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Chair

The Honourable Larry Bagnell

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● (1105)

[*English*]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): We'll call this meeting to order.

[*Translation*]

Good morning.

Welcome to the 147th meeting of the Standing Committee on Procedure and House Affairs.

This morning, we are continuing our study of parallel debating chambers. We are pleased to welcome Charles Robert, the Clerk of the House of Commons, to share his expertise on parallel chambers.

Mr. Clerk, it's a pleasure to have you here.

[*English*]

Just before we start, you may remember that about a year ago the Clerk told us that he was embarking on reorganizing the Standing Orders just to make them clear and easy to access, not making changes to them, and that he would report back to us. He's available on Tuesday, if the committee would be willing, to just update us on the progress of that report and on getting it ready for the next Parliament. By that time it would be ready, I think. If it's okay, he could report to us next meeting.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): If you are looking for consent from the members, I'd be happy to indicate on behalf of the Conservatives that we would very much welcome that.

The Chair: Okay, so we'll put you on the agenda for Tuesday and you can update us on that project.

Mr. Charles Robert (Clerk of the House of Commons): I look forward to it.

[*Translation*]

The Chair: You can now have the floor for your presentation.

[*English*]

We look forward to hearing your views on this exciting initiative.

Mr. Charles Robert: Thank you, Mr. Chair and honourable members of the committee.

I am pleased to be here today to talk about parallel debating chambers. I understand that the former clerk of the United Kingdom House of Commons, my good friend Sir David Natzler, who retired

recently, as you know, has also appeared to discuss that legislature's experience with its parallel chamber, Westminster Hall.

I would like to begin by reminding the committee of an updated briefing note that was initially submitted in 2016 during your study of initiatives towards a family-friendly House of Commons. This updated note was sent to you a few weeks ago, and I hope the information it offers will be helpful as you discuss the possibility of establishing a parallel debating chamber.

[*Translation*]

My presentation today is intended as an open discussion on establishing a second debating chamber parallel to the House of Commons, and on the implications for our practices and procedures. I would like to share a few thoughts on the issues being studied by the committee.

The work of the House is governed by practices and rules of procedure that structure each sitting, from government orders and private members' business to routine proceedings. These rules also apply to the House of Commons calendar, voting and many other areas.

[*English*]

Changes in House practices have often been influenced by the needs of members themselves. Major procedural reforms are often the result of a consensus among MPs.

Establishing a second chamber could open up some interesting opportunities for members, and I encourage you to study innovative recommendations and proposed options that, as Mr. Natzler explains so well in his testimony, could be new, unexpected and different from the operations of the House.

It is up to you, as a committee, to determine the scope of your study and the recommendations you wish to make. It will then be the responsibility of the entire House to decide whether to proceed with this reform.

Australia and the United Kingdom offer starting points for a look at how our own House of Commons could introduce a parallel chamber. Some elements could be copied and applied to our legislature. Others may not be as easy to apply since our practices and procedures differ in many respects from those of our counterparts. It is therefore a good idea to analyze how parallel chambers function elsewhere, but still take into account our own rules and way of doing things.

[Translation]

And so, if your committee intends to recommend a parallel chamber, you must determine how it will operate. This involves such issues as where the chamber would sit, what limitations would be placed on its activities and what decisions it could take.

There are many, more specific questions to be answered as well. In terms of logistics, where would members want this new chamber to be housed? How would the chamber be laid out? Would members debate face to face as they do in the House of Commons or would the room be arranged in a hemicycle?

[English]

The committee might also address some important questions concerning the debates themselves. For example, how would the work of the House, such as bills, the business of supply, and private members' business, be managed? Would the parallel chamber be empowered to make decisions? Similarly, what would be the quorum requirement? Would members be able to move motions and amendments during debates in the parallel chamber? How would the two chambers be allowed to communicate to ensure continuity in proceedings? What rules of debate would apply? Would they be similar to the rules of the House or more like those used in committee? What would be the hours of sitting for the parallel chamber? What would happen if there were a sitting in the second chamber and the bells rang for a vote in the House of Commons, or if it were time for oral questions or other activities that required all MPs to be present in the House?

These are a few of the procedural matters that the committee will want to consider. As you discuss these questions and their answers, you may find that they give rise to other complex issues.

[Translation]

And so, while I encourage the committee to pursue your study and report back to the House, I am tempted to recommend, if I may, that you use this report as a springboard and a starting point for the debate on procedure at the beginning of the next parliament. Your report would serve as a benchmark and its recommendations would be food for thought in the debate pursuant to Standing Order 51.

As always, your committee is the master of its own proceedings and is solely responsible for deciding on the next steps to take. If your committee, and subsequently the House, decides to proceed with a parallel chamber, it goes without saying that the administration, my procedural team and I will be pleased to provide our support. We will be ready to act on your recommendations and provide you with all the resources necessary to implement them.

I would be happy to answer any questions you may have.

• (1110)

The Chair: Thank you, Mr. Clerk.

[English]

I'd like to welcome Linda Duncan and Scot Davidson to the procedure and House affairs committee. I know everyone wants to be here, so you've drawn the lucky straws today.

While the boss is here, Mr. Clerk, I think the committee would agree that we'd like to thank you for providing us with the best clerk in the House of Commons for our committee.

Mr. Charles Robert: I don't know how long you'll keep him.

[Translation]

The Chair: We'll move to questions.

Mr. Simms, go ahead.

[English]

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): I am the second Scott—any more Scotts and we'd have a country.

Mr. Robert, first of all, it's a pleasure to have you here, sir. We spoke to the clerk in the U.K. He speaks highly of you.

Mr. Charles Robert: Does he?

Mr. Scott Simms: Yes, he does. I guess you've probably already figured that out, but I thought I'd let you know.

I really liked your presentation here, and I'll tell you why. It's not in generalities as to how this could work or may not work or what have you; you've made some specific recommendations here that I like. You end off your report "would serve as a benchmark and its recommendations would be food for thought in the debate pursuant to Standing Order 51." I'm putting that out there, because I think it should be a part of our report. Again, these are my opinions.

I want to go back to something else that you pointed out. It seems to me that the best advice we can get from you is along the lines of what's feasible and what's not feasible. I have a few opinions about a parallel chamber. I enjoy the makeup and characteristics of what is in Australia. I enjoy the makeup and characteristics of what is in the U.K. They seem to be working in different spheres as to how they operate.

Mr. Charles Robert: Right.

Mr. Scott Simms: I have a very specific question.

Given the fact that we don't have programming, although interestingly enough, the Senate seems to be delving into some type of program that I haven't fully read about yet, but they're doing something.... However, when it comes to programming of bills, they tend to go on for some time and then they get guillotined, as the members of Parliament in the U.K. would say. In the absence of that, would a parallel chamber serve as a way of allowing more parliamentarians to debate any particular bill that is in front of us?

Mr. Charles Robert: Again, I think it really would depend on what kind of responsibility or role you want the parallel chamber to play. The answer is yes, if that's what you want the parallel chamber to do. There would be no reason why.... My understanding of the programming motions in the United Kingdom, which have been in place since about 1998 or 1999—

Mr. Scott Simms: Since 1999, yes.

Mr. Charles Robert: —is that they obviate the need for time allocation or the guillotine, because they basically spell out the time that you will have to debate the bill at this stage or that stage, so it's fairly comprehensive in its intent. It is, properly speaking, as the term suggests, a programming motion.

The suggestion that you are raising, if I understand it correctly, is that you would like to use the parallel chamber as an opportunity to allow for additional debate, presumably within the stage the bill is at.

• (1115)

Mr. Scott Simms: Yes.

Mr. Charles Robert: Government business tends to be focused on one or two items per sitting. You could select, by some kind of arrangement with the government and the opposition parties, to allow for a third debate to take place that would create more opportunities for the members to participate and express their views on a bill that has already been initiated in the House and can now be discussed further in the parallel chamber while you're still discussing other government items in the main chamber.

It's not impossible to do. In fact, it might be regarded as a beneficial purpose of having the parallel chamber.

Mr. Scott Simms: To me, that supplements the legislation that we're currently doing, which is primarily government legislation. Now, if I'm correct, what I take from the U.K. model is that it's more of a supplement of backbenchers and their business in bringing forward other items such as emergency debates and petition debates, which is rather new, but it supplements the members to do their work in other areas, if need be.

Mr. Charles Robert: That seems to be the way it's modelled, yes.

Mr. Scott Simms: It's exclusively focused on that, if I'm not mistaken.

Mr. Charles Robert: Yes, but there's no reason why this House has to restrict it to that kind of role.

Mr. Scott Simms: Ah, see, you're good. You anticipated my question. Can we combine both?

Mr. Charles Robert: You can do as much as you like.

Mr. Scott Simms: My goodness. This is all I had. Just kidding.

Mr. Charles Robert: Another thing might be useful. At Westminster they have the committee of chairs, the liaison committee, the backbench committee and other vehicles that are not yet established here and may never be established here.

Since, for example, you have a subcommittee that deals with private members' business, if you really wanted to be bold, you could take on the responsibility or suggest that you, as the procedure committee, would be prepared to assist in setting the agenda of the parallel chamber.

I'm just throwing that out there for your consideration.

Mr. Scott Simms: That's why you're here, because you're just throwing way too much out there. That's a good thing.

Do you think, if the parallel chamber was to run not in the same calendar days, that would affect the functions of this House? Let's say there's a constituency week and you have—

Mr. Charles Robert: The sour faces already give me your answer.

Mr. Scott Simms: Oh, I'm sorry, did I ruin someone's vacation?

Ms. Linda Duncan (Edmonton Strathcona, NDP): Vacation in constituency week?

Mr. Scott Simms: Would that be a possibility? Do other jurisdictions do that, would you know?

Mr. Charles Robert: I don't think they do, quite frankly. Well, the two models that we have are Australia and Westminster, and I don't think they do.

I think really what you might want to do is to consider hours when the parallel committee could sit that still respect the family-friendly intent of more recent reforms and do not interfere with the general highlight of each sitting day, which is—

Mr. Scott Simms: Like a Friday.

Mr. Charles Robert: You could do it earlier in the day. You couldn't do it on a Wednesday because of caucus, but you could either do it earlier in the day or in a sort of, let's call it a slack period, if you identify it as such, in the middle of a sitting day.

Mr. Scott Simms: I see what you mean. Okay.

The Chair: Sorry.

Mr. Scott Simms: What? Oh, I feel like I've just begun.

Thank you.

The Chair: You had, but you've also just finished.

