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Special Joint Committee on Physician-Assisted Dying

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•(1010)

[English]

The Joint Clerk of the Committee (Ms. Shaila Anwar): Honourable Senators and members of Parliament, I see a quorum.

[Inaudible—Editor] It's my duty to preside over the election of a joint chair. Pursuant to the motion adopted by the Senate on December 11, 2015, the joint chair from the Senate shall be from the official opposition party.

I am ready to receive a motion for the election of the Senate joint chair.

Mr. Oliphant.

The Joint Clerk (Ms. Shaila Anwar): Are there any other nominations?

[Translation]

Mr. Oliphant moves that Honourable Senator Ogilvie be elected joint chair of the committee.

[English]

Is it your pleasure, members of the committee, to adopt this motion?

(Motion agreed to)

The Joint Clerk (Ms. Shaila Anwar): I declare the motion carried and I invite Senator Ogilvie to take the chair.

I will give the floor to my colleague from the House of Commons.

Mr. Robert Oliphant (Don Valley West, Lib.): Madam Chair pro tem, I would like to place a nomination in the name of Senator Kelvin Ogilvie as co-chair from the Senate.

[Translation]

The Joint Clerk of the Committee (Ms. Cynara Corbin): Honourable members of the committee, I must inform you that the joint clerk of the committee may only receive motions for the election of the joint chair. The joint clerk may not receive any other motions. She cannot entertain points of order, nor participate in debates.

[English]

We can now proceed to the election of the joint chair from the House of Commons.

Pursuant to the order of reference adopted by the House of Commons on December 11, 2015, the joint chair must be a member of the government party.

I am ready to receive motions to that effect.

Senator Ogilvie.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie (Senator, Nova Scotia (Annapolis Valley—Hants), C)): Madam Chair pro tem, it is my pleasure to nominate Mr. Rob Oliphant as the co-chair.

The Joint Clerk (Ms. Cynara Corbin): It has been moved by Senator Ogilvie that Mr. Rob Oliphant be elected joint chair of the committee.

Are there any further motions?

Is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

The Joint Clerk (Ms. Cynara Corbin): I declare the motion carried and Mr. Oliphant duly elected joint chair of the committee.

I invite Mr. Oliphant to take the chair.

The Joint Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): The first order of business for me and my colleague from the Senate is to say welcome to this special joint parliamentary committee to consider the issue of physician-assisted dying. Welcome especially to new members of Parliament who may be sitting on a committee for the first time. We will endeavour to make sure that the committee runs smoothly and efficiently and with good grace. Thank you for agreeing to sit on the committee. I think our work will be excellent.

There are a number of items of business that we need to attend to in this organizing meeting.

Have the clerks distributed to the committee the routine motions?

The Joint Clerk (Ms. Cynara Corbin): No, not yet. It's up to committee whether you want to do that.

The Joint Chair (Mr. Robert Oliphant): I think it would be helpful, then, if the clerks were to distribute the routine motions to the committee members so that they have them in their hands.

Just before we do that, this committee can have two vice-chairs. I think we are now able to receive motions for vice-chairs for the committee.

Mr. Warawa.

Mr. Mark Warawa (Langley—Aldergrove, CPC): I would like to nominate Michael Cooper to be the Conservative vice-chair.

The Joint Chair (Mr. Robert Oliphant): There is a nomination on the floor for Mr. Cooper to be the vice-chair from the Conservative Party.

Are there further motions?

(Motion agreed to)

The Joint Chair (Mr. Robert Oliphant): Welcome, Michael, as vice-chair.

I would entertain a motion to have another vice-chair. If Murray Rankin is willing to stand as vice-chair, and if one of the members from the government side would be willing to do that....

[*Translation*]

Mr. René Arseneault (Madawaska—Restigouche, Lib.): I would like to nominate our colleague Murray Rankin.

[*English*]

The Joint Chair (Mr. Robert Oliphant): Are there other nominations?

(Motion agreed to)

The Joint Chair (Mr. Robert Oliphant): Welcome as vice-chair, Mr. Rankin.

