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The Role of Non-Affiliated Senators

Report of the Standing Committee on Rules, Procedures and the Rights of Parliament

The Honourable V. Peter Harder, P.C., *Chair*
The Honourable Denise Batters, *Deputy Chair*
The Honourable Percy E. Downe, *Deputy Chair*
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The Committee Membership

The Honourable Senators

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The Honourable Denise Batters, *Deputy Chair*
The Honourable Percy E. Downe, *Deputy Chair*
The Honourable Pierrette Ringuette, *Deputy Chair*
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The Honourable David M. Wells
The Honourable Kristopher Wells
The Honourable Judy A. White
The Honourable Suze Youance
The Honourable Hassan Yussuff

Ex officio members of the committee:

The Honourable Pierre Moreau, P.C., or the Honourable Patti LaBoucane-Benson
The Honourable Leo Housakos or the Honourable Yonah Martin
The Honourable Lucie Moncion or the Honourable Joan Kingston
The Honourable Flordeliz (Gigi) Osler or the Honourable Robert Black
The Honourable Brian Francis or the Honourable Judy A. White

Other senators who have participated in the study:

The Honourable Charles S. Adler
The Honourable Mohammad Al Zaibak
The Honourable Salma Atallahjan
The Honourable Réjean Aucoin
The Honourable Michèle Audette
The Honourable Diane Bellemare (until October 12, 2024)
The Honourable Robert Black
The Honourable Jane Cordy (until November 18, 2024)
The Honourable Amina Gerba
The Honourable Stephen Greene (until December 7, 2024)
The Honourable Stan Kutcher
The Honourable Frances Lankin, P.C. (until October 20, 2024)

The Honourable Tony Loffreda
The Honourable Michael L. MacDonald
The Honourable John M. McNair
The Honourable Marie-Françoise Mégie (until September 20, 2025)
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Adam Thompson, Committee Clerk (until September 12, 2024)
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Madgina Mesidor, Legislative Clerk (until January 28, 2026)
Chantal Lalonde, Procedural Clerk (until January 6, 2025)
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Senate Communications Directorate:

Sabryna Lemieux, Communications Officer

Order of Reference

Extract from the *Rules of the Senate of Canada*:

12-7. (2) the Standing Committee on Rules, Procedures and the Rights of Parliament, which shall be authorized:

- a) to propose from time to time, on its own initiative, amendments to the Rules for the consideration of the Senate

Introduction

From June 4, 2024 to December 10, 2024, the Standing Committee on Rules, Procedures and the Rights of Parliament (“the committee”) examined the role of non-affiliated senators pursuant to its mandate under rule 12-7(2)(a) of the *Rules of the Senate of Canada* (“the Rules”). The study focused on their rights, the principle of equality among senators, and the practical challenges they encounter in fully participating in Senate business. The committee also reviewed relevant practices in the House of Commons of Canada, the French Senate, and the United Kingdom’s House of Lords that may help support the work of non-affiliated senators.

Over nine meetings, the committee heard from 13 witnesses. Eight of those meetings involving 12 witnesses were held before the study lapsed following the prorogation of the first session of the 44th Parliament. On October 9, 2025, in the 45th Parliament, the Senate referred to the committee the papers and evidence received, as well as the work accomplished during the previous Parliament. On November 18, 2025, the committee agreed to continue its study and heard from its last witness, the Government Representative in the Senate, the Honourable Pierre Moreau on December 9, 2025.

After considering the evidence, the Rules and the practices of the Senate, the committee concludes that amendments to the Rules are not necessary at this time. The committee raises observations throughout the report and identifies best practices for consideration in the final section.

Context

The committee launched the study to assess whether non-affiliated senators can fully carry out their parliamentary duties, following rule changes adopted by the majority of the Senate on May 18, 2024, that established equality among recognized groups and parties. Although a government motion to study this issue was tabled on May 21, 2024, it remained on the Order Paper as the committee proceeded under its general mandate.¹

At the onset of this study in June 2024, there were 95 senators (including eight non-affiliated senators²) and 10 vacancies;³ by the time of drafting this report, in January 2026, there were 98 senators (including three non-affiliated senators⁴) and seven vacancies.⁵

¹ Senate, “Government Motion No. 167,” *Journals*, May 21, 2024.

² This number includes the Speaker of the Senate.

³ Internet Archive Wayback Machine, *Senate of Canada: Senators*, June 1, 2024.