Before we go to Mr. Reid, so the new members know, we have a pile of documents explaining how it works in Australia and Britain.

Ms. Linda Duncan: I have some.

The Chair: You have some of those. Okay, great.

Mr. Reid.

Mr. Scott Reid: First of all, thank you very much for being here. I always appreciate your very scholarly attitude.

I'd remind you of the promise that I extracted from you some time ago with respect to being an effective clerk: You have to commit yourself to a long period of service.

Mr. Charles Robert: Yes.

Mr. Scott Reid: In order that we can benefit from that experience.

Mr. Charles Robert: I expect to be known as the old man of the Hill in some years.

Mr. Scott Reid: That's right. You and Ralph Goodale can battle that one out.

I did want to ask this. We keep on mentioning the U.K. and Australia, for obvious reasons. Obviously, Westminster is the most prestigious of all parliamentary systems, the most mature. Australia is a clear parallel to Canada, a mature, bicameral, federalized democracy. To your knowledge, are they the only parliaments that have parallel chambers? Is there anything else out there? I don't know of any but maybe you do.

• (1120)

Mr. Charles Robert: In terms of continental parliaments, I'm not aware of anything similar, either in the National Assembly in Paris or in the Bundestag in Berlin. I was in Rome for a Speakers conference some years ago. It was not raised, so I'm not really sure that there are other places. I think it depends on the kind of legislative format they follow, the range of powers they give to their members and what they expect of them.

I think here in Canada, based on the Westminster model, there is a very strong legislative component to the role of the members. In more recent years, members have identified themselves as advocates for their constituencies. Constituency responsibilities have become far more important than they were 150 years ago, when they virtually didn't exist.

Mr. Scott Reid: Right.

Mr. Charles Robert: We do see an evolution and a change in the role played by members. Now the question really is: How do you balance the different obligations and responsibilities that you have accepted as part of your role? We know, for example, that legislation is not becoming any simpler. It's becoming more complex. Omnibus bills—or "ominous bills", if you like—are increasingly becoming the model for legislation. That's going to create challenges in terms of how you effectively address them.

Mr. Scott Reid: My impression, if I might say, on the subject of omnibus bills...I hadn't meant to bring this up, but looking at it... I have an interest in the issue of administrative law. I'm an editor of the *Administrative Law Review* out of Washington, D.C. It's clear that administrative law and the need for administrative tribunals arise with the complexity of the regulatory state, which has exploded over the course of the 20th century. As far as I can see, it is unlikely to slow down in the 21st century. I think it is simply in the nature of an increasingly complex society with more interactions.

That being said, I think omnibus bills are a reflection of the practical fact that it's hard to get the larger number of bills we need through our legislative process in the requisite time. This is compared to the situation a century ago, let alone a century and a half, when the Fathers of Confederation were designing it.

Mr. Charles Robert: Okay, but let's use that as an opportunity to figure out how it can be addressed more effectively. I know that when omnibus bills arrive in the Senate, they adopt a motion after second reading to actually divide the bill to go to separate committees—

Mr. Scott Reid: Right.

Mr. Charles Robert: —with one committee having mastery of the entire bill. Then they submit bits and pieces to it.

If you had a parallel chamber, you could devise the Standing Orders to allow specific portions of the omnibus bill to be debated in a parallel chamber. This means you could have focused debate, if that's what you feel would be useful.

Mr. Scott Reid: You could also say that the parallel chamber is the place where bills get sent to serve that parallel Senate purpose of dividing up the bill into its appropriate sections. That would effectively be managed through some kind of House leader and opposition House leader teams within.... Is that a possibility?

Mr. Charles Robert: Everything is a possibility.

Mr. Scott Reid: Fair enough.

Mr. Charles Robert: I think it depends really on how the House as a collectivity decides on the best way to manage the increasingly complex business that the House is confronted with.

Mr. Scott Reid: Right. In all fairness, though, what we've just described is not parallel. Not that the U.K. or Australia—

Mr. Charles Robert: No. Well, why can't Canada be an innovator?

Mr. Scott Reid: We could be. I just want to be clear that we're now talking about an innovation, as opposed to an emulation of an esteemed predecessor.

Mr. Charles Robert: Yes.

Mr. Scott Reid: The other thing that strikes me about the increasing complexity of our society, and the increasing sophistication of the legislators who come here—which may not mean they're more sophisticated people than our predecessors a century ago; it may only mean that we have larger teams working for us, constituency offices, greater ability to access Library of Parliament resources and so on—is that there's more private members' business and it is more meaningful. Even in the 19 years I've been here, I've seen a significant move in that direction. To me, that could potentially serve as a venue for dealing with the multiplicity of issues that are not part of the government agenda or of various opposition party agendas, and yet are of importance, and not always on a local level; they can be issues that have national importance but are very specific.

Having said that, I feel very strongly that one of the problems we have is we are unable to get enough private members' business through the bottleneck. As a reasonable target, I would suggest that we ought to be trying to ensure that every member has a reasonable chance, wherever in the hierarchy or lottery he or she comes out, to present a bill to the House and to expect that it can make its way through the various readings and be sent off to the Senate in time to make it through that body. We can only do this if we increase the amount of time devoted to such bills. Inevitably, that would mean moving that business to a parallel chamber. Alternatively, we could sit all night in the House of Commons to deal with private members' business, but this seems a more humane and practical way of doing it.

• (1125)

The Chair: Thank you, Mr. Reid.

Mr. Scott Reid: I was going to ask for a comment, but I'm out of time. Maybe you'll work that into your responses to Mr. Graham's or Ms. Duncan's questions.

The Chair: You can make a comment, if you want.

Mr. Charles Robert: Again, I think depending on what you regard as your priorities and what you want to achieve, it can certainly become an aspect of the role you would assign to the parallel chamber.

The Chair: Ms. Duncan.

Ms. Linda Duncan: Thank you very much.

It's my first time at this committee. I always wondered what PROC gets up to. I have to say, I'm shaking my head at this one. I'm wondering if we can have some of the members of Samara actually follow a member of Parliament one day, and see that we don't have a second in the day to do something additional. A parallel chamber, I'm like....

I have lots of questions about this. You make a good point with omnibus bills, but time after time, the opposition asks for those to be separated, to go to the appropriate places, which are the relevant standing committees, and we don't get that. That would be my preference, rather than going to some nefarious room that isn't taken as seriously.

I think there are many things that could be done to make this place more democratic, and to not only give more opportunities to the elected members, but to the public, scientists and experts to come in and testify, so that we can hear their opinions.

The big question I would raise is that I think a lot of people would think this sounds exciting, because we're actually finally going to have debates. We don't really have debates in this place. One person speaks, and then another person speaks and another person may get to speak. I think that if there were a mechanism, not necessarily another House, but if there were time set aside each year, where we were generally going to have debates, then there could be agreement on the topics of the day.

Say, for example, we have a genuine debate about how we're going to resolve pharmacare. It's not just people giving speeches; you actually have an interesting debate, and maybe panels of experts.

I looked at these other two parallel chambers and in some cases, it seems like those are exactly the things we do in the House. I'm wondering why we need a parallel chamber. My biggest bone of contention is with majority governments. What guarantee is there in this second chamber that it's not all going to be taken up by majority government members? Who's going to decide who gets more time to debate? Big issues like that need to be discussed.

What's the intent of this? Is it to give opportunity for those who aren't getting a fair chance to speak the chance to speak? We have the frustration right now where many can't even table their private member's bill because of procedural actions by the government of the day.

I'm wondering if you've discussed those kinds of issues with these other two jurisdictions about whether they have dealt with some of these issues, and where they think this second chamber helps any of those issues.

Mr. Charles Robert: I have not discussed with either Westminster or Canberra how they manage their business. I'm a bit familiar with some of the culture.

I would suggest to you that Westminster with its 650 members and a thousand years of history may be bound by certain traditions and behaviours that are expected and that are different from our own.

Australia has a somewhat newer Parliament. Even though it has a close history to Canada's in its development, it is a highly partisan

chamber, where party discipline is very strongly enforced. I would see that its behaviour is probably closer to what you have just mentioned.

• (1130)

Ms. Linda Duncan: What happens in the second chamber?

Mr. Charles Robert: In the second chamber, as you see, they deal basically with what I think Mr. Simms, Mr. Graham and Mr. Reid would admit are somewhat less substantial issues. That's because it's perhaps, in an environment of party discipline, a safer option. Nonetheless, it's releasing a pressure valve that is giving opportunities for members to raise issues that they still feel are important. From that point of view, then, Canberra may be satisfied that this is an effective option to implement to allow members some opportunities to focus on what really is of interest to them.

Ms. Linda Duncan: Other than having to find another chamber, which is already a challenge around here with Centre Block closed—

Mr. Charles Robert: Just consider it basically another committee.

Ms. Linda Duncan: Our caucus can't even meet over there anymore because there's no room for it, so I don't know how we're going to have another chamber. However, in addition to another chamber, we're going to need clerks and interpreters. There's increasing pressure that we would have indigenous interpreters.

Mr. Charles Robert: Yes.

Ms. Linda Duncan: I think, then, that in any consideration of this, we're going to have to think about the whole ball of wax of what it would cost to deliver this.

Mr. Charles Robert: All of that, I think, would be factored in. I think there is some flexibility, and it would really depend on the model you choose to propose. If the parallel chamber meets five days a week and a good number of hours, yes, you're probably right. However, if it only meets a few hours—like another committee, let's say—I'm not sure that the impact will be as considerable as you might fear.

Ms. Linda Duncan: I think the family-friendly aspect is going to be a big issue. I think one of those meets at 4:30 in the afternoon. I don't think there will be a lot of favour for that.

Mr. Charles Robert: I might tell you that in the good old days—and we are really talking about the good old days—the House of Commons at Westminster would meet at seven o'clock in the morning. The funniest part was that they adjourned when they refused to adopt the motion to bring in the candles.

Ms. Linda Duncan: Well, we don't want any candles in here. We already lost one House of Commons.

I think the key to it, as well—if you would even consider it—would be that we're going to have to completely change who gets to set the agenda and who gets to choose what is being debated that day. Right now in our committees, the majority government members decide all of that. If we really want to provide an additional opportunity for other members to participate, those kinds of things are really going to have to be democratized, I would suspect. I think there have been a lot of proposals to try to better democratize the House proceedings as they are, and my suggestion would be to maybe work on that first before we start inventing another chamber.

The Chair: Thank you, Ms. Duncan.

Now I am going to more flexible open questioning, so anyone who has questions can ask them.