Mr. Murray Rankin (Victoria, NDP): Thank you.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Colleagues, I too would like to join my co-chair in welcoming you to this committee, especially my colleagues from the Senate, and of course the new colleagues I will get to know from the House of Commons.

We will now move into the routine motions section of our agenda. First we will need a motion to the effect that the committee will retain, as needed and at the discretion of the joint chairs, the services of one or more analysts from the Library of Parliament to assist in its work.

Is there a mover?

An hon. member: I so move.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): I have the motion on the floor. If it is clearly understood, are you in agreement with the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Thank you very much.

Mr. Co-Chair, I would like to suggest that we invite the analysts to the table and introduce them to the committee. Julia Nicol is the lead analyst for this committee. Marlisa Tiedemann and Sonya Norris are also analysts. I would invite them to join us at the table.

We would like to welcome you and to express how pleased we are that you are going to be working with us in this important endeavour.

Thank you.

The Joint Chair (Mr. Robert Oliphant): Thank you for the work you have already done and the work you will do.

The second motion that is required is to begin to look at the time for opening remarks and for witnesses, and for the questioning of witnesses.

Do I have a motion for that?

Brenda Shanahan.

•(1015)

[*Translation*]

Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.): Thank you, Mr. Chair.

I move that witnesses to appear before the committee be given 10 minutes to make their opening remarks, and that during the questioning of witnesses the time allocated to each questioner be five minutes. There will be two rounds. A Liberal member of Parliament will begin the first round and will have five minutes at his or her disposal to ask questions. Afterwards a House of Commons Conservative will have five minutes, followed by a New Democratic member who will have five minutes; then a Conservative senator will have five minutes, as will a Liberal senator after that. During the second round, five minutes will be given to a Liberal member of Parliament, then to a Conservative member, then to a Conservative senator, a Liberal senator, and finally a Liberal member of Parliament.

[*English*]

The Joint Chair (Mr. Robert Oliphant): I know that was fairly quick for people, and now we're going to welcome discussion about it. The motion was that witnesses would be given 10 minutes to make opening remarks, and then there would be two rounds, whenever possible, of questioning. The first round would commence with members of Parliament from the House of Commons. There would be five minutes for the Liberal side, five minutes for a Conservative, and five minutes for a New Democrat, followed by two senators, first a Conservative senator and then a Liberal senator. That would be round one of 25 minutes.

In the second round there would be a House of Commons Liberal followed by a House of Commons Conservative followed by a senator from the Conservative Party, and then a Liberal senator and a House of Commons Liberal. That would be the second round of 25 minutes, so there would be two 25-minute rounds following a ten-minute presentation by a witness.

Is there discussion?

Mr. Rankin.

Mr. Murray Rankin: Mr. Chair, I would like to move to amend that allocation of time. Perhaps not surprisingly, I think, if I'm understanding it correctly, in our judgment not enough time is being provided to elected members. In particular I would like to propose that, as you said, the Liberal House of Commons representative go first for five minutes, and then a Conservative House member of Parliament for five minutes, an NDP member for five, and then a Senate Conservative and a Senate Liberal for five each. I think that's what you have indicated.

After that, for the second round, I propose that there be a House of Commons Liberal for five minutes, a House of Commons Conservative for five minutes, an NDP member for five minutes, and a House of Commons Liberal for five minutes.

I think the benefit of that arrangement is that it provides the last word to the MP for the governing party, which I think is appropriate, and it also provides a total of 10 minutes for the NDP. Otherwise.... This is a very rare beast, isn't it? It's a special standing committee of the House and the Senate, and with great respect to the Senate, I think it's more appropriate to provide a longer period of time to elected representatives.

The Joint Chair (Mr. Robert Oliphant): We have a proposal, then, to amend the original motion as it was presented, so let's take some discussion on the amendment.

Mr. Warawa.

Mr. Mark Warawa: Thank you, Chair.