⁴ This number includes the Speaker of the Senate.

⁵ Senate of Canada, *Senators*.

Concepts and Principles

A. Non-Affiliated Senators

Although the Rules do not define the term “non-affiliated senator,”⁶ they specify that a recognized group or party must be composed of at least nine members.⁷

For the purposes of this study, the committee distinguished between three categories of non-affiliated senators:

- Senators who choose not to be part of any recognized group or party.
- Newly appointed senators who have not yet decided whether to join a recognized group or party.⁸
- Senators occupying certain institutional positions, such as the Speaker of the Senate, along with the members of the Government Representative’s Office in the Senate (GRO) during the 42nd to 44th Parliaments.⁹

The committee’s analysis focused on the work of non-affiliated senators who choose not to be part of any group or party.

B. Equality

Equality among senators was as a central theme of the study. This principle was understood to mean that all senators should be treated equally in the exercise of their rights and privileges as parliamentarians, and that the Senate’s rules and practices should reflect this standard.

Testimony highlighted the distinction between formal equality — under which all senators have identical rights — and substantive equality, which considers whether senators can exercise those rights in practice on an equal footing.¹⁰

⁶ Although no definition is provided in the Rules, [Rule 12-1](#) specifies that for the purpose of naming senators to the committee, non-affiliated senators should be treated as if they were members of a separate group.

⁷ *Rules of the Senate of Canada*, September 2024, Updated November 2025, [Appendix I: Terminology](#).

⁸ In practice, since 2016, most newly appointed independent senators have chosen to affiliate in the months following their appointment.

⁹ From the 42nd to the 44th Parliament, a practice developed whereby the members of the GRO sat as non-affiliated members. However, a sessional order was adopted on [September 24, 2025](#), according to which, for the remainder of the session, members of the GRO are to be considered a recognized parliamentary group as defined in the Rules.

¹⁰ Standing Committee on Rules, Procedures and the Rights of Parliament (RPRD), [Evidence](#), June 4, 2024 (Hon. Marilou McPhedran, Senator).

Witnesses noted that with amendments to the Rules adopted on May 8, 2024, the Rules now expressly entrench equality among recognized groups and parties. They argued that this group-based framework has practical consequences for individual senators who are not members of a recognized group or party.¹¹

Issues Raised by Non-Affiliated Senators

On June 4, 2024, the committee heard from three non-affiliated senators: The Honourable Senators Patrick Brazeau, Mary Jane McCallum¹² and Marilou McPhedran. These senators raised issues with respect to equality, access to information, participation in chamber proceedings, legislation and participation in committee proceedings. Other witnesses, including senators who hold or previously held official roles, as well as an academic expert and representatives from other jurisdictions also provided input on these issues.

Observation: The committee observes that some concerns raised by non-affiliated senators relate to differing expectations regarding procedural equality. While all senators have the same formal rights — including the ability to introduce public bills and participate in Question Period — individual expectations about the pace of legislative progress or opportunities to speak may not always align with the current realities of Senate practices.

A. Equality

Senator Brazeau, Senator McCallum and Senator McPhedran maintained that, while all senators are formally equal in status, rights and parliamentary privileges, procedural inequalities affect the participation of non-affiliated senators.¹³ They stressed the need for non-affiliated senators to receive timely information on the chamber’s agenda and parliamentary business — such as new votes and changes to adjournment times — to ensure equal participation in the chamber.

Senator Brazeau stated that the non-affiliated status may result in fewer opportunities to hold positions such as committee chair or vice-chair or to serve as member of a committee.¹⁴ Senator McCallum and Senator McPhedran also explained that affiliation provides greater access to speaking opportunities, including during Question Period, Question Period with a minister, Senators’ Statements, as well as enhanced opportunities for committee membership.¹⁵

The Honourable Senator Pierre Moreau, P.C., Government Representative in the Senate, agreed that it is more difficult for non-affiliated senators to secure opportunities to speak, ask

¹¹ RPRD, *Evidence*, June 4, 2024 (Hon. Patrick Brazeau, Senator and Senator McPhedran).

¹² On June 10, 2024, Senator McCallum joined the Senate Conservative Caucus.

¹³ RPRD, *Evidence*, June 4, 2024 (Hon. Mary Jane McCallum, Senator; Senator Brazeau and Senator McPhedran).

¹⁴ RPRD, *Evidence*, June 4, 2024 (Senator Brazeau).