We'll start with Mr. Graham.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): I'm going to build a little on some of the things that were said earlier.

There is a certain frustration around here about how some of the PMBs we do are quite weak. We have a day, a week or a month for absolutely everything now, which is cool, but I think PMBs have a lot more potential than that. I see the opportunity of a secondary debating chamber as one that can really empower PMBs to have a purpose again, I think, and make PMBs important again.

So—

Mr. Scott Reid: We'll just have one for everybody, as opposed to the lottery winners.

Mr. David de Burgh Graham: That's right, and it would be nice to change the PMB selection process to, at the very least—and I've put this motion once—survive. It would fix the slightly ridiculous problem of somebody who has been here for five mandates and has never had a PMB and somebody who comes here on the first day and gets a PMB.

Mr. Scott Simms: Agreed.

An hon. member: Have you ever had one?

Mr. David de Burgh Graham: I'm off the list. I'm at about 10 years from now to get mine.

Mr. Scott Simms: One in 15 years.

Mr. David de Burgh Graham: Yes.

In terms of the structure of a secondary debating team, which I think is a really good idea, you're talking about having to decide the rules. What would be a model to start with from your point of view? Would it be committee of the whole with autopilot-type rules so that the committee would rise the moment bells happen and be suspended like this committee is? Is it somewhere between the House and a committee?

Mr. Charles Robert: I think a committee of the whole would perhaps be a useful model to look at, and then using that as your template, as you drill down into decisions about what you really want the parallel chamber to do, then you can start and say, "Okay, there are rules here." You can select. There are some jurisdictions that have another way of handling business that you might think would be useful. This is an opportunity for you to be experimental.

I would suggest to you as one possibility that if you didn't allow votes in the parallel chamber because you really wanted to promote debate, the opportunity to be flexible about whether or not you think the government has to have control may be less of a factor.

• (1135)

Mr. David de Burgh Graham: I think the purpose of parallel debating chamber is, to use computer lingo, to multithread the environment. When you have a computer that can do two things at once, you call it multithreading, so you're having the things offloaded to another process, or the other House, to deal with a particular problem. The private members' bills would come to the

secondary debating chamber and go back to the House for the vote. I think that makes a lot of sense. I don't see any reason to vote in the secondary debating chamber at any time, not even unanimous consent. I don't think that should be permitted there.

I have another question for you. Is there any reason the secondary debating chamber has to be a physical chamber, or could we think of a virtual chamber?

Mr. Charles Robert: That would be a serious innovation that I think you'd have to consider carefully. The rules right now, for example, require a physical presence.

Mr. David de Burgh Graham: If it's an autopilot with no quorum and no votes and no UC, then it sort of becomes moot. If somebody wants to use it the way, for example, the late show works, where one person speaks and one person responds, and nobody else has to be there, if that's—

Mr. Charles Robert: The one factor that might come into play would be if you establish a quorum, and how small you would want it to be or how big. I suspect, and it's one way of looking at it, that if you make it too small, you reduce its importance. It might be convenient in terms of advancing debate, but if you're basically debating into a mirror, I'm not sure how meaningful that is.

An hon. member: He does it all the time.

Voices: Oh, oh!

Mr. David de Burgh Graham: It's arguable that sometimes debates into a mirror do happen, but there happen to be 337 people watching the mirror. I'm not sure that necessarily flows.

Anyhow, I do have another question. I'll come back to that later if I get another chance.

If we have a debating chamber, should it have a name that represents it and what it does?

Mr. Charles Robert: Sure, I think that would be a great idea.

Mr. David de Burgh Graham: Okay. For me the ultimate purpose of a secondary debating chamber is to take back control of some aspects of this to the backbench. I'll propose a name for you, and I've told Scott this before—Scott and Scott. I would propose to name it the William Lenthall chamber to recall that the last time the executive tried to interfere, they lost their heads, so it would be the backbench chamber.

Voices: Oh, oh!

Mr. Scott Simms: That's comforting.

Voices: Oh, oh!

Mr. Charles Robert: All right.

Mr. David de Burgh Graham: I'll put that out there.

Mr. Charles Robert: Mr. Lenthall never lost his head, by the way. He died an old man in his eighties.

Mr. David de Burgh Graham: Yes, but he is the one who protected the independence of the House—

Mr. Charles Robert: Yes.

Mr. David de Burgh Graham: —and so I think if there's a name that recalls why we have this chamber, and anybody coming in—

Mr. Charles Robert: Or you might call it the King Charles I chamber, then.

Voices: Oh, oh!

Mr. David de Burgh Graham: That would be the result if it fails.

Voices: Oh, oh!

Mr. Scott Simms: After you, of course.

Mr. David de Burgh Graham: Thank you.

The Chair: Mr. Reid and then Mr. Davidson.

Mr. Scott Reid: I actually had a question on the subject.

I personally am not married to the idea of any particular name—I know there's been a lively discussion about this—nor to the specific location it goes in. In the long run, I agree that you'd want to find a suitable location. To some degree the way it evolves would indicate what location is suitable, I would think, so we would learn that. As a practical matter, we are in no position to pick a permanent location now, given the fact that we ourselves are not in a permanent location in the main chamber. I just offer those things. I feel the same with regard to the name. That may, I think, evolve with time.

Having said all of that, the question that arises for me is this. Let us say, for the sake of argument, that we were to do as you've suggested, debate this in the Standing Order 51 debate that would arise 60 to 90 days after the beginning of the 43rd Parliament. Let's imagine, for the sake of argument, that at some point in the life of the 43rd Parliament it comes into existence. These are not guaranteed things, but they're reasonable speculations. Then, let us say, we came to the Clerk and said, "It looks like it's going ahead. What room would you suggest?"

What room would you suggest?

• (1140)

Mr. Charles Robert: I assume that in the discussion about the parallel chamber, there would be some reference to the expected size or the rate of participation by the members, and I think that will help to determine which room would be suitable. If you really go massive and you really want to have something that would be meeting frequently, let's just toss this out—SJAM. If you wanted something smaller—

Mr. Scott Reid: That's the Sir John A. Macdonald Building across the street.

Mr. Charles Robert: Yes, sorry. If you wanted something—

Mr. Scott Reid: That was for those watching us and listening in, eagerly, on the recorded version.

Mr. Charles Robert: If you anticipated that it would be something considerably smaller, then one of the larger committee rooms might be fitted out for that purpose.

Mr. Scott Reid: Right. In practice, I think it would have to be a dedicated room, so if you're trying to keep it in this building, which you might want to do in order to allow it, for example, when the bells ring, to go a certain number of minutes into the bells ringing, you could have a special order for that.

Mr. Charles Robert: Yes.

Mr. Scott Reid: You can see what I'm getting at.

Mr. Charles Robert: Yes.

Mr. Scott Reid: Then you have an issue with the number of rooms. Using the Sir John A. Macdonald Building resolves that issue of having a dedicated room, but you also need more time. I can see it being interrupted in a way that would throw its business off when we have the bells ringing all the time, as we sometimes do, more than it would throw off a normal committee.

Mr. Charles Robert: Let's say that becomes the reality. You could put in place that when any vote is called in the chamber, if it coincides with a schedule of the parallel chamber, the division bells would have to ring for, let's say, an extra 10 minutes.

Mr. Scott Reid: Right.

Mr. Charles Robert: There are ways that you can make adjustments that recognize the reality of creating the second chamber.

Mr. Scott Reid: Right. I agree.

The Chair: Scott, just to help on that question, the researchers are going to present to us the number of physical seats in the other two chambers plus the average attendance, so we'll know what they use.

Mr. Scott Reid: That's very helpful.

The Chair: It's quite small, actually.

Mr. Scott Reid: I believe it.

Thank you.

The Chair: The quorum is three.

Mr. David de Burgh Graham: Well—

The Chair: Scot.

Mr. Scott Davidson (York—Simcoe, CPC): Through you, Mr. Chair, just because I'm the new guy, obviously, I have a couple of questions.

Based on the system they have in Australia and the U.K., and how they've set up their rules, did they have a cost structure they could present to you?

Mr. Charles Robert: I've not seen anything relating to that.

Mr. Scott Davidson: I just wondered the cost to the taxpayers.

Also, the current chamber that we're in, couldn't we change, as some members were saying, the current structure of that and have a debate session currently? If someone said, in the new chamber, we'll schedule something at eight o'clock in the morning, people say that they don't have the time for that right now.

Mr. Charles Robert: It's possible. If you schedule the parallel chamber to meet out of times of the primary chamber, it would not be impossible. But that's what you would have to do. It would have to be quite a deliberate process.

Mr. Scott Davidson: Go ahead.

The Chair: Linda.

Ms. Linda Duncan: I think that the House leaders and the whips are important people to include in this discussion about what the possibilities and the implications are. I know they're challenged enough as it is making sure people show up to fill spots in committee, show up to a vote and be in the chamber to support people when they're speaking and so forth. It would probably be good to hear from them about what complications there might be for them or how we could take that into consideration.

I am deeply concerned about any proposal about spending more when we already have commitments, for example, to be coming up with the dollars to provide interpretation for indigenous and we're not doing that. For example, the committee I just came from agreed for the first time to translate their report into four languages. I think that these kinds of things are going to increase in cost. We need to be thinking about the commitments we've already made in the House of Commons and through committees before we start adding on and then ratcheting back.

Those kinds of factors are really important to look at. When we're looking at interpretation, we're now looking at more complications on things like that. I think costing clearly will be a big one that probably various leaders will ask for—certainly the Speaker's office and so forth.

Who is going to decide the agenda and what debates will occur? Is it going to be different from the way it is right now, which is essentially the majority of members at every committee? Different committees operate more convivially than others. Is this chamber going to be different, particularly if David is saying that it should give more opportunity to the backbenchers? There's a heck of a lot more backbenchers in the majority Liberal government right now than there was in the Conservative majority government.

Those kinds of things.... You'll have more enthusiasm in the members of Parliament if they think that is generally going to give them an opportunity to be debating.

This idea is coming, as I understand, from Samara. They did that report on the frustrations former members of Parliament had with democracy and so forth. Part of it, too, is that the public wants to hear more of what the various parties and members of Parliament think. I haven't really heard anybody talk about the role of the great unwashed public in this.

Is that room going to have to allow for substantial audiences? That is another issue because they can come and sit in on our debates in the House. They'll probably want to sit in on some of these debates, particularly if they recommend them.

• (1145)

The Chair: Madam Lapointe.