I appreciate what Mr. Rankin has shared and his amending motion, but the original motion as presented by the government provides the traditional balance. The government is the government, and the proposal giving the NDP an opportunity for one time of questioning in the first round, after which they would have to wait for the second round, has been traditional for their party, and it represents the number of seats in the House. I think it is fair, and therefore I will be voting against the amendment. I will support the original motion.

The Joint Chair (Mr. Robert Oliphant): Is there further discussion?

Go ahead, Senator Cowan.

Hon. James Cowan (Senator, Nova Scotia, Lib.): If we're going to operate correctly and properly and respectfully here, we're all equal members of this committee, and there should be appropriate representation and equal time for everybody regardless of which House they come from.

•(1020)

The Joint Chair (Mr. Robert Oliphant): Is there further discussion?

The first vote we will take is on the amendment as proposed by Mr. Rankin, which was that the order for speaking and the time allocations would be as he indicated, which was a change from the first motion. Just to review that, what he has suggested is that the first round would be House of Commons, Liberal; House of Commons, Conservative; House of Commons, New Democrat; Senate, Conservative; and Senate, Liberal. That would be followed by a House of Commons Liberal, Conservative, and New Democrat, and then a House of Commons Liberal, thus taking senators out of the second round and replacing them with a New Democrat.

What is the will of the committee on the amendment to the motion?

(Amendment negatived)

The Joint Chair (Mr. Robert Oliphant): I declare the amendment defeated.

Now we will return to the original motion as it was presented, which has official witnesses at 10 minutes and two rounds of 25 minutes each. Do I need to repeat that, or is it okay?

All right. All in favour of the motion, please so indicate.

(Motion agreed to)

The Joint Chair (Mr. Robert Oliphant): We will continue with routine motions.

The third one—sorry, this is your turn.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Thank you, Bob.

The next motion deals with a subcommittee on agenda and procedure.

The normal framework for this language starts out “That the Subcommittee on Agenda and Procedure be composed of the Joint Chairs and:”—fill in the rest of that based on the discussion at the table—“and that the Subcommittee be empowered to make decisions on behalf of the Committee with respect to its agenda, to invite witnesses, and to schedule hearings.”

Is there any motion to come before us?

Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): We have consent among all parties not to have a subcommittee on agenda but to have the agenda set in camera by all members.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): You have heard that there is a general agreement on how we would proceed in this regard and that we will attempt to deal with witnesses at the meetings of the whole committee. It is my understanding that you would empower the joint chairs to make any changes that arise subsequently—that is, if witnesses identified from the priority list cannot make it, the joint co-chairs would be entitled to choose from the alternate list approved by the whole committee.

Is that your understanding?

Mr. John Aldag: That's correct.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Thank you.

The motion is before the committee. All in favour?

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): That is carried. Thank you.

[Translation]

The Joint Chair (Mr. Robert Oliphant): Thank you.

The fourth motion concerns the distribution of documents.

Mr. Lemieux, you have the floor.

Mr. Denis Lemieux (Chicoutimi—Le Fjord, Lib.): Mr. Chair, I move that the joint clerks of the committee be authorized to distribute to the members of the committee only documents that are available in both official languages.

The Joint Chair (Mr. Robert Oliphant): Does anyone wish to debate this motion?

Go ahead, sir.

[English]

Hon. James S. Cowan: Is it the practice in the House of Common even for witnesses who appear that their documents, before they can be distributed, have to be in both official languages, or is this only for documents tabled by government?

The Joint Chair (Mr. Robert Oliphant): All documents in the House of Commons are required to be in both languages. If witnesses want to make a statement, they may make it orally in one language, but if it is going to be presented as evidence, it needs to be in both languages. Translation services are provided for witnesses. Am I correct on that? Yes.

Hon. James S. Cowan: Do we have sufficient resources to ensure that there will be no delay in the distribution of those documents?

The Joint Chair (Mr. Robert Oliphant): As a returning MP who has had four years of vacation, I am now remembering that there are resources for translation. If documents are provided ahead of time to the clerk, they will be prepared and ready for the meeting. If someone arrives with a document, it may take a couple of days to get it translated, so they may make their presentation orally and then the document will be entered into the committee's work once it's in translation.

