David Christopherson: Four?

The Chair: Yes.

I don't know who had that in the pool, so we won't pay up until we do that.

Some hon. members: Oh, oh!

The Chair: We'll go to Mr. Lukiwski, please, for four minutes.

Mr. Tom Lukiwski: Thanks very much.

Number one, I think David raises a very good point and I'm glad you gave some examples. Twenty over the course of three years is interesting. I thought there would have been more particularly because, as you say, there's roughly double the population size in the U.K. than there is here. Thank you for that. That's very helpful.

On the administrative side, when you were discussing this concept with people in the U.K., how much extra money and perhaps staff are required to administer that process?

You talked about the backbench committee, but obviously they're not the ones who administer the petitions coming in and doing all of the follow-up. Has the U.K. determined the cost involved in doing this?

• (1140)

Mr. Kennedy Stewart: I turned to the Canadian example first where they've done this in Quebec. They did it under existing budgets and existing staff. There were no extra costs with this. For the Northwest Territories, it cost them \$8,000 to set it up and it cost them \$800 per year to run it. Within our Canadian jurisdictions, that's the administration of the website and making sure that things.... Compared to what we spend on other things here, it's very low.

I think you'd find the same in the U.K., because the website infrastructure and all of the security that are required are already in place. They already have petitions staff and clerks, and the additional costs are very low. I'm sure we could get estimates from a clerk here.

What changes is the level of security. The two measures I suggest were the randomized.... You see that all the time. There's an address and you type it in, so that means you can't generate spam. The other is when an e-mail is sent back to you and you have to say, "Yes, I sent this", those are the two verification processes that are very cheap.

Other things you can get into are very expensive. In British Columbia they have petitions that can trigger referenda with initiative. They have to do a much more robust signature verification, which can be expensive. Of course you could call those witnesses as well. That's not at all what I'm suggesting.

The other jurisdictions find that this kind of, I would say, not a super maximum security process is adequate and they haven't had any fraud or anything like that. I think the costs are.... I'm surprised they were so low. By talking to the clerks, they could tell you.

Mr. Tom Lukiwski: If we entered into this kind of situation, you mentioned before that the 100,000 threshold would require 10 MPs. Going back to something along the lines that Mr. Hsu was talking about, whether or not an MP agrees or disagrees with a particular constituent on his petition, if there was a minimum threshold of, say, 1,000 signatures required, and it was generated and initiated through a citizens' group in the country, do you see a requirement that at least one MP needs to endorse that particular issue, or could petitions be generated and sent in by an advocacy group or a citizens' group with no signatures and no endorsement by an MP?

Mr. Kennedy Stewart: No. The one MP who has to sponsor is the initial gatekeeper. I don't think we should move. That's what we do currently and we should stick with that. That's the Canadian tradition, and I don't think we should have this wide-open access to websites.

The other thing is that having the initial filter spreads through the offices. An MP's staff would get a request. They would look at it. They would say they don't think they're going to do that. That saves the clerk from going through thousands and thousands of petitions and then sending them on to MPs. I actually think it's the best use of resources. If I'm not mistaken, they may be moving to working that way in the U.K., but again, it would be worth talking to somebody from there.

The Chair: Thank you very much.

Madam Crowder, it's great to have you here today. You get four minutes.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Perfect. Thank you very much.

I've been at PROC before and it's nice to be back.

Mr. Stewart, it's great to see you here talking about what I think arguably is an enhancement to democracy, but I also come from the school.... This is going to surprise my Conservative colleagues. I like to see our money well spent, as I'm sure most members here do.

I have a question about resources.

Mr. Tom Lukiwski: This isn't public, right?

Some hon. members: Oh, oh!

Mr. Tom Lukiwski: I'm just checking.

Ms. Jean Crowder: Mr. Christopherson pointed this out. It's not just the cost of setting up online petitions and administering those online petitions. There are additional costs that can be triggered.

I want to look at the Northwest Territories for a moment. If it goes through the whole process, a member may move that the petition be referred to a standing or special committee.

When you talked about the cost in the NWT, you indicated it was an \$8,000 initial start-up and an ongoing cost of \$800 per year. Is that \$800 per year strictly with regard to the petition process, or does it include things like special committees?

Mr. Kennedy Stewart: No. You are absolutely right. Those are the administrative costs. This is going back to earlier questions about whether we would foresee anything beyond a take-note debate being triggered by 100,000 signatures. Other jurisdictions certainly do it.