[*Translation*]

Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.): Thank you very much, Mr. Chair.

Thank you for joining us today, Mr. Robert.

You piqued my curiosity earlier. I agree with Ms. Duncan that we don't have two minutes to ourselves. We start here in the morning and we never know when we finish. I was fortunate to sit in the National Assembly of Quebec, and I thought I was working hard

there. We sat for three days, from noon to 2 p.m., and then we would stop. We did not eat at a committee table like we are here. We would really stop. Everything was in French. We would finish at 6:30 p.m. and sit for three days.

Mr. Charles Robert: Very civilized.

Ms. Linda Lapointe: I would say that the speeches are not always of higher quality. When I first came here, the first thing that came to mind was whether we were going to eat. I was hungry. No more jokes now. The legislative agenda was still moving forward.

We are talking about Australia and Great Britain. If I understood your comments correctly, countries that do not follow the Commonwealth or British model have not adopted a parallel chambers approach.

You also said that it is time to be innovative and that anything can be proposed.

Mr. Charles Robert: Absolutely. It depends on the will of this committee. You may decide to establish a parallel chamber, but with certain objectives. It is really up to you to determine what sort of parallel chamber you want. You can determine the hours of work based on the availability of MPs, which, as you said, is very limited.

Ms. Linda Lapointe: At the beginning of your presentation, you mentioned the 2016 briefing note on initiatives toward a family-friendly House of Commons. That's what you mentioned. You said that the way MPs represent their constituents has changed a little.

Mr. Charles Robert: Yes.

Ms. Linda Lapointe: There is that, but there is also the fact that the family roles of men and women have changed and evolved since the House of Commons was created. The rules have not been updated and this will need to be addressed.

Mr. Charles Robert: Of course, we can propose amendments to improve the situation of members of Parliament with respect to their family life. The House has already started working on that.

Ms. Linda Lapointe: We'll have to do more, because our voting marathons are not very healthy, in my opinion.

Mr. Charles Robert: It's better than adjourning after midnight.

Ms. Linda Lapointe: The National Assembly of Quebec does not sit later than midnight. They continue the next day.

Mr. Charles Robert: Normally, the House adjourns at about 8 p. m.

Ms. Linda Lapointe: Normally, until—

Mr. Charles Robert: This decision was made to facilitate family life for all members of Parliament.

Ms. Linda Lapointe: We have no family life if we finish at midnight.

You said you've been here for a long time. I know you were in the Senate before, but how long have you been here?

Mr. Charles Robert: It's been almost 40 years.

Ms. Linda Lapointe: Forty years. You started out young.

Mr. Charles Robert: If you say so.

Some hon. members: Oh, oh!

Ms. Linda Lapointe: To summarize, we will have to decide what our objectives are.

Thank you.

• (1150)

[English]

The Chair: Thank you.

Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): I just want to make a comment and then maybe get a comment from the Clerk.

Ms. Duncan asked what the role of the public would be in this chamber. Previously we had been talking a little bit about petitions. I believe the U.K. parallel chamber deals quite a lot with public petitions and then they're able to debate those issues.

Mr. Charles Robert: That's correct.

Ms. Ruby Sahota: Oftentimes the petitions we see, the online petitions through petition.org or the ones that come formally to us, are on the burning issues of the public. If this chamber could accommodate a lot of seating, or if through television the public could see that their issues were being debated, rather than just everyday government or now and then a private member's bill, I think that would really involve and connect the public a little bit more to what we are doing.

Mr. Charles Robert: Yes.

Ms. Ruby Sahota: I wonder if you have any comments on that or suggestions as to how much of this parallel chamber should be dedicated to something like that, or whether it's really not important.

Mr. Charles Robert: I believe it really depends on how and whether you as parliamentarians think it's important. The parallel chamber is being designed to accommodate—let's be bolder about it—the frustration you may feel in your life as a parliamentarian and what would help to validate and address the challenges you have as parliamentarians.

If you feel that petitions are important, that they are an expression of a democratic interest in various topics, then allowing some time in a parallel chamber to debate those petitions that meet a certain threshold of support would be useful.

As we mentioned earlier, how you would handle debate on complex legislation, how you could have a parallel debate that would give members a greater opportunity to participate in what they believe to be important legislation when they have a point of view to express—this is also a way the parallel chamber could provide some assistance to alleviate that sense of frustration that members may feel.

We sit 100 or 135 days in a good year. We sit during fixed hours. There is a lot of stuff to be done in a short amount of time. If the legislation is becoming increasingly complex, as it appears to be, then how do you want to manage that?

The government is not going to become smaller. It's not going to become simpler. Legislation is not likely to be as easy as it was a few years ago, or many years ago, when a bill 10 pages long was a big bill. In the 19th century, most of the legislation considered by Parliament was private. It was not government. Government was too

small to actually involve itself in a tremendous amount of legislation. That was also one of the reasons that sessions were relatively short. I think in one case we had four sessions in one year, and that means four Speeches from the Throne.

The Chair: Mr. Simms.

Mr. Scott Simms: I'd like to address something mentioned earlier, the whip situation. I don't think you do this in a vacuum unto itself and exclude the whips. In my humble opinion, I think you create something here that avoids the pitfalls through which a whip can get in trouble, as it were. So the whip has to make sure the votes are there, the people are there for the votes, the legislation is moving through. I'd say whip and government House leader as well, of course.

I don't think the parallel chamber should be something that interferes with their function in any way, shape or form. If we're doing government legislation of the day in the parallel chamber so that other people get to speak, then if I don't get a chance to do it in West Block or in the House of Commons, I will get a chance to speak on this issue in the parallel chamber. But again, that would still be subservient to the House of Commons proceedings.

I champion the cause for backbenchers, but I wouldn't want to take away the essential functions of the whip or the House leader for reasons that are obvious.

By the way, somebody else brought up votes and the marathon votes and that sort of thing. Well, that's something we also have to look at. That's something entirely different. I've told this story before and I'll tell it again. I had three or four members of the European Parliament come over to witness question period. Following question period, there was a vote. This one individual—I forget her name now, but she's been in the European Parliament for almost two decades—said, “It was a fascinating experience. I like your question period, because the questions are limited to 35 seconds.” I told her why and she said, “Well, it's very exciting. You debate like it's the 21st century, but why do you still vote like it's the 19th century?” That's true, because of electronic voting, but that's a whole other issue. I thought I'd just throw that in there.

When it comes to the parallel chamber, though, what about the idea of witnesses? One of the advantages we have here with committees, including committee of the whole, is that we're able.... As a former chair of the fisheries committee, I can talk about what experience fishermen go through on a daily basis, but when I have a witness from Toogood Arm—that exists, by the way; it's a town—who comes in and says, “This is what's actually going on in the ocean right now,” that is a huge advantage. They can come in and give us the most vital experience, such as we're going to see with Samara next. They know what they're talking about.

• (1155)

Mr. Charles Robert: Right.

Mr. Scott Simms: In these parallel chambers, is there a way we can include witness testimony?

Mr. Charles Robert: I think it becomes really like a committee of the whole.

Mr. Scott Simms: That's true, but do we have to stick to the confines of the committee of the whole?

Mr. Charles Robert: I don't think you have to stick to anything.

Mr. Scott Simms: Okay.

Mr. Charles Robert: I think this is a committee or a parallel chamber that you can design to suit your needs—21st century or 18th century; take your pick.

Mr. Scott Simms: Yes.

Mr. Charles Robert: It can serve to be useful to the work of Parliament. If that's your objective, then however you see that being useful, that can be a model that you can build.

Let's say you want to allow for witnesses. Well, you could establish a parallel chamber and there would be a mechanism that would make it clear that on such and such a day, witnesses will be invited to participate as.... In Britain, there are lay members of committee. Well, okay, let them be lay participants in the parallel chamber.

Mr. Scott Simms: Sorry, but what's a lay member?

Mr. Charles Robert: It's a non-parliamentarian.

Mr. Scott Simms: Right.

Mr. Charles Robert: It's someone who can be an element of a committee composition in the United Kingdom. I think it's the one on standards. But there is such a thing as a lay member.

Mr. Scott Simms: All right.

Mr. Charles Robert: So, if you want to advance a perspective, with respect to the parallel chamber that is truly innovative, then allow lay members.

Mr. Scott Reid: Is that something that is a convention, the lay membership, or is that actually written into the Standing Orders of Westminster?

Mr. Charles Robert: I would have to know how it was designed. I think it was done basically around 2008, when they realized that for purposes of transparency and accountability, having exclusively members involved in looking after codes of conduct and issues of that sort.... Having lay members would give greater credibility to the system.

Mr. Scott Reid: That is interesting. Maybe we could ask our analysts to take a peek at that and get back to us on that issue.

Mr. Scott Simms: Thank you, Scott.

The Chair: Mr. Graham.

Mr. David de Burgh Graham: I just have a couple of quick comments in terms of the structure of the place. It occurred to me when we were talking that there's nothing preventing—we're open to anything—the secondary debating chamber from being a joint chamber with the Senate, making it the secondary debating chamber for both Houses together.

That would have its own agenda—

Ms. Linda Duncan: I'd have to talk to my party about that.

Mr. David de Burgh Graham: Aren't we trying to keep parties out of this? Isn't that what you said?

Ms. Linda Duncan: Well....

Mr. David de Burgh Graham: I would see it as a place for emergency and take-note debates, PMBs, petitions and privilege

debates, which could go as long as they wanted to, with the primary chamber only being government legislation, opposition days and all of the votes. That's the structure I'd see, but having a joint secondary committee.... If PMBs go there, then that whole huge delay of PMBs at the Senate may be fixable as well.

You were the Senate Clerk for a long time.

• (1200)

Mr. Charles Robert: Yes.

Mr. David de Burgh Graham: Perhaps you have some insight into that.

Mr. Charles Robert: I think, again, the opportunity for you to be as inventive as you want is limited only by your imagination.

Mr. David de Burgh Graham: I have an imagination.

Mr. Charles Robert: Well, set goals that you think are structured in a way that your imagination and those goals harmonize. If you think, for example, that it might be useful to have some sort of association with the Senate, then that's an option.

Dealing with private member's business, let's say that as long as a bill reached a certain stage, either in the House or in the Senate, proving that it had at least a level of acceptability, then you can in those circumstances, rather than allow the bill to go to committee for a study, let it go to the parallel committee composed of members of both Houses, and that can be used as a way to advance the consideration of that bill in whatever second chamber is to be studying the bill after it passes the House.