¹⁵ RPRD, *Evidence*, June 4, 2024 (Senator McCallum and Senator McPhedran).

questions, and participate in committees. While choosing to remain non-affiliated is a legitimate option in an independent Senate, Senator Moreau emphasized that this choice should not come at the expense of meaningful participation in Senate debates. The Government Representative suggested that structural changes may be needed — such as guaranteeing a set number of committee seats or creating a rule that varies according to the total number of non-affiliated senators — to provide long-term stability and ensure the equality of all senators.¹⁶

The committee heard that, at times, non-affiliated senators rely on the benevolence of groups or parties to secure speaking time in the chamber. Senator Brazeau explained that non-affiliated senators must approach the leaders or facilitators of five different groups and parties to find out if any have speaking time to share.¹⁷

Senator McCallum and Senator McPhedran suggested that, based on their own personal experience, Senate public bills sponsored by non-affiliated senators advance more slowly than those of affiliated senators. They explained that this gives a sense of unequal treatment and affects their ability to carry out their legislative responsibilities.¹⁸

The Honourable James S. Cowan, K.C., former senator and Jonathan Malloy, Professor, Department of Political Science, Carleton University, noted that although non-affiliated members enjoy the same budget, office and staffing resources as affiliated members, they lack access to the human and financial resources that are available to members of recognized groups and parties.¹⁹

The committee also heard the view that all senators are, in principle, treated equally.²⁰ It was remarked that, while all senators possess the same rights to attend committee meetings, introduce bills and participate in the chamber, practical limitations arise from the fixed number of seats available on committees and the limited amount of time on the chamber's agenda.²¹

Observation: The committee observes that some senators choose to be non-affiliated, and that this choice may carry certain consequences and/or limit some opportunities. Just as joining a recognized group or party offers certain advantages, choosing not to join may affect the ways in which senators can advance their priorities.

¹⁶ RPRD, [Evidence](#), December 9, 2025 (Hon. Senator Pierre Moreau, P.C., Government Representative in the Senate).

¹⁷ RPRD, [Evidence](#), June 4, 2024 (Senator Brazeau).

¹⁸ RPRD, [Evidence](#), June 4, 2024 (Senator McCallum and Senator McPhedran).

¹⁹ RPRD, [Evidence](#), December 3, 2024 (Hon. James S. Cowan, K.C., former senator); RPRD, [Evidence](#), November 26, 2024 (Jonathan Malloy, Professor, Department of Political Science, Carleton University).

²⁰ RPRD, [Evidence](#), December 10, 2024 (Hon. Senator Yonah Martin, Deputy Leader of the Opposition in the Senate).

²¹ RPRD, [Evidence](#), December 3, 2024 (former Senator Cowan); RPRD, [Evidence](#), December 10, 2024 (Senator Martin).

Observation: The committee observes that equality among senators is not static but evolves over time, and that it has improved in some respects, as evidenced by the fact that all senators now receive the daily Scroll Notes.

Observation: The committee recognizes that non-affiliated senators often need to request speaking slots or committee seats from recognized groups or parties. This reliance on the goodwill of groups and parties highlights an inequality.

B. Access to Information

The committee heard about the importance of the daily scroll, a summarized version of anticipated business based on the *Order Paper* and *Notice Paper*. The Scroll Notes are circulated via email by the Senate's Chamber Operations and Procedure Office (COPO) to all senators prior to each sitting. It was described as an essential tool for non-affiliated senators in anticipating Senate proceedings.²²

Affiliated senators often receive more specific information about forthcoming Senate business, including last-minute agenda motions and votes, through their group or party leadership. As non-affiliated senators do not have access to the same information channels, the committee examined how they are informed of Senate business.

The content of the Scroll Notes was described as “sparse”²³ and “vague.”²⁴ As an option for senators seeking more extensive information, the Honourable Senator Yonah Martin, recommended that COPO include links to the full text of motions, bills and other procedural instruments in the scroll email.²⁵

Some witnesses noted that non-affiliated senators are not invited to participate in scroll meetings.²⁶ Unlike recognized parties and groups, which designate a representative to participate directly in these meetings, non-affiliated senators are not present when the agenda is discussed and timelines are established. Instead, they receive the scroll's finalized information before the sitting. As a result, the committee heard that non-affiliated senators may struggle to anticipate or respond to the last-minute changes or interventions that often occur during proceedings.²⁷

On this matter, Senator Moreau explained that GRO staff provide non-affiliated senators with detailed daily updates after the morning scroll meeting and prior to each sitting. This includes information that goes beyond what is provided by COPO such as guidance on the length of speeches, adjournments, and votes. Senator Moreau said that a representative from the

²² RPRD, [Evidence](#), June 4, 2024 (Senator McCallum).

