



HOUSE OF COMMONS
CANADA

THE EFFECTIVENESS OF COMMITTEES

Report of the Standing Committee on National Defence

The Hon. Maxime Bernier, P.C., M.P.
Chair

NOVEMBER 2010

40th PARLIAMENT, 3rd SESSION



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THE STANDING COMMITTEE ON NATIONAL DEFENCE

has the honour to present its

FIFTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee has studied the government response to the 3rd report and has agreed to report the following:

The Effectiveness of Committees

House of Commons Standing Committee on National Defence

At a recent meeting of the House of Commons Standing Committee on National Defence members discussed the adequacy of government responses to the reports of standing committees. Several members believed that responses are often less than satisfactory and wondered whether or not the work of our standing committees was receiving appropriate attention from the bodies to whom they submit their recommendations.

Of some concern was the question of exactly what a “comprehensive response” is meant to entail. What degree of detail, in terms of response to specific recommendations may a committee expect? Should the response clearly indicate why or why not a recommendation is either accepted or rejected? What degree of detail in terms of follow up to accepted recommendations can a committee realistically expect?

In expressing this concern we fully realize that certain of the limitations placed on Committees are structural; they are the consequence of our Parliamentary system itself. This is a reality we all accept. What we cannot accept is the fact that our Committee, and perhaps others, seems to have been “shut out” of the policy making process. We also recognize that concerns over the effectiveness of committees are not a recent phenomenon and have existed for some time and under both majority and minority governments. At the same time there have been instances when committees have had an important impact on policy development, unfortunately this has been the exception rather than the rule.

Our Committees perform a variety of functions; including the review of legislation, the review of departmental programs, and special studies initiated either on their own or referred to them by the Government. A most important element of the foregoing, however, is providing a conduit for public input into the policy process. Here committees can be seen to function as a “vehicle” through which public concerns can be articulated. Thus, depending on the nature of the issue at hand, relevant witnesses may include ministers of the crown, departmental officials, stake holders, academics and members of the general citizenry.

Given the long-standing cynicism over contemporary politics, engaging the latter is of particular importance, either as individuals themselves or through the agencies that represent them. If we are left to conclude that today's politics consists of little more than cynical acts of self-interest justified by sophistry, we will never be able to tap those resources of public virtue that can aid us in reclaiming the public forum for genuine political discourse.

We can all agree that our political institutions could be more responsive and "representative", but, improvements in this regard need not require major overhaul. Indeed, a more effective use of existing mechanisms is an important first step in the effort to regain a measure of public confidence. There is no reason why our Parliamentary Committees cannot be an effective vehicle in this regard.

This may require little more than slight modifications in committee practices and in the relationship between committees and the departments with which they are concerned. The responsibility then lies with both sides.

With respect to committees it is important that studies be focused and clearly defined and that the reason for undertaking them is clearly stated. Committees can also do more to follow up on what departments have actually done with respect to implementing recommendations. With regard to those recommendations that have not been accepted, the issue can be revisited to see if the problem still persists. If the reasons for not accepting the recommendation have not been clearly stated then departmental officials can be recalled to provide clarification. It is also extremely important that recommendations be clear and focused. Vague statements of principle or good intentions may please "client groups" but they will not get serious response from the government.

With respect to the other side of the coin – the department – more openness would be a welcome change. Bureaucrats should not see committees as a "threat", but should rather understand that common cause can be made when it comes to solving problems. Departments could be more forthcoming in providing information and research to help committees and their staffs do their work. This could easily be done without compromising departmental integrity or breaching codes of conduct. It is often departmental officials who best understand the nature of the problems that committees undertake to study. Rather than view committees with

suspicion they might better view them as valuable sources of information in the overall policy process.

Finally, when responding to committee reports, departments should address the recommendations in a straightforward manner; explaining why they accept or reject them. Self-indulgent hyperbole and lists of the wonderful things departments are doing is not going to be welcomed; nor is it fair to the witnesses who gave of their time and energy to the committee's efforts. People need to understand that their time has been well spent and taken seriously. Needless to say, this also holds true for the individual Members of Parliament who serve on committees.

In light of the foregoing concerns, the Standing Committee on National Defence recommends that:

The concerns of committee members about the nature of committee work, as expressed in the above text, be submitted to the House of Commons Standing Committee on Procedure and House Affairs for review consideration and possible recommendations.

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant Minutes of Proceedings ([Meetings Nos. 29, 31 and 33](#)) is tabled.

Respectfully submitted,

Hon. Maxime Bernier, P.C., M.P.

Chair

Dissenting Opinion from the Conservative Party of Canada

The Standing Committee on National Defence (SCOND) in June 2010, tabled a report in the House of Commons titled, *Canada's Arctic Sovereignty*. Following Standing Order 109 of Chapter XIII, the Government of Canada replied accordingly and presented SCOND with a response.

It is highly unusual that the SCOND would table a report to the House of Commons, the sole purpose of which is to comment on the rules and procedures of Parliament. The mandate of SCOND is clear; it is to examine relevant legislation, the activities and expenditures of the department, and the effectiveness of the department's policies and programs. SCOND does not have a mandate to evaluate standing orders that govern parliamentary procedure, and nowhere in the report titled, *The Effectiveness of Committees*, does it mention legislation, activities and expenditures of the department or the effectiveness of policies or programs. For this reason, the report is beyond the scope of this committee's mandate.

The report, *The Effectiveness of Committees*, is not only inappropriate with respect to the mandate of the SCOND, it is also unfounded. The Government of Canada has responded to the SCOND's reports since 2006 by either acting upon or accepting elements of 65 of the committee's recommendations while only declining 15. It should be noted that the Government has always responded in a respectful and thoughtful manner to the committee's recommendations. With regard to the report entitled, *Canada's Arctic Sovereignty*, the government responded and gave careful consideration to the report's recommendations. Thus far, the government has accepted five of the recommendations, adopted elements of nine, and only declined three.

It would be inappropriate for any government to accept all recommendations from any committee. The role of committees is to provide guidance, influence and recommendations to government; however it is up to the Government to have the final decision on policy.

Regardless of the current situation, the onus must remain on individual Members of Parliament to ensure that their respective committee functions in a manner that best fulfills the committee's mandate. If the opposition committee members were displeased with some of the Government's responses, they had a number of means by which they could have more constructively sought further clarification as to why their recommendations have not been adopted. They could have asked follow-up questions, requested that the Minister or Departmental staff appear before the committee, or a take note debate in the House. The committee members did not pursue any of these available alternatives. A report arguing that the current system is dysfunctional, without exhausting all avenues by which to hold the system

to account is disingenuous. It is also irresponsible as it undermines all of the productive work that the SCOND had undertaken over the last four years.