That record of deliberation could be, in some fashion or another, taken into account when it goes to the second House for deliberation. There's a possibility.

The Chair: Be quick, because we've almost finished.

Mr. Scott Simms: I was just going to make one comment.

Maybe that's one of the things we could do. For example, there's the case that you can refer a bill to committee before second reading. That way you could just open up the bill to many more amendments. What you could do is send it to the parallel chamber, if that be the case.

Mr. Charles Robert: It's something you'd have to study to make sure you have all of the mechanics properly spelled out and understood, so that option becomes.... But, as Ms. Duncan points out, the witnesses would be your lay members.

Mr. Scott Simms: That's in the second chamber.

Ms. Linda Duncan: They're not necessarily appropriate witnesses.

Mr. Charles Robert: But they're not—

Ms. Linda Duncan: They would become the—

Mr. Charles Robert: The lay members would not necessarily be permanent.

The Chair: Thank you for the fascinating discussion.

We already do have two committees where the Senate's involved. It's not impossible.

Mr. David de Burgh Graham: It's not necessarily the best model for what I want to do.

The Chair: I have one last question, which I assume I know the answer to, but because you said anything's open to our Parliament to decide, as far as you know, anything that's presently done in the U.K. or Australia, in our imagining of another body, we could do legally if we made the appropriate changes to the Standing Orders. Is that right?

Mr. Charles Robert: I think there are political considerations that come into any review of what is possible, and that's what you have to decide, but I believe Mr. Reid mentioned this issue of programming motions. They have existed in the United Kingdom for the last 20 years. They were deeply resisted when they were first introduced, and now they're taken to be part of the daily routine of the life of a member. I would assume that introducing such a measure would be difficult. It would be challenged because it would be seen as a way to further limit the role of MPs. That is a matter of very, very serious negotiation, and it may very well be that a counterpart to that might be something like establishing a parallel chamber.

That might be the quid pro quo, if you like.

The Chair: Thank you very much for coming, Mr. Clerk.

I'm certain this won't be the last time we have discussions on this. We started this a long time ago. This committee started debate on this when we were on our first family-friendly discussion, as you said. We started this debate, and I don't think it's going to end now, so I'm sure we'll see you again. We appreciate your wise counsel.

Mr. Charles Robert: Thank you very much for the opportunity to speak to you.

Mr. David de Burgh Graham: Do you have enough clerks to man two chambers?

Mr. Charles Robert: Again, I think it depends on the hours. I think that if the parallel chamber is sitting, some committees may not be sitting, so I think we could probably come up with the resources.

The Chair: Linda.

[*Translation*]

Ms. Linda Lapointe: How many clerks are on your team?

Mr. Charles Robert: There are about 90.

Ms. Linda Lapointe: Okay.

[*English*]

The Chair: Ninety clerks, wow.

That's a good way to end.

We'll suspend for a couple minutes while we change witnesses.

• (1200) _____ (Pause) _____

• (1205)

The Chair: Welcome back to the 147th meeting of the committee, as we continue our study on parallel debating chambers.

We are pleased to be joined by representatives of Samara Centre for Democracy. Here today are Michael Morden, research director;

and Paul Thomas, senior research associate. Thank you both for being here today.

Members will recall that Samara also submitted a brief to the committee on this subject.

I'll turn over the floor to you, Mr. Morden, for your opening remarks.

Mr. Michael Morden (Research Director, Samara Centre for Democracy): Thank you very much for the opportunity to address this committee.

My name is Mike Morden. I'm the research director at the Samara Centre for Democracy. Next to me is Dr. Paul E.J. Thomas, our senior research associate.

As you may know, the Samara Centre is an independent, non-partisan charity that is dedicated to strengthening Canadian democracy through research and programming. We want to thank the committee for undertaking this study. Doing so reflects its commitment to stewardship of our Parliament and our democracy by extension. That includes examining issues that are not on any political front burner but deserve consideration because they hold the potential for incremental improvement of our institutions. That's a role we also want to help play.

The Samara Centre supports the creation of a parallel debating chamber. We would also like to encourage the committee to keep the following objectives in mind when designing such a chamber: it advances a clear value proposition by not solely duplicating the business and character of the main chamber; it empowers backbench MPs by providing greater control over the agenda and substance of debates; by doing so, it makes parliamentary debates more relevant and accessible to ordinary Canadians; and it may be used as a platform for experimentation in order to drive improvement to the state of debate in Parliament overall.

As members might have already reviewed the brief that we submitted last month, we would like to save the bulk of our time in order to address questions as best as we are able. I will open just briefly by describing our interest in this proposal. Paul, who is wiser on this subject, and indeed on most things, will then speak about the model of a parallel chamber that we think is best suited to improve the life and work of the Canadian Parliament and to strengthen its ties to citizens.

Since its founding, the Samara Centre has conducted exit interviews with former parliamentarians after they have retired or faced electoral defeat. A central theme of this work is the strong sense among MPs that extensive party control over many facets of parliamentary life hinders their ability to independently advocate on issues and meaningfully influence government policy and legislation. We've always argued that such limitations have important implications for the overall health of our representative democracy.

In our most recent round of interviews, undertaken after the 2015 general election, we were also surprised and troubled to discover just how dismissive former MPs were of parliamentary debates in particular. We took up that theme again last year, when we collaborated with the all-party democracy caucus to survey current MPs. We asked questions of members to assess where they felt more or less empowered to do the work of democratic representation. The strongest finding to us was that debates were the domain of parliamentary work where MPs felt they made the least impact. In fact, two-thirds of MPs who responded were dissatisfied with the state of debate in the House. Just 6% identified debates as an area of parliamentary work where they felt empowered to influence policy or legislation.

We have also observed, as others have, an increase in partisan conflict over time in Parliament, reflected most simply in the recent and sustained spike in the use of time allocation. That conflict reflects the legitimate desire of opposition MPs—and, we would hope, all MPs—to debate and deliberate on government business while also advancing issues independently. It also reflects the legitimate desire of executives of all party stripes to advance government business. That tension will not resolve itself organically, and could conceivably get worse.

Finally, consistent with the views of MPs, our ongoing surveys of ordinary Canadians have repeatedly found the perception that MPs do a better job of reflecting the views of their parties than of their constituents. We want citizens to see themselves more closely reflected in parliamentary debates.

In short, we see four overlapping problems that a parallel chamber could help resolve: one, disempowered MPs who, because of party control, are hampered in their ability to represent their constituents; two, persistent unhappiness with the quality of parliamentary debate, even among MPs; three, a parliamentary time crunch; and four, an enduring disconnect between Canadians and their Parliament.

● (1210)

Dr. Paul Thomas (Senior Research Associate, Samara Centre for Democracy): I will begin, too, by expressing Samara Centre's gratitude for being invited to testify before the committee today. Dr. Morden has already spoken to some of the challenges that we feel are facing the House of Commons, so I will focus my remarks on how a parallel chamber could be designed to help respond to those challenges.

As Deputy Speaker Bruce Stanton described in his remarks to the committee last month, there are two precedents for parallel chambers that could serve as inspiration: the Federation Chamber in the Australian parliament and Westminster Hall at the British Parliament. Both are supplementary chambers, with neither being used for recorded divisions. Both meet only on days when the main chambers are sitting as well.

Australia's Federation Chamber is used for a variety of parliamentary business, such as constituency statements, member statements and debate on uncontroversial pieces of legislation. Rather than adding new functions, it serves as what Mr. Stanton called an "adjacent lane" for House business, with most of its functions also occurring to some extent in the parallel chamber. Moreover,

decisions regarding what business goes to that chamber are made by the party whips.

In contrast, Westminster Hall proceedings are distinct from those of the main British House of Commons. Westminster Hall is used exclusively for adjournment-style debates, which can be 30, 60 or 90 minutes long, depending on the issue being addressed and the number of members wishing to speak. The debates are selected through four different mechanisms, all of which are driven by backbench members: Individual backbenchers can apply for a debate to the Speaker's office, which holds a ballot of applications once per week. They can apply to the backbench business committee, which is a committee of backbench MPs that schedules a portion of the debating time both in Westminster Hall and in the main chamber itself. The liaison committee, which is made up of the chairs of the various standing committees, can also schedule debates on committee reports. Finally, the petitions committee of the House of Commons can schedule debates on petitions receiving over 100,000 signatures.

However they are chosen, as Sir David Natzler noted when speaking with you, a fundamental characteristic of Westminster Hall debates is that a minister must attend the sessions and respond to the points made. This requirement allows the debates to be much more influential than is possible through member statements.

Importantly, such debates need not be explicitly critical of the government. Indeed, Westminster Hall is regularly used for debates that mark symbolic days, such as Holocaust Memorial Day, World Cancer Day or International Human Rights Day. Such general occasions allow for Parliament to be responsive to the concerns of citizens without being centred on a specific issue at the time.

Although the Federation Chamber has created more opportunities for Australian MPs to raise concerns from their constituents and participate in legislative debates, we believe modelling a new parallel chamber along the lines of Westminster Hall would better respond to the challenges facing the Canadian Parliament.

While it is not possible to exactly duplicate Westminster Hall in the Canadian context, the Samara Centre nevertheless recommends that any Canadian parallel chamber be designed for the benefit of backbench members, with backbench members being able to schedule business independent of party whips; that participation in a parallel chamber similarly be free of control by the party whips, with no lists developed to schedule interventions by members; that much of the debating time in such a chamber be devoted to general debates like those of Westminster Hall, with ministers being required to attend and respond to the points made; that the topics for such debates could be chosen by applications from individual members, the reports of parliamentary committees or petitions from the general public; and finally, that the chamber be a vehicle for further procedural experimentation.

At a time when both citizens and MPs are questioning the value of parliamentary debates, the creation of a parallel chamber devoted to hearing from the diversity of Canadians through their elected representatives could help to empower both Canadians and parliamentarians themselves. It could help make backbench members more central to parliamentary debates, and parliamentary debates more central to political life in Canada.

Thank you very much. We look forward to your questions.

• (1215)

The Chair: Thank you very much for your presentation.

I'll do the same as last time. We'll have one round and then open it up for whoever would like an opportunity.

We'll start with Mr. Simms.

Mr. Scott Simms: Dr. Thomas and Mr. Morden, I'm glad you guys are here. Thank you so much. You have done us all a great service in the work you have done, especially in getting to the nub of the issue of what excites us about being here, and at the same time, what frustrates us about being here.

I hate to focus on what frustrates us, but you just have to read my householder to figure out what excites me about being here. Let's talk about what is frustrating.