In the Northwest Territories they don't really have a strict signature threshold. I think it's because of the nature of the Northwest Territories. If they get 50 people saying something is a big issue in their area, and they file that electronically, the legislature acts, but I think that's the nature of the Northwest Territories. I'm not suggesting we go there at all.

Again, I would suggest we start in a conservative way to make sure that we get the system right before we consider anything like striking special committees after 100,000 signatures. That's not something I would suggest. It's something the committee might consider if you felt you wanted to go down that road, but I'm not suggesting we do that.

• (1145)

Ms. Jean Crowder: With regard to the U.K., did they do a cost analysis on the additional 20 debates that took place?

Mr. Kennedy Stewart: I don't have one available, but I think we could get that from witnesses. Again, it would be the same cost as take-note debates or emergency debates cost now.

Ms. Jean Crowder: It would be an additional budgeting exercise for the House officers to consider. I'm not arguing that we shouldn't do it, but I think we need to go into it with our eyes wide open in terms of the total impact.

Mr. Kennedy Stewart: I think that initially you'd have probably a flurry of e-petitions as they have in other areas, but then I think it would level out as the novelty wore off. I'm not anticipating.... You might get three to five of these a year, which I don't think would be an onerous cost.

Ms. Jean Crowder: I would agree. I just think we do need to consider it.

The other issue is that I think we would all say culturally we're different from the U.K. and other countries like New Zealand, or whatever. I know speaking for my own riding of Nanaimo—Cowichan we have very heavy Internet users. I can't give you the percentage, but a significant portion of my riding is computer savvy. I would expect my riding to be very activist with regard to petitions. I think some of my colleagues could attest to that.

Did you look at volumes generated in the Northwest Territories and Quebec?

Mr. Kennedy Stewart: I don't have the numbers right in front of me, but we have looked, and again, this is where I could provide additional information where it shows early in the stages that you get a lot and then it peters out.

This system I'm proposing would be slightly different because they go through an MP's office initially, not to the clerk. In other systems it's quite easy for people to enter an e-petition and post it online and say, "Sign this". In the system I'm proposing, it has to go to an MP and the MP initiates it with the clerk. That will actually reduce the number of petitions online right away, because again, MPs will be reluctant, I think, to sponsor improperly worded petitions. The clerk will also give advice, to say that it isn't going to work. The example of the Doris Day petition couldn't happen through the system I am proposing, and it would reduce costs.

Ms. Jean Crowder: Would the system automatically generate an e-mail?

Mr. Kennedy Stewart: This is how it would work. A constituent might like to start an electronic petition, so they come up with the idea. There would be an online form to fill out with their information. There could be a drop-down menu of MPs' names and they would choose the MP they wanted, and there you go.

Then it's sent to the MP's account and the staff would look at it. The MP would consider it and say it's good or the MP would go back to the constituent to say the petition needs to be reworked. There's an initial debate and then it goes to the clerk for verification. The clerk might notice for example that there's swearing in the petition and say that it can't be tabled. At that point there is no cost at all to the House.

If the MP says the petition is fine to go forward, and the clerk verifies it, then it's posted.

Ms. Jean Crowder: Thank you.

The Chair: Great.

I have Mr. Richards on the list. You have four minutes.

Mr. Blake Richards (Wild Rose, CPC): Thank you, Mr. Chair.

As someone who has brought forward a private member's bill and seen it through to successful completion, I commend you for the fact that you're bringing forward a bill and you've clearly done a lot of research and you're well prepared.

Mr. Kennedy Stewart: Thank you.

Mr. Blake Richards: I know how much work there is involved in that. I commend you for that.

I have a couple of questions. The first one goes to some of the similar things that you were just discussing. It's in regard to the

actual signing of the petition. There are a couple of things that I'm curious about.

Your chart sort of lays out the process. I have a couple of questions about number 6, where they sign the petition. At the very end, you indicate one of the things is that there's a safeguard in place, or you have a number of them, but you would indicate that there would be a safeguard in place to prevent an unusual number of signatures from the same IP address.

Have you thought about exactly what that means? What's the barrier? Would you allow a certain number from one IP address, or would it be a single person from each IP address? I guess the same would go for an e-mail address. Would it be one signature allowed per e-mail address?

Mr. Kennedy Stewart: That's right.

Mr. Blake Richards: What are the barriers? What are your thoughts on that?

Mr. Kennedy Stewart: Again, I look at it much like a paper petition. If you get a paper petition that has five signatures of people from one address, you think that it's a family and that's why there are five signatures. If you get a paper petition that has signatures of 300 people from the same address, you think obviously that somebody has just made them up.