• (1025)

[Translation]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Chair, you explained that when someone gives a verbal explanation, their words are translated. In that case, that works, that is in keeping with what Mr. Lemieux is proposing.

However, you say that if he wants to have a document translated, it can take a few days before the translation comes back to us. Does that mean, going by what Mr. Lemieux has said, that his testimony could be excluded?

[English]

The Joint Chair (Mr. Robert Oliphant): No, the oral testimony will be entered into the record of proceedings. The supporting documents would come in afterwards. I'll be very honest with you: I will turn to the clerk on these issues because I'm out of practice, but that's what I thought.

Is there any other discussion regarding the distribution of documents?

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): We now move to motion 5. We need a motion from the floor to permit the committee to publish its proceedings.

Mr. Murray Rankin: I so move.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): It is duly moved that the committee publish its proceedings. Is there any further discussion?

(Motion agreed to)

The Joint Chair (Mr. Robert Oliphant): For the sixth motion, regarding travel accommodations and living expenses for witnesses, is there a motion?

Ms. Dabrusin.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): I would like to bring a motion. It is as follows:

That, if requested, reasonable travel, accommodation and living expenses including child care and/or personal attendant care be reimbursed to witnesses upon application, not exceeding two (2) representatives per organization, and that, in exceptional circumstances, payment for more representatives be made at the discretion of the Joint Chairs.

The Joint Chair (Mr. Robert Oliphant): Is there any discussion?

Mr. Warawa.

Mr. Mark Warawa: I have just a quick question. I think this is very normal and reasonable, with the understanding that video conferencing or video presentations should be given an opportunity and should actually be the first choice so that people don't have to travel.

The Joint Chair (Mr. Robert Oliphant): We will do our best to ensure that the technology will be provided to people who are not able to travel and that expenses will be covered for people who are able to travel.

Senator Nancy Ruth.

Hon. Nancy Ruth (Senator, Ontario (Cluny), C): I like the way you phrased it, because some people may not be able to get to a video conferencing centre. Thank you.

The Joint Chair (Mr. Robert Oliphant): Is there any other discussion?

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): We now move to motion 7, which deals with working meals.

Go ahead, Ms. Shanahan.

[Translation]

Mrs. Brenda Shanahan: Thank you, Mr. Chair.

Since I like to eat from time to time, I move that the joint clerks of the committee be authorized to make the necessary arrangements to provide working meals for the committee and its subcommittees.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Thank you very much.

The motion is before the committee.

[English]

Is there further discussion?

(Motion agreed to)

The Joint Chair (Mr. Robert Oliphant): The next motion is with respect to the committing and certifying of accounts.

Is there a motion?

Mr. Aldag.

Mr. John Aldag: I move that either joint chair, or, in accordance with the direction of the joint chairs, either joint clerk be authorized to commit funds and certify accounts from the approved budget of the committee.

The Joint Chair (Mr. Robert Oliphant): Is there discussion?

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Regarding motion 9, which deals with in camera meetings, is there a motion on the floor?

[*Translation*]

Mr. René Arseneault: Mr. Joint Chair Ogilvie, I move that each member of the committee be allowed to have a staff member present at in camera meetings; in addition, that each party be permitted to have one staff member from the whip's office present; and that a copy of the transcript of each in camera meeting be kept by the joint clerks for consultation by members of the committee or by their staff.

• (1030)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Thank you.

The motion is before the committee. Does anyone wish to debate it?

(Motion agreed to)

[*English*]

The Joint Chair (Mr. Robert Oliphant): The tenth motion is with respect to notice of motion.

Ms. Dabrusin.

Ms. Julie Dabrusin: I would like to propose that 48 hours' notice be required for any substantive motion to be considered by the committee, unless a substantive motion relates directly to business then under consideration, and that the notice of motion be filed with the joint clerks of the committee and distributed to members in both official languages.

The Joint Chair (Mr. Robert Oliphant): Any questions, debate, or discussion?