Here's what you said earlier: Two-thirds of the MPs you surveyed are not satisfied with the debate proceedings as they are now. Is that correct?

Mr. Michael Morden: That's correct.

Mr. Scott Simms: That's a hell of a number to look at. That's everybody but cabinet, almost, right?

Voices: Oh, oh!

Mr. Scott Simms: That tells us that we're way behind in making this place more accessible, and accessible not only to parliamentarians but the disconnect also between Canadians.... That makes it further worse, this situation that we're in, to try to find a cohesive place, so I'm glad you came here with some actual suggestions, especially when you say the Westminster Hall is preferred. Let me get to that, because we're juxtaposing, for the most part, Westminster Hall and the Federation Chamber, as I think it's called, in Australia.

In Westminster Hall, one of the most popular things for a parallel chamber is the petition aspect. People bring in a petition and it gets a lot of attention from the public. That's one aspect. Is this the type of thing that you see as the best possible route for a parallel chamber?

• (1220)

Mr. Michael Morden: One of the things that struck me in reviewing Sir David Natzler's remarks to committee was his suggestion that something like eight of the 10 most-watched debates in recent years had been debates in Westminster Hall provoked by petitions. It's really kind of astonishing. That's not government business.

I found that actually really encouraging. It's a little bit emboldening as well, because it suggests to me in strong terms that it would still matter to Canadians, in this context, to see their issues debated at Parliament and how that holds value. As the Clerk

and others have described, there are a number of different ways to design the parallel chamber, and we do need clarity on what problem we're trying to solve and about—I think reasonable people can disagree—where the balance should be struck.

Ms. Duncan raised in the last session this question of where ordinary citizens come in. We do see something like a petitions mechanism, as well as the opportunity for an ordinary member to approach either the Speaker's office or a backbench business committee to advocate on an issue that they see as holding importance for their constituents. Either a petition or a backbench member, it's either a direct or an indirect mechanism through which citizens can fuel through greater agency what's debated in Parliament. That, to us, strikes us as a particular value proposition for the parallel chamber.

Mr. Scott Simms: Dr. Thomas.

Dr. Paul Thomas: If I could add to that, I think one of the major elements of the petition system has been that it's an ongoing relationship with the person who signs. If a debate is selected, they receive a notification of when that debate happens. Signing the petition is not the end of your involvement with the process. You are notified and you're invited to then watch the debate online, which is how they get those viewing numbers. It's a way of having Parliament appear more responsive.

What Sir David told you was actually already inaccurate. The largest petition ever in the Westminster Hall system received six million signatures. It was debated on Monday. In the British practice, it's not a direct relationship between the number of signatures on a petition and then the debate. There's the intermediary body of a committee that can have some editorial control. They grouped one petition against Brexit with another in favour of Brexit and had it be debated in Westminster Hall. They had high traffic.

The other thing I would note is that it allows those members to take part, but the main element is the ministerial response at the end.

Mr. Scott Simms: Obviously, you can't have hard and fast rules on this. I agree with that, by the way. I wanted to use that as an illustration. To me, that's one that exemplifies what Westminster Hall is about—this petition process—in addition to the other stuff that backbenchers do.

Very quickly then, on the other side of the equation, this is one thing that interests me. With time allocation now being used often here—and more in the last Parliament—if we had a parallel chamber to allow more members to debate government legislation, would that work, in your opinion?

Mr. Michael Morden: I think it's another route to go. We outlined a few problems we thought a parallel chamber could help to resolve, but the extent to which it's resolved for one problem was coming at the expense of another. We've tried to make the case for at least setting a fair measure of time aside to reflect the practice at Westminster Hall, which isn't resolving the problem of not enough time to debate government business. It's addressing other issues, primarily backbench control, and also this question of how to bring citizens in.

Nevertheless, if the members perceive the greater concern to be not enough time to deliberate on government business, then a parallel chamber could be a mechanism for that as well.

You could also look at other mechanisms like programming motions, which we've never taken a position on but which has been recommended to me by members from all parties as another approach. I believe the Clerk concluded by mentioning that those two could also sort of work in tandem.

• (1225)

Mr. Scott Simms: It could address an issue, but it's not as important as the other aspect of allowing citizens to be more engaged in debate through the Westminster Hall-type system. Is that a safe assumption? Is that what you assume?

Dr. Paul Thomas: From the research we have, I would say there is a dissatisfaction with the current debates of the House by both MPs and citizens. Having more debates, while perhaps allowing for greater scrutiny, may not necessarily meet the immediate need as compared to having a different type of debate, such as a debate that might more constructively engage with citizens or allow backbenchers more opportunity to raise their concerns.

I think it kind of gets to the question of what Ms. Duncan mentioned, where there was some element of what additional purpose would this serve. Having it be, perhaps, a bit qualitatively different than what goes on would be more of a recommendation at this point.

The Chair: Thank you, Mr. Simms.

Mr. Reid.

Mr. Scott Reid: Thank you, Mr. Chair.

Thank you to both our witnesses. Dr. Morden and Dr. Thomas, it's nice to have you here.

I wanted to start by asking about this recent Brexit debate in Westminster Hall. It seems to me that one of the problems arising in the House itself at this point, as the issue is debated and re-debated, is that for reasons that have to do with what's on the agenda and which changing coalition of members—factions, I could almost call them—is in favour of or against different proposals, or the rules on reconsidering an issue that the House has debated before, the debate in the House is being constrained in ways that are perhaps not productive. It would be a very interesting exercise to go through it, from a game theory point of view, as to how the debate has evolved in the Commons.

This raises the issue that there's no longer really a venue in the House itself—or what one might think of as a plenary session—where we're debating the big-picture issue of Brexit itself, as opposed to this or that way out of the current fix the country is in. The fix itself changing on a nearly day-to-day basis. Is that actually what happened in this debate on the e-petitions, that in fact it was possible to go back and reconsider the big-picture issues? That's number one.

Number two is, has this also been a venue for the numerous backbenchers—there are so many of them in the U.K.—who are not in a position to get up and have debates in the Commons itself, to

speak and to give those individuals a chance to address Brexit issues?

Dr. Paul Thomas: I must confess that I have not watched the debate in its entirety. My knowledge of it comes largely from the reporting of BBC Radio 4, through the *Today in Parliament* podcast.

From that report, it did appear to be more of that fundamental discussion of Brexit. It is challenging, I think, at present for the British House of Commons to have fully dispassionate debates on Brexit, given the extent to which the entire political system has been consumed by it, particularly the divisions not just between, but within parties on this issue.

The report concluded by saying that it was refreshing to see it in a different venue, and that the party lines became blurred. That is, in some ways, one of the main benefits of that system. I believe it was noted by David Natzler that the Westminster Hall model is a horseshoe, which helps to reduce partisanship as compared to the more traditional two swords' length seating arrangement.

Mr. Scott Reid: Yes, although nothing about Brexit is about a clearly defined opposition in government, to put it mildly.

Dr. Paul Thomas: This is true. In that regard, it was a different place, as compared to the indicative votes, but those issues certainly did bleed into the content of the debate.

Mr. Scott Reid: Do you have any knowledge about how well attended the debate was?

Dr. Paul Thomas: Again, from the report I read, it was quite extensive. One element of British debating style is that members often take interventions from their colleagues, so while the traditional format for a 30-minute Westminster Hall debate is to have one speaker present for 15 minutes, and another reply from the government side, that's usually with three or four interventions each, so the number of members who are in Hansard becomes greater than what might be assumed just by looking at the time.

• (1230)

Mr. Scott Reid: Is this on the basis of an actual rule of the committee or is this on the basis of a convention that has sprung up in the committee?

Dr. Paul Thomas: It's the same practice as in the House. There they also will often be asked in debates to give leave or give way for someone else to interject a question as the speech is being delivered.

Mr. Scott Reid: It's somewhat like the practice in the United States Senate as well.

Dr. Paul Thomas: I am less familiar with that, but perhaps.

Mr. Scott Reid: You can accept an intervention without losing the floor if you apply the right formula. You have to watch *Mr. Smith Goes to Washington*; you'll learn everything you need to know.

Voices: Oh, oh!

Mr. Scott Reid: Sorry, I don't want to hop in, Dr. Morden. In a sense is this like what we call the Simms rule on this committee? We developed it when we had to find a way of allowing people to convey messages back and forth in the middle of a filibuster where you can't formally give up the floor. My colleague Scott Simms invented this, and it was an extraordinarily effective way to allow the interchange of ideas in a format that otherwise would not have permitted that.

Dr. Paul Thomas: That's very much so, and that is the idea where it is not ceding the floor, but giving way temporarily. I guess it's one's convention as to how long such interventions would be. I imagine a Speaker may need to get involved if it becomes its own filibuster.

Voices: Oh, oh!

Mr. Scott Reid: That's true. That would have been a breach of protocol.

Voices: Oh, oh!

Mr. Scott Simms: In our little system.

Dr. Paul Thomas: I should let my colleague speak.

Mr. Michael Morden: I have little to add other than the person who is speaking has some prerogative in that you'll hear them say they're going to make some progress in their speech, and then they'll turn it back to them. They have a fair amount of agency in how they distribute their time.

Mr. Scott Reid: Okay.

On a different topic, because we've only got a minute or so left, you mentioned that both the Australian and U.K. parallel chambers have sittings only on days when the Commons, or representatives in the case of Australia, are in session. By contrast, ordinary standing committees of the House of Commons, let alone legislative committees, can meet when the Commons is not sitting. The reason that can be done is that only a small number of members have to be present. To have the Commons sit, let us say, through July and August, would involve every single one of the 338 of us saying we'll work instead of being in our constituencies in July and August. That is not true with a committee. In consequence, I've been on a number of committees, like the electoral reform committee that met throughout the months of August and September when the House was not sitting.

Could this not also be true for a parallel chamber, given the low quorum requirements, that it could sit on break weeks and into the summer without creating a situation in which people can't get back into their constituency weeks?

Dr. Paul Thomas: I think this reflects to some extent the tendency of the British Parliament to sit nearly continuously. It sits in July and then has a six-week break and then is back at the end of August. Part of the reality is that they just generally don't have that same extended period when the Commons isn't sitting.

Mr. Scott Reid: We used to sit in July too. Of course, the Meighen government fell in July.

Dr. Paul Thomas: It has been done provincially as well, particularly following elections, as was seen in Ontario, I think, following the last two elections, but I think that's more why many

things just don't happen because their breaks are so much more condensed. The breaks are truly breaks.