²³ RPRD, [Evidence](#), December 10, 2024 (Senator Martin).

²⁴ RPRD, [Evidence](#), June 4, 2024 (Senator McCallum).

²⁵ RPRD, [Evidence](#), December 10, 2024 (Senator Martin).

²⁶ RPRD, [Evidence](#), June 4, 2024 (Senator McCallum); RPRD, [Evidence](#), December 3, 2024 (former Senator Cowan).

²⁷ RPRD, [Evidence](#), June 4, 2024 (Senator McCallum).

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Government Representative's Office participates in scroll meetings and brings forward matters raised by non-affiliated senators.²⁸

Senator Moreau noted that the GRO works to inform non-affiliated senators and their staff of last-minute changes to chamber business, though he admitted that they cannot always be reached on time. He suggested that the responsibility should be shared between the GRO and recognized groups and parties, particularly when changes stem from those groups or parties' own initiatives.²⁹

Senator Moreau also explained that to facilitate communications with non-affiliated senators, they should be required to designate a clear point of contact within their offices. Such a contact would facilitate the timely exchange of information among the Clerk of the Senate, the GRO, and the leadership of recognized groups and parties when urgent or unforeseen circumstances arise.³⁰ He added that while there were only two non-affiliated senators, at the time of his appearance, the flow of information should remain manageable should the number increase. Senator Moreau explained that, if the number of non-affiliated senators were to reach a certain threshold, the establishment of a centralized communication mechanism that facilitates the sharing of information to non-affiliated senators may be necessary.³¹

As a comparison, the committee heard that the House of Commons assigns a procedural clerk to act as a liaison responsible for communicating with independent members regarding procedural information, speaking times, Question Period and other opportunities for participation in chamber business.³²

Observation: Many of the challenges identified by non-affiliated senators stem from communication practices rather than gaps in the Rules. Since prescribing communication through formal rule changes may be challenging, improvements in this area would likely depend on adopting consistent practices rather than enforceable requirements.

Observation: Since the 42nd Parliament, the Scroll Notes have been made available to all senators, including non-affiliated senators, providing them with information on anticipated chamber business.

²⁸ RPRD, [Evidence](#), December 9, 2025 (Senator Moreau).

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² RPRD, [Evidence](#), October 1, 2024 (Jeffrey LeBlanc, Deputy Clerk, Procedure, House of Commons).

C. Participation in Chamber Proceedings

Some witnesses reported that non-affiliated senators struggle to secure speaking time in the chamber, particularly for Senators' Statements, Question Period, and Question Period with a minister.³³

While some witnesses called for predictable opportunities for non-affiliated senators to participate in chamber business, such as scheduled weekly or monthly time for non-affiliated senators' business,³⁴ some committee members acknowledge that securing speaking time is a broader challenge shared across the Senate, and among members of all recognized groups and parties.³⁵

Senators' Statements

Senators' statements and tributes are governed, respectively, by Rules 4-2 and 4-3.³⁶ In allocating statements, the Speaker is guided by lists provided by representatives of each group or caucus. Non-affiliated senators wishing to participate in Senators' Statements can negotiate to have their names added to one of these lists with the leaders and facilitators, or their representatives. They can also be recognized by the Speaker on the floor during the proceedings.

Some witnesses explained that non-affiliated senators face significant delays in making a statement as access is inconsistent and uncertain. Senator Brazeau, for example, mentioned waiting several weeks to deliver a statement, stressing that some are time sensitive.³⁷ Senator McCallum noted that she was often placed "at the bottom of the list" but could be called upon for a statement if time provided.³⁸

By comparison, the committee heard that during the 44th Parliament, the House of Commons allowed each independent Member of Parliament (MP) or member of a non-recognized party to make one statement per four-week block, with one statement each sitting day reserved for these members.³⁹

³³ RPRD, [Evidence](#), June 4, 2024 (Senator Brazeau, Senator McCallum, Senator McPhedran)

³⁴ RPRD, [Evidence](#), June 4, 2024 (Senator McPhedran, Senator Brazeau).