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Turning to motion 11, is there a motion on quorum of subcommittees?

[*Translation*]

Mr. René Arseneault: Mr. Joint Chair, should a subcommittee be struck by the committee, I move that the quorum of subcommittees be set at a majority of the total membership, so long as both members are represented.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): Thank you very much.

The motion is before the committee. Does anyone wish to debate it?

Go ahead, sir.

Mr. Gérard Deltell: I would like to make a clarification, for the record. My honourable colleague said "both members", but I believe he meant to say "both Houses".

Mr. René Arseneault: Yes, we need to write "both Houses", that's right. Please make the correction.

Thank you, Mr. Deltell.

(Motion agreed to)

[*English*]

The Joint Chair (Mr. Robert Oliphant): The last motion of this set of motions has to do with television proceedings.

Is there a motion?

Mr. Aldag.

Mr. John Aldag: The motion is that the joint chairs be empowered, at their discretion, to televise the committee's public proceedings.

The Joint Chair (Mr. Robert Oliphant): Is there any discussion?

(Motion agreed to)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): The next item is under "other business".

The first item is some information with regard to the 2 p.m. meeting. It's our understanding that government officials are in the room and that they have indicated that they're available to meet with the committee this afternoon. The consultation between the parties, as I understand it, has occurred. We have been advised that there is agreement to meet this afternoon between 2 p.m. and 4 p.m. with officials from Justice Canada and that official notices will be sent shortly.

I therefore put it before the members of the committee: are you as a committee in agreement that this occur in the manner I've described?

Some hon. members: Agreed.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): I should have indicated that there was also an agreement, as I understand it, among the parties that Justice will have a 20-minute time for presentation, so I want to make it clear that this is open for your commentary as well. Does that change anyone's view with regard to the overall motion or agreement?

Then I declare it's agreed that we will meet this afternoon under those conditions. The notices will go out as soon as possible.

The Joint Chair (Mr. Robert Oliphant): The next item is about the rooms we will be meeting in. Normally we have three committee rooms available to us: this room, the one across the hall, and room C-110 of the Wellington Building. All three committee rooms have the capacity for television. However, only the Wellington room has the capacity for teleconferencing.

Normally we meet in Centre Block, either in this room or across the hall. The proposal would be that if we have a witness who is coming to us through a teleconference, we would meet in the Wellington Building. Do members of the committee agree to that?

Some hon. members: Agreed.

• (1035)

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): The next item of other business is that of a draft budget. We now need to circulate a copy of the proposal on the draft budget. Do I have your permission to circulate that copy?

Some hon. members: Agreed.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): While you're reading that, I'll just give you a bit of background from the summary note.

Special joint committees do not receive any type of interim funding and must make all requests for funding to the Board of Internal Economy, and on the Senate side to the Internal Economy Committee. As such, the proposal is that an initial amount of \$50,000 be requested in order to begin inviting witnesses. A request has been prepared by the joint clerks.

We will require a member of the committee to move that we be authorized to pursue this request.

Hon. James S. Cowan: I so move.

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): The motion is before you. Is there any discussion?

Mrs. Brenda Shanahan: On a point of information about services, the proposal talks about travel and witness claims under "services". What about services for translation, report writing, and so on? Is that normally included in that budget or not?

The Joint Chair (Hon. Kelvin Kenneth Ogilvie): It's my understanding that this deals with witnesses, including video conferencing. It does include meals but it doesn't include travel.

Are there any further clarifications?

(Motion agreed to)

[*Translation*]

Mr. René Arseneault: Mr. Joint Chair, could the committee hold a 15 or 20-minute in camera discussion at the end of the meeting?

[*English*]

The Joint Chair (Mr. Robert Oliphant): Are all in favour of going in camera to have a discussion about future meetings and witnesses?

(Motion agreed to)

The Joint Chair (Mr. Robert Oliphant): I suggest that we suspend for a few minutes so that we can take the time to allow people to leave the room. Then we will meet in camera.

[*Proceedings continue in camera*]

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