In the Canadian context, I don't see why that couldn't be done. The greater challenge is because it's self-selecting; the members who are interested in the subject attend, and those who are not, do not. It becomes more challenging if business was being scheduled at a different time when all members might not be as free to attend. It could potentially shape the debates, but that would be something I think for members...as the Clerk said, that's up to their own imagination. If there might be a designated week in the summer that all members might reserve if interested, then that could certainly be a consideration.

Mr. Scott Reid: I was thinking of private members' business in particular. We're trying to get through a large number of bills, and this problem will only get worse as the number of MPs increases with each redistribution.

We have a very strong interest in our own bills. There would be a number of other people who would be willing to participate in that debate. The actual votes will take place in September or October when the House comes back. It just seems like a simple way. You're not sacrificing that much time out of one summer in your four-year term to come in to deal with your item of business. It would allow for more opportunity.

I've changed from questioning to advocacy, as you can see, on the parallel chamber sitting during the summer months.

● (1235)

The Chair: Thank you.

Madam Duncan.

Ms. Linda Duncan: Here's my perspective, having been here for 11 years.

Rather than going back in deep dark history when we burned the place down, why would we not first of all try to make this place—what we have—more democratic? Basically we have a system where the government, with procedure rules, can simply control the agenda. It varies from committee to committee, but they have the majority and they can decide what they're going to talk about and for how long, and who the witnesses are.

I think that's where a lot of the frustration is. When you're the third party or you don't have party status, you have very little chance to speak in the House. I don't think we're dealing with the democratic actions in the House. I'm not convinced that setting up yet another chamber is going to resolve the frustrations of a lot of members, and that includes backbenchers in majority governments.

I have a couple of questions.

First, what makes you think that party influence and discipline are going to be removed from the second chamber? Are members going to be free all of sudden to express their opinion if it's against the government's position, or even the opposition party's position? How is it going to be set up? Is it going to be first-come, first-served? We have 180-plus backbench Liberals who are probably going to be keen to have a chance to finally stand up and debate something keen to their constituency. How would that be balanced out? Who's really going to decide what the topics are and who gets to speak?

Also, why couldn't petition debates be made part of the House agenda, like maybe once a month? I think that would be fascinating. Instead, they just table them and say that the responses have been issued. Other than sending out the responses to the people who signed the petition, nobody else ever knows what the government response was.

There are a whole lot of things that could be done with the current regime without increasing the amount of work. Is there then going to be pressure on the opposition members and the backbenchers—"Well, why aren't you proposing something in the other chamber"—and adding that to their agenda?

Also, the majority government has all kinds of members that they can send around. The smaller parties are pressured as it is. They have to be in the House. They have to be in committee. Some of them may be travelling with committee. It's a different kind of proposition. If you have a whole lot of members, it's, "Oh yes, we can probably do something in the additional chamber." I think that needs to be thought through as well.

I would love to also see some good ideas coming forward on how can we make the current chamber more democratic and interesting to the public.

Dr. Paul Thomas: I think the reason we suggested the Westminster Hall model as the inspiration—and particularly to have a space that would be qualitatively different from what goes on in the House in order to have a different type of debate—was precisely for the reasons that you address. It is that if things are oriented along party lines, it becomes challenging to know where to stop—

Ms. Linda Duncan: How are you going to change that?

Dr. Paul Thomas: This is the element. It would be having a place where debates are chosen, ideally without the involvement of the party whips, and having a place where speakers would participate without involvement from the party whips.

The goal, ideally, would be to have this as the beginning of an experiment, to see if having a space that was free of party might spread some ideas cross-partisanship into the other place.

I believe there have been complaints about rising partisanship in debate in the Canadian House of Commons for most of the past century. If you read the great text on Parliament, *The Parliament of Canada* by Ned Franks, written in the late 1980s, the words sound like they could be taken from today.

• (1240)

Ms. Linda Duncan: I don't disagree with what your concern is, and I think that's a challenge, but I question how you are going to, all of a sudden, transform somebody into not caring what their cabinet minister, their whip, the House leader or the caucus has decided is

their position. It's a nice idea, but that's the challenge. I would be interested to know if any of that changed in Australia and England.

Dr. Paul Thomas: What I was trying to say is, if reforming the main chamber hasn't worked, why not try something new?

Mr. Michael Morden: Moreover, you're right to identify cultural problems, which are pernicious. I don't know how to solve them but to seek procedural change or technical change, which can help engender new behaviour. Behavioural change is really hard in the absence of any kind of alteration to the incentive structure. A parallel chamber is not a panacea. It doesn't resolve the myriad issues you've identified, which are also a concern to us. This is one of any number of things that we're prepared to throw our support behind when it's under contemplation.

I think it's particularly true in Westminster that this is seen as one piece of a broader reform agenda over the course of about 15 years, which has undeniably produced behavioural change and independence. Does the creation of a parallel chamber resolve partisanship or fear of the whip? I don't think so, but I don't know how you would do that in the absence of institutional experimentation.

Ms. Linda Duncan: That would be an issue that would be worthwhile, talking to the elected members in those two countries: whether they genuinely became freed up from party discipline. That's what you want to have happen, so I think it would be really useful to find out. Did that actually happen in those parallel chambers?

We have media panels every day, and people are still saying the party line. All of a sudden because it's in a different room, I don't know if it'll change, if it is still broadcast. It's a challenge, but it would be interesting to find out in those two countries if in fact there was a transformation and people felt...

If it were more of a discussion as opposed to a debate—you're looking at an issue and everybody is coming up with innovative ideas—how are we going to resolve that? That's a possibility, but if you're debating a bill that has been in the House and those lines have already been drawn, it's interesting.

Dr. Paul Thomas: Could I add something?

This is the main benefit, to be honest. The Westminster Hall model allows members to suggest issues that are relevant to them or their constituencies. This week, for example, there was a debate on pancreatic cancer. The goal was, hopefully, across party lines, to secure better treatment for pancreatic cancer. Members from all places in the U.K. have constituents who might be affected. They came and raised their concerns, and the minister addressed it. It was not necessarily in a partisan fashion but as concerned MPs representing their communities. I believe that in the brief we submitted to the committee, we included a list of the debates that were held. Transportation infrastructure in Essex, for example, hopefully is something that all members could agree on and would not necessarily be committed to the overall partisan success or failure.

To be honest, part of it would be that, hopefully, members would push back against their parties should they find there would not be support. The history of Parliament is littered with innovations that were tried and did not succeed, but that does not necessarily mean not to try, I hope.

Ms. Linda Duncan: I think on studies in committee that happens sometimes, but not so much on a bill.

The Chair: We're going to the open round. I have a lot of people on the list, so please keep your remarks brief.

Is it okay with committee members if Mr. Baylis has an intervention?

Okay.

Frank.

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Do you want to go first?

[*Translation*]

Ms. Linda Lapointe: It's fine, go ahead.

[*English*]

The Chair: There's a bunch of people after you.

Mr. Frank Baylis: Okay. Sorry.

To your point, I know that when the parallel chambers were brought into both places, they were brought in on a temporary basis. You asked if there was a survey of the MPs, when they were asked to vote on it, and they were overwhelmingly in favour. There was kind of a temporary trial for a year or two. After that, it was resoundingly supported by the MPs because of the reasons that the two gentlemen have expressed, that aspect of a better debate, as you were pointing out.

I have a disagreement with one point here. You mentioned that we have time allocation because many members want to speak. A lot of time members are asked to go and read a speech, which, theoretically, is against our rules. We're not allowed to read a speech, but we do. Do they read the speeches? I understand they don't in the United Kingdom. Do they read them in either the second chamber in the United Kingdom or in Australia, or are they forced to actually give a true speech?

• (1245)

Mr. Michael Morden: I do think that in Westminster Hall some of the remarks are prepared but the exchange is much more dynamic as well. Often when a speaker gives way, the response is less scripted.

Mr. Frank Baylis: So it's a less scripted environment. Is that the same in Australia?

Dr. Paul Thomas: On the Australian context, I don't know. I've been to Westminster Hall to observe those debates but I have not had the chance to do that in Australia to the same extent.

Mr. Frank Baylis: I'm also aware that the general public is far more interested in what's debated in the second chamber. But if they were, like me, to listen in to the debates that go on in our hall, I'm bored to tears I'd say 90% of the time. I can't imagine anybody sitting and listening to CPAC, one repetitive, boring speech after another. I find that boring. That's not the case with the parallel chamber at least

at Westminster. Is this my understanding, that they have far more people watching that than their main chamber?

Dr. Paul Thomas: It varies by debate and by the subject. Some of them are hyper-local, about the issues in a particular community. It might be some from that community who are interested. However, especially with the petitions, some of them can be issues of national significance. The main element there is the responsiveness so that it allows for citizens to be brought, and their concerns to be brought, into the chamber in a more direct fashion.

If it's something put forward by a backbench member, particularly if they have constituents who have been campaigning for a particular issue, they can notify them to tune in and be able to see a bit more of a dynamic response as compared to here where you might get an S. O. 31, a member's statement on a particular issue, but you make your statement and there isn't the response in the same fashion.

Mr. Frank Baylis: Thank you, Chair.

The Chair: Mr. Graham.

Mr. David de Burgh Graham: I have just a couple of quick notes. I won't take long.

There is something that hasn't been said and I think it should be said.

If we recall in the 2000 election—I think Scott Reid that's when you came in the first time—there was the promise to have petitions create debates. Rick Mercer made a mockery of it with the Doris Day petition regarding Stockwell Day. It had three million signatures.

It's not always necessarily a good idea to say with petitions take it through the House, with this middle ground of the committee that controls the agenda. Once you have that middle ground that controls the agenda then they can do the agenda clearly for a secondary chamber. I think it's a good approach to doing it.

You were here in the audience for the previous panel. You heard my comments on having a joint chamber with the Senate. Do you have thoughts on that, having a single joint chamber that takes care of PMBs directly and where they're dealt with?

Dr. Paul Thomas: I would say that's beyond the current scope of our inquiry. It's an interesting idea. As was mentioned, there are precedents for joint House of Commons and Senate committees. In the U.K. they have something called the Joint Committee on Human Rights, which is a joint House of Commons and House of Lords committee that's been quite effective.

On having two chambers try to debate bills simultaneously, however, I'm not sure if I've come across any international examples of that.