³⁵ RPRD, [Evidence](#), October 1, 2024 (Hon. Yuen Pau Woo, Senator); RPRD, [Evidence](#), October 1, 2024 (Hon. Michèle Audette, Senator); RPRD, [Evidence](#), November 26, 2024 (Hon. Pierrette Ringuette, Senator); RPRD, [Evidence](#), November 25, 2025 (Hon. Judy A. White, Senator).

³⁶ Senate, *Rules of the Senate of Canada*, [Rules 4-2 and 4-3](#).

³⁷ RPRD, [Evidence](#), June 4, 2024 (Senator Brazeau).

³⁸ RPRD, [Evidence](#), June 4, 2024 (Senator McCallum).

³⁹ RPRD, [Evidence](#), October 1, 2025 (Mr. LeBlanc).

Question Period

Each sitting day, every recognized group and party submits a list to COPO, and a consolidated list is prepared in advance for the Speaker.⁴⁰ The Speaker is not bound by this list and may recognize other senators who signal their interest in asking a question.⁴¹ The maximum time provided for Question Period in the Rules is 30 minutes.⁴²

Senator Brazeau and Senator McCallum noted that non-affiliated senators are frequently placed at the end of the Question Period list, leaving them with no assurance of being recognized.⁴³ Senator McCallum noted, however, that when she submitted her name through COPO, she was frequently able to ask a question.⁴⁴

The committee heard that, in recent years, Speakers of the House of Commons have sought to allocate questions to independent MPs and members of non-recognized parties in proportion to their share of seats in the House.⁴⁵ As a result, during the 44th Parliament, those members shared four questions per week — one per sitting day except Tuesdays — which were reserved for those of the recognized parties. This arrangement was determined through negotiations with the recognized parties, who agreed on the overall distribution of questions and statements. Independent MPs and members of non-recognized parties then negotiated among themselves how their allotted questions and statements would be divided.⁴⁶

Unanimous Consent

Unanimous consent is a procedural mechanism that allows the chamber to set aside any of its rules, provided that every senator agrees.

In the Senate, unanimous consent gives every individual senator — including those who are non-affiliated — the ability to grant or refuse leave of the Senate. The non-affiliated senators who testified mentioned a reluctance to use this mechanism. Senator McPhedran and Senator Brazeau explained that withholding unanimous consent may entail negative consequences on their ability to advance their parliamentary work.⁴⁷

Senator Martin emphasized that each senator has the power to refuse leave, and that it has historically served to keep all senators “in check” by reinforcing mutual restraint and

⁴⁰ RPRD, *Evidence*, December 3, 2024 (former Senator Cowan).

⁴¹ Senate of Canada, *Companion to the Rules of the Senate of Canada*, 2024, p.91.

⁴² Senate, *Rules of the Senate of Canada*, [Rule 4-7](#).

⁴³ RPRD, *Evidence*, June 4, 2024 (Senator Brazeau, Senator McCallum).

⁴⁴ RPRD, *Evidence*, June 4, 2024 (Senator McCallum). During the 45th Parliament, the speaking opportunities of non-recognized parties are largely consistent with those observed in the 44th Parliament, with only minor variations.

⁴⁵ RPRD, *Evidence*, October 1, 2024 (Mr. LeBlanc).

⁴⁶ RPRD, *Evidence*, October 1, 2024 (Jean-Philippe Brochu, Clerk Assistant, House Proceedings, House of Commons).

⁴⁷ RPRD, *Evidence*, June 4, 2024 (Senator McPhedran, Senator Brazeau).

accountability among all senators.⁴⁸ The possibility that any senator may withhold consent encourages the majority to exercise caution and discourages the use of leave to override the concerns of one or a few senators without affiliation, while at the same time deterring individual senators from using unanimous consent to unjustifiably obstruct proceedings.⁴⁹

Debates and Speeches

The committee heard that, in the House of Commons, time limits on debate apply to certain items of business.⁵⁰ Mr. Jean-Philippe Brochu, Clerk Assistant, House Proceedings, House of Commons, explained that independent MPs and members of non-recognized parties “rarely have the opportunity to take part in certain types of debates, such as debates on opposition motions and emergency debates, as these proceedings are usually interrupted before their speaking order is reached.”⁵¹ As a result, these members tend to focus their participation on the questions and comments period following their colleague’s speeches, rather than on delivering formal speeches.⁵²

Observation: With respect to the Senate, the committee observes that the Rules afford all senators a right to seek recognition to speak during debates. Unlike the House of Commons, the Senate does not generally impose item-specific time limits on debates, unless time allocation is adopted for debate on an item of Government Business.⁵³ In the absence of time allocation, a bill or motion is not subject to a fixed debate window before the chamber proceeds to the next item. Consequently, non-affiliated senators may rise to speak on any of these items before the right of final reply is exercised or the question put.