I think the clerk already has discretion over that, to be able to say the signatures are invalid. I think the same rationale could be used, but the IP address would essentially tell you the computer. It would act like a home address in some ways.

Mr. Blake Richards: Sure. Understood, but obviously in this case, because you actually don't have a physical signature, you can't compare handwriting. You can compare addresses. You can compare e-mail addresses. I understand there would be a similar process to what occurs now, but the difference is a signature is now going to be the IP address.

I'm wondering if you have thought about the barrier. Is it one per IP address? What exactly would it be?

•(1150)

Mr. Kennedy Stewart: I would think something around the five mark, but that again.... I think one person you need to speak to is the person who runs this at the White House, who is in charge of all the technical back end. We got the idea of IPs from other jurisdictions, so I think they could give you a range that would be appropriate.

The other thing too is it's not just looking at the IP address. It's that the person has to actually answer an e-mail to say "Yes, that's my signature." If you think about the steps, if somebody wanted to fake 100,000 signatures, they'd have to basically get 100,000 computers or around that number, maybe 75,000.

Mr. Blake Richards: If you were doing a barrier of five, they'd have to get 20,000, I guess.

Mr. Kennedy Stewart: Okay. They'd have to get 20,000 computers.

Mr. Blake Richards: Fair enough.

Mr. Kennedy Stewart: Would it be worth it?

Mr. Blake Richards: That's why the barrier is important. Right?

Mr. Kennedy Stewart: That's right. Absolutely, and you're getting a debate in the House without a vote, so is it worth getting 20,000 computers together to do that? Probably not.

Mr. Blake Richards: I'm not technical enough to know whether this is possible, but would it be limited to IP addresses within Canada, in other words, another barrier to help prevent those who are not Canadians from...?

Mr. Kennedy Stewart: My initial thought is that it should. You could easily verify whether the computers are from Canada or not.

Mr. Scott said you may be considering changing the rules so people outside Canada could sign petitions, and I think if you can overcome that with paper petitions you could easily overcome it with computers.

Mr. Blake Richards: You indicated there had been about 20 over three years in the U.K. at four hours each. We're talking about 80 hours of House time. That isn't an insignificant amount of House time, obviously, if it were similar to what has occurred there. I'm wondering if you've given any thought as to how, where, and when these debates would occur.

Obviously, we find we have a pretty packed schedule here, and to try to fit in another 80 hours over a few years wouldn't be an insignificant challenge. I'm wondering if you've given any thought as to when and how those debates would occur. There may be other things that would take a bit less time because of it. Have you thought about that?

Mr. Kennedy Stewart: Again, to use other examples from other jurisdictions, they make sure the debates take place outside House hours, so you're not using House time, you're using outside of House time. In the U.K. sometimes they have them in different locations. They're in the House of Commons debates but they have another room. They have a number of halls in the Palace of Westminster and the debates take place there. That's why the 10 signatories are important as sponsors because that would be enough to have an active debate.

If you weren't on House duty and you could arrange these things, you could have the House sitting at the same time as this debate was happening. That's what they've done in the U.K. Arrangements could

be made that would be very cost-effective. We could have examples from some place that has been doing it for three or four years. Australia has been doing it for almost a decade. I'm sure they've had these difficulties. The great thing is we could see how they changed it on the ground. They have the same system as we have, more or less. I think we can get around that quite easily.

Mr. Blake Richards: Thanks very much.

Mr. Kennedy Stewart: Thank you.

The Chair: Mr. Stewart, we thank you for coming today.

A couple of quick questions from the chair, if you wouldn't mind.

The IP address has some danger to it, certainly from library computers. Senior centre computers were an issue that was very senior-related, you would think.

• (1155)

Mr. Kennedy Stewart: Yes.

The Chair: We'd have to watch that, but anyway, we'll let the people who are smarter techies than I work on that one too.

As the member was asking, I think a great generator of debates on this committee will be the length of time, where it would take place. I think the 10 members responsible would feel obligated to be at that debate, so we know there will be 10.

Mr. Kennedy Stewart: Yes, absolutely.

The Chair: That's the way it works.

Thank you for your time today.

Mr. Kennedy Stewart: Thank you very much.

The Chair: If we have further questions for you, we will send you an e-mail.

Mr. Kennedy Stewart: I prefer paper correspondence.

Some hon. members: Oh, oh!

The Chair: We thank you for your time.

Committee, we'll suspend for a couple of minutes while we go in camera on committee business.

[Proceedings continue in camera]

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