Mr. David de Burgh Graham: That's not what I'm suggesting. I'm suggesting that instead of PMBs going to the House or the Senate and then we have to pass one House and then do it all again on the other side, because of the nature of it, having one chamber that does all the debating of it as the chamber. Instead of having "S" and "C" bills, you have "J" bills or whatever you want to call them. That would be the idea. This is the chamber where we deal with private members' business whether it comes from the Commons or the Senate as the singular place to do so. The main chamber becomes government business and opposition days as opposed to individuals' business.

Mr. Michael Morden: This is a fascinating proposal. I can't think of a comparable model, which just means that it might be that much more brilliant and worth exploring. I think at this stage we don't have a substantive stake to plant.

Dr. Paul Thomas: I think it would require more surgery to the Standing Orders and possibly some constitutional elements, given that, unless deemed in new laws to be legal, you go through both chambers. There would need to be something to make sure that such a body would be considered to have both processes at once.

In terms of the efficiency gains, it certainly would be worth considering.

Mr. David de Burgh Graham: Just as a quick note before I cede the floor, the U.K. Brexit debate was from 4:30 to 7:45 on Monday, April 1. I dug up the link if anybody wants it.

The Chair: Mr. Reid.

Mr. Scott Reid: Maybe a partial answer to Mr. Graham's question about what one can do in the constitutional legal concerns, what one can get away with doing, in terms of creating parallel debates of both chambers, is that, ultimately, you have to pass a bill, for it to become an act, in both chambers. The rules about first, second and third reading are, however, as I understand it, entirely internal, and could be stripped away. This was actually tested before the courts in 1919, with reference to the Manitoba referendum legislation, which assumed that if a bill was passed in referendum, it would supplant the various readings in the provincial legislature, and would also be considered to have received royal assent. The courts ruled that royal assent must still take place. It's written down in the Constitution, but the courts ruled that the various internal stages of compressing or telescoping the various readings could be dealt with by means of... I'm not sure if a statute could do it, or if you require changes to the Standing Orders. At any rate, they dealt with it. There's some reference point to go back to, if one's trying to figure out what is and is not permitted under our Constitution. That all deals with the 1867 Constitution, as opposed to what was added in 1982. It's still relevant law.

I wanted to comment, if I could, on Ms. Duncan's concern about the ubiquitous entry of whips, party considerations and partisanship into committees. That is what happens in most committees, most of the time, including this committee, frequently. My experience is that sometimes it doesn't happen.

There is one example on Parliament Hill of a subcommittee where party and partisan consideration has been kept almost exclusively out. That's the international human rights subcommittee of the foreign affairs committee, which I chaired for eight years. It already

had that culture of not being partisan prior to my arrival. It retained it during my period there, and it kept that culture after I left. Whatever the reasons were for its arriving in the first place, I note that we just had to follow certain principles. We agreed that the Standing Orders still applied to everything we did in the procedures, but that we could, by a convention that exists only in the committee, agree to move forward only by consensus.

The world presents a vast smorgasbord of human rights abuses, the result being that we could pick ones where there was no obvious left, right or partisan division. If you debate human rights in Venezuela, the merits of the Maduro regime inevitably come into question, and that's problematic, because we have divisions on that. If you debate an issue about some other country, where there's a Canadian mining interest, say, you're less likely to have that problem. As a result, careful selection criteria, and some other internal rules—

• (1250)

Ms. Linda Duncan: Then you could do that in the second chamber, presumably.

Mr. Scott Reid: I'm suggesting something like that. If you had an agreement—

Ms. Linda Duncan: By consensus is a great concept.

Mr. Scott Reid: Yes, using a consensus and going in and saying.... It's entirely possible that any one proceeding could disrupt that, but I think only temporarily.

That was a comment I had to make. I just wanted to get that on the record.

Thank you very much.

Ms. Linda Lapointe: We have to ask the witnesses questions, not make a speech.

Mr. Scott Reid: No, there's no rule about that. If the witnesses wish to comment on that, I would welcome that.

Mr. Michael Morden: I think that points to the importance of getting the process through which such a chamber would be created. If it's an act of consensus in the first place, you can establish norms and conventions that can endure.

Dr. Paul Thomas: In this regard, as my colleague said, the parallel chamber has been part of a suite of reforms introduced in Westminster over the past 20 years. When it began, the only way of getting debates was through the ballot of application submitted to the Speaker. In 2009, the backbench business committee was created, out of a series of reforms. That is, as its name implies, backbenchers who are elected. The chair is elected by the whole House. Members are elected by their respective caucuses. They sit and decide what will be debated during certain slots.

That speaks, perhaps, to that kind of consensual element, where you could have a different way of managing the business from the broader main chamber.

Mr. Scott Reid: Thank you.

The Chair: Thank you.

Ms. Sahota.

Ms. Ruby Sahota: Madam Lapointe can go before me. I'll take whatever time is left.

The Chair: Madam Lapointe.

[Translation]

Ms. Linda Lapointe: Thank you very much.

When witnesses appear before us, I think it's an opportunity to hear what they want to say, what they think and what they've been studying.

Earlier, you mentioned in your briefing that you had studied the cases of people who had lost their jobs or retired in 2015. You say that two-thirds of the people seemed frustrated with the way it worked.

Have you checked whether the figures for 2006, 2008, 2011 or all previous elections were different?

• (1255)

[English]

Dr. Paul Thomas: Samara has done a series of exit interviews with former MPs, beginning with those who left in 2006. The surveys we began with MPs on different subjects started in 2016. Our report on heckling was based on surveys.

The specific issue of how satisfied people were with debates only emerged out of a survey we conducted last year in conjunction with the democracy caucus. The frustration with debates is a long and enduring matter that would date back to the MPs who exited in 2006, 2008, 2011 and so forth. The specific number for the survey of the current MPs, the two-thirds, comes only from 2018.

[Translation]

Ms. Linda Lapointe: Okay. So they were mainly those who did not return in 2015.

We talked to the clerk earlier. We talked about objectives. In the context of a possible parallel chamber, what objectives would you like to achieve?

I would also like to know whether you studied the role of members of Parliament as well. The clerk seemed to say that it had evolved over time. We want to better represent our constituents. That's my second question.

My third point is about the parallel chamber. We talked about it earlier. I would like to know whether, during the evolution of the parallel chambers, the behaviour of members of Parliament seems to have improved.

[English]

Dr. Paul Thomas: The nature of the debates in Westminster Hall in part reflects the different tradition, it would be best to say, of the British House of Commons, where party discipline is much more fluid. They have the three-line whip system, so that the government stakes out aspects of business that are crucial and then allows dissent on a wider range. That has existed previous to the adoption of Westminster Hall. Where the debates were chosen, the culture in that chamber reflected this aspect to some extent. Members were used to having a diversity of opinions.

It also speaks to the broader relationship of the MPs with their whips. There is not the same ability for party leaders to deselect members as the ultimate threat. It's chosen by constituency associations and then on from there.

That said, where it has made a greater difference is in the ability of individual members to hold a debate as part of a broader advocacy on a particular issue. Oftentimes, what you will see is a member raising a particular issue, say, pancreatic cancer, as a first step. Then it might lead to another debate and potentially a bill.

As part of my own research, I looked at the evolution of the law in metal theft. Scrap metal theft is a large issue in the U.K. They have many old buildings. It started with a Westminster Hall debate, then went on to eventually be a private member's bill to regulate scrap metal dealers. That has empowered backbench members to build a broader campaign. It has provided more tools to allow that sort of advocacy.

In terms of the basic relationship between members and their parties, it has always been a bit looser. However, in recent years, and this refers to Ms. Duncan's point, rebellions have increased. There has been more dissent on votes. In part, that reflects the coalition government period and the current hung Parliament.

I hope that responded to your questions.

[Translation]

Ms. Linda Lapointe: Thank you very much.

[English]

The Chair: Ms. Sahota.

Ms. Ruby Sahota: First of all, I want to thank you for the work you're doing. It's very insightful. The exit interviews you've done and the polls you've run are fascinating. Through the different ones you have done, I'm assuming that you've sensed frustration with the type of debates we have from people exiting all parties. Is that true?

Mr. Michael Morden: Yes, and this frustration was shared across party groups. That was a consensus finding.

• (1300)

Ms. Ruby Sahota: Was there a breakdown at any point of whether that frustration was over debate on government legislation or PMBs?

Mr. Michael Morden: I think we asked to assess members' satisfaction with the state of thoughtful and substantive debate at a higher level. That was the response we got.

Ms. Ruby Sahota: I definitely agree with some of Ms. Duncan's points, but then I disagree with some of them as well.

There is a lot of partisanship, definitely, in this Parliament, but I do think it shifts from time to time. When we are debating PMBs, I notice less partisanship. When it comes to voting, there's a little less partisanship when it comes to PMBs, unless you're the NDP.

In the committee process, we also see a little less partisanship maybe, until there's a vote on some type of issue, but when we're trying to explore topics and discuss ideas, you see that the partisanship starts to shift a little, so I can envision a parallel chamber where perhaps the culture doesn't completely go away but shifts a little bit, and that's a start.

I'm really thankful for the work you've done. In terms of debating government legislation, have you ever had anybody say that they didn't have enough time to debate government legislation, whether they were the government party or opposition?

Mr. Michael Morden: Inadequate time to deliberate and debate in general was identified in the survey as the number one obstacle to doing the work of democratic representation. What the source of that time crunch is or what members don't have time to do specifically—it may not necessarily be a debate in the main chamber but having time to prepare for committee—I don't know. We didn't have a chance to assess that.

Ms. Ruby Sahota: It would be interesting to learn a little bit more about that, because just like what was mentioned, what we're seeing in the House right now with the level of debate is that it's not necessarily thrilling to sit there and watch sometimes. Sometimes we're forced into having a certain number of days on different pieces of legislation, but the ideas are not new after a while. We're recycling the same ideas.

Perhaps every member should have the right to get their feelings and statements on the record, but I think the contentment with the

level of debate that's happening starts going down after a certain point because you are recycling the same ideas. That has to be brought into balance somehow.

Dr. Paul Thomas: That was one issue as well. The resources available for members to perhaps bring their own perspectives on legislation was identified as a major issue, where the members' capacity to have staff to conduct research and just sort of independently scrutinize legislation was seen to be challenging.

Ms. Ruby Sahota: Thank you.

The Chair: Thank you very much for coming. We really appreciate this. It will add some more dimensions to a very complex debate, so thank you.

Mr. Michael Morden: Thank you for having us.

The Chair: We'll decide, maybe at the end of our next meeting, where we go from here on this.

At the next meeting we'll talk with the Clerk about the reorganization of the Standing Orders.

The meeting is adjourned.

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