Role of the Speaker

The committee discussed the role of the Speaker of the Senate in safeguarding the rights and privileges of non-affiliated senators. The Speaker’s procedural role includes recognizing any senator on the floor requesting to speak, including during Question Period and Senators’ Statements. While the Speaker may render appealable decisions on questions affecting the rights and privileges of all senators,⁵⁴ Mr. Malloy noted that the Speaker should not be assigned the specific responsibility of safeguarding the rights and privileges of non-affiliated senators, as

⁴⁸ RPRD, [Evidence](#), December 10, 2024 (Senator Martin).

⁴⁹ Ibid.

⁵⁰ House of Commons, [Procedural Info: Time Limits on Debates and Lengths of Speeches](#).

⁵¹ RPRD, [Evidence](#), October 1, 2024 (Mr. Brochu). During the 44th Parliament, independent MPs and members of non-recognized parties were assigned the “49th” position in the House of Commons speaking order, which was often not reached before debates concluded under applicable time limits.

⁵² RPRD, [Evidence](#), October 1, 2024 (Mr. LeBlanc; Mr. Brochu).

⁵³ Senate, [Procedural Notes: Time Allocation](#).

⁵⁴ RPRD, [Evidence](#), December 3, 2024 (former Senator Cowan; Mr. Malloy).

the Speaker must remain procedurally neutral and cannot advocate on behalf of particular senators or categories of senators.⁵⁵

By comparison, Mr. LeBlanc explained that during debates in the House of Commons, the Speaker follows a speaking order typically negotiated by the recognized parties at the start of a Parliament.⁵⁶ Furthermore, recent House of Commons Speakers have endeavoured to invite independent MPs to ask questions in relative proportion to their seats in the chamber.⁵⁷

In contrast to both the Senate and the House of Commons, the committee was informed of the U.K. House of Lords' Senior Deputy Speaker's (SDS) "informal pastoral role" with respect to non-affiliated peers.⁵⁸ In this capacity, and as a non-affiliated peer, the SDS meets with non-affiliated members to "discuss any concerns or matters they would like to raise."⁵⁹ The SDS also provides non-affiliated peers with information regarding the House of Lords administration, security arrangements and other important messages regarding the business of the house.⁶⁰

Legislation

Rule 10-2 provides that "[a] Senator may, as of right, introduce a bill in the Senate."⁶¹ The Rules place no limit on the number of public bills a senator may introduce.

Senator McCallum observed that while all senators may introduce Senate public bills, those sponsored by non-affiliated members may not receive the same level of consideration when bills are called for debate or votes. She explained that, without representation in key leadership meetings — where legislation is negotiated and prioritized — bills sponsored by non-affiliated senators are often sidelined.⁶²

Observation: The committee observes that there are no limits on the number of Senate public bills that any senator may introduce regardless of affiliation or lack thereof.

Observation: The committee recognizes that the Senate public bills process differs from the rules applied in the House of Commons where MPs have one item of Private Member's Business per session considered for debate during Private Members' Hour, in accordance with the order of precedence. The committee further notes that segments of Senate proceedings devoted to legislation are generally not subject to time limits, as is the case in the House of Commons. This

⁵⁵ RPRD, [Evidence](#), November 26, 2024 (Mr. Malloy).

⁵⁶ RPRD, [Evidence](#), October 1, 2024 (Mr. LeBlanc).

⁵⁷ RPRD, [Evidence](#), October 1, 2024 (Mr. LeBlanc).

⁵⁸ RPRD, [Evidence](#), October 29, 2024 (John Eric Gardiner, Lord Gardiner of Kimble, House of Lords).

⁵⁹ RPRD, [Evidence](#), October 29, 2024 (Lord Gardiner).

⁶⁰ RPRD, [Evidence](#), October 29, 2024 (Lord Gardiner).

⁶¹ *Rules of the Senate of Canada*, [Rule 10-2](#).

⁶² RPRD, [Evidence](#), June 4, 2024 (Senator McCallum).

practice provides greater flexibility and allows for more deliberate participation among all senators, including those without affiliation.

Participation in Committee Proceedings

All senators, regardless of their affiliation, can attend and participate in most committee meetings,⁶³ even if they are not a member of the committee. Non-members may not vote, move motions (including amendments to bills) or count towards quorum,⁶⁴ but can question witnesses.

Non-affiliated senators described challenges in joining a committee of their choice and reported limited opportunities to obtain a chair or vice-chair position.⁶⁵

Senator Moreau explained that the allocation of committee seats is determined through negotiations among group and party leadership, leaving non-affiliated senators with little influence. He suggested that a more consistent approach could be to establish ranges or ceilings for how many committees seats each group or party can hold, based on their size but capped to ensure balance. He added that such ranges could allow for the participation of non-affiliated senators in a “certain number of committees.”⁶⁶ In his view, such an approach would support the long-term objective of an independent Senate. He added that committee composition should reflect a diversity of ideas rather than just numbers, and that the official opposition should retain a degree of protection given its electoral mandate.⁶⁷

By comparison, the committee heard that it is “relatively rare” for an independent MP to obtain or retain a committee seat in the House of Commons.⁶⁸ Mr. Brochu explained that all MPs can attend most committee meetings, except those held in camera. Independent MPs can request the committee’s permission to speak and ask questions to witnesses. He explained that the parliamentary privilege of independent MPs is not affected under this approach, as it does not restrict non-affiliated members’ access to committee proceedings.⁶⁹

Of note, the committee heard that since the 41st Parliament, standing committees in the House of Commons have routinely adopted motions at the outset of each session to allow independent members to participate in clause-by-clause consideration of bills, even when they

⁶³ One exception is the Standing Committee on Ethics and Conflict of Interest for Senators: only the members of the committee or, if it agrees, a senator who is the subject of an inquiry report from the Senate Ethics Officer being considered by the committee can attend and participate when it meets in camera. See: [Rule 12-27\(2\)](#).

⁶⁴ RPRD, [Evidence](#), June 4, 2024 (Maxime Fortin, Acting Clerk Assistant, Committees Directorate, Senate of Canada).

⁶⁵ RPRD, [Evidence](#), June 4, 2024 (Senator Brazeau, Senator McCallum).

⁶⁶ RPRD, [Evidence](#), December 9, 2025 (Senator Moreau).

⁶⁷ *Ibid.*

⁶⁸ RPRD, [Evidence](#), October 1, 2024 (Mr. LeBlanc).

⁶⁹ RPRD, [Evidence](#), October 1, 2024 (Mr. Brochu).

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are not members of the committee. These motions allow independent members to submit proposed amendments and to briefly explain them, after which the amendments are deemed moved during clause-by-clause review, letting the committee formally consider and decide on each one.⁷⁰

As a comparison to the Senate, John Eric Gardiner, Lord Gardiner of Kimble, House of Lords, explained that non-affiliated peers in the UK House of Lords are not guaranteed committee seats. He noted that, while committee seats are largely occupied by members of the two main political parties, non-affiliated peers may technically apply for membership on a specific committee seat. Lord Gardiner added that in practice, non-affiliated peers are seldom represented on committees due to their professional commitments and obligations outside Parliament which often limit their availability.⁷¹

In contrast, the committee heard that non-affiliated senators in the French Senate are guaranteed committee membership, as all senators are required to serve on a committee.⁷²

Observation: While recognizing that decisions on committee membership are generally made through negotiations, the committee notes that non-affiliated senators can place themselves under the authority of the leader or facilitator of one of the recognized parties or recognized parliamentary groups for the purpose of their membership on certain committees. While considering the limited number of committee seats and the preferences of all senators, leaders and facilitators have a responsibility to ensure, as much as possible, that committee assignments for non-affiliated senators reflect their stated preferences.

The Role of the Government Representative's Office in the Senate

The committee discussed the role of the GRO in liaising with non-affiliated senators on the daily activities of the Senate, as well as on long-term procedural and non-procedural matters that are ordinarily communicated to members of groups and caucuses through their leadership.

Senator Moreau explained that the GRO is the first point of contact for newly appointed senators, who, since the 42nd Parliament, often sit as non-affiliated following their appointment.

For senators that choose to remain non-affiliated long-term, Senator Moreau explained that GRO staff maintain regular communication about parliamentary activities, such as ministerial appearances, tributes, the government's legislative calendar, and significant votes.⁷³

⁷⁰ RPRD, [Evidence](#), October 1, 2024 (Mr. Brochu).

⁷¹ RPRD, [Evidence](#), October 29, 2024 (Lord Gardiner).

⁷² RPRD, [Evidence](#), October 22, 2024 (Christophe-André Frassa, Deputy Chair, French Senate Committee on Constitutional Laws); RPRD, [Evidence](#), November 19, 2024 (Jean-Éric Gicquel, Professor of Constitutional Law and Parliamentary Law, University of Rennes 1).

⁷³ RPRD, [Evidence](#), December 9, 2025 (Senator Moreau).

Observation: The committee observes that the GRO plays an important role in ensuring that non-affiliated senators receive adequate information on proceedings. The committee acknowledges the need for a formalized communication process to ensure effective information-sharing.

Best Practices

The committee recognizes that some of the issues raised in this study cannot be resolved through changes to the Rules. Rather, the committee believes that certain best practices may be followed to ensure the rights and privileges of all senators, including non-affiliated senators, are respected, while also supporting the efficient conduct of Senate proceedings. Accordingly, the committee sets out the following best practices for consideration:

- The committee notes that the Senate may, through a sessional order, make specific procedural adjustments in respect of certain matters affecting non-affiliated senators, and in order to facilitate the exercise of their rights.
- The committee strongly recommends that COPO, in collaboration with the GRO, develop a formalized practice to ensure that all senators, including non-affiliated senators, receive timely, updated, complete, equal and consistent information on statements, debates, votes, bills, motions and chamber agenda changes. The leadership representatives from other recognized groups and parties may be included in the development of this practice.

The committee requests that this formalized practice improve mechanisms for communicating last-minute changes by providing an online version of the daily scroll notes that is updated in real-time and with links to the full text of motions and other procedural instruments (such as inquiries and petitions).

The committee requests that this formalized practice be submitted to the committee for its approval.

- The committee recommends exploring the possibility of providing additional procedural support for non-affiliated senators, such as assigning dedicated procedural staff to liaise with them for the scheduling of interventions during Question Period, Question Period with a Minister and Senators' Statements, drawing on practices used in the House of Commons.
- The committee highlights the value of mentorship, as illustrated by the House of Lords' Senior Lord Speaker whose role includes providing guidance to non-affiliated peers and directing them to key officials such as Black Rod, and offering advice on procedural etiquette, to ensure they receive all necessary information to properly exercise their parliamentary duties.

The Role of Non-Affiliated Senators

- The committee believes that groups and parties should accommodate non-affiliated senators, consistent with the collegiality, respect and dignity that characterizes the Senate's institutional culture.
- The Committee encourages the Committee of Selection to explore a framework for allocating committee seats that establishes ranges for the number of seats each group or party may hold. This framework could reserve a specified number of seats for non-affiliated senators.

Appendix A – Witnesses

Tuesday, June 4, 2024

The Honourable Senator Patrick Brazeau

The Honourable Senator Mary Jane McCallum

The Honourable Senator Marilou McPhedran

Maxime Fortin, Acting Clerk Assistant, Committees Directorate (*Senate of Canada*)

Tuesday, October 1, 2024

Jean-Philippe Brochu, Clerk Assistant, House Proceedings (*House of Commons*)

Jeffrey LeBlanc, Deputy Clerk, Procedure (*House of Commons*)

Tuesday, October 22, 2024

Christophe-André Frassa, Deputy Chair, French Senate Committee on Constitutional Laws (*As an Individual*)

Tuesday, October 29, 2024

John Eric Gardiner, Lord Gardiner of Kimble, House of Lords (*As an Individual*)

Tuesday, November 19, 2024

Jean-Éric Gicquel, Professor of Constitutional Law and Parliamentary Law, University of Rennes 1 (*As an Individual*)

Tuesday, November 26, 2024

Jonathan Malloy, Professor, Department of Political Science, Carleton University (*As an Individual*)

Tuesday, December 3, 2024

The Honourable James S. Cowan, K.C., former senator (*As an Individual*)

Tuesday, December 10, 2024

The Honourable Senator Yonah Martin, Deputy Leader of the Opposition in the Senate

The Role of Non-Affiliated Senators

Tuesday, December 9, 2025

The Honourable Senator Pierre Moreau, P.C., Government Representative in the Senate



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