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Chair: Ms. Ruby Sahota



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• (1100)

[*English*]

The Chair (Ms. Ruby Sahota (Brampton North, Lib.)): Good morning, everyone. I call this meeting to order.

Welcome to meeting number 11 of the House of Commons Standing Committee on Procedure and House Affairs. Pursuant to the order of reference of Tuesday, April 11, the committee is meeting to discuss parliamentary duties in the context of the COVID-19 pandemic.

Before we start, I want to inform the members that pursuant to this order of reference, the committee is meeting for two reasons. It is beneficial to keep this in mind. I know we have new witnesses from time to time and different people who may be viewing this video footage, so I want to remind everyone of the two reasons we are meeting: one, for the purpose of undertaking a study and receiving evidence concerning matters related to the conduct of parliamentary duties in the context of the COVID-19 pandemic; and two, to prepare and present a report to the House of Commons by May 15 on the said study.

The order of reference also stipulates that only motions to determine witnesses and motions related to the adoption of the report are in order.

Today's meeting is taking place via video conference, and the proceedings will be made available via the House of Commons website. So that you are aware, the webcast will always show the person speaking rather than the entirety of the committee.

In order to facilitate the work of our interpreters and to ensure an orderly meeting, I would like to outline a few rules to follow.

Interpretation in this video conference will work very much like in a regular committee meeting. You have the choice at the bottom of your screen of floor, English or French. If you haven't selected a language, I recommend you do so right now.

Before speaking, please wait until I recognize you by name. When you are ready to speak, you can either click on the microphone icon to activate your mike or you can hold down the space bar while you are speaking. When you are done speaking, you can release the space bar, similar to a walkie-talkie. This is very beneficial for quick back-and-forth responses.

As a reminder, all comments by members and witnesses should be addressed through the chair. Should members need to request the floor outside of their designated time for questions, they should activate their mike and state that they have a point of order.

If members wish to intervene on a point of order that has been raised by another member, they should use the "raise hand" function. This will signal to the chair your interest to speak. In order to do so, you should click on "participants" at the bottom of your screen. A list will pop up on the side of your screen with your name, and the "raise hand" function should either be at the bottom of that list or at the side. You should be able to see if you've been able to click successfully.

When speaking, please speak slowly and clearly. When you are not speaking, your mike should always be on mute. This is vitally important for these meetings, because any background sound can be very disruptive.

The use of headsets is also strongly encouraged. Of course, Mr. Brassard, it's okay; we can still hear you even if you don't have your headset here today. The sound is just a bit clearer and sharper if you do have one.

Should any technical challenges arise in relation to interpretation, for example, or if you are accidentally disconnected, please advise the chair immediately and the technical team will work to resolve them. Please note that we may need to suspend during these times, as we need to ensure that all members are able to participate fully.

Before we get started, could everyone click on their screen in the top right-hand corner and ensure they are on gallery view? This view should enable you to see all the participants in a grid view. It will ensure that all video participants can see one another. This is also the most realistic, or it mimics what we usually see in a committee meeting. It is the best we can do virtually.

• (1105)

Also, when you are stepping away or looking away for a moment, I do advise that you leave your screen on rather than shutting your video off so that we know you didn't have some kind of a technical problem and that you're still there, just as you would be in a committee room.

During this meeting we will follow the same rules that usually apply to opening statements and the questioning of witnesses during our regular meetings. Each witness will have 10 minutes for an opening statement, followed by the usual rounds of questions from members.

I'd just like to urge the witnesses that if they do have remarks of less than 10 minutes, that would be ideal. If you can shave off a minute or two that will be very helpful, and I'll definitely remind witnesses in the second round of this because there are many questions we want to get to.

Just as we usually would in a regular committee meeting, we'll suspend in between panels in order to allow for the first group of witnesses to depart and for the next panel to join. In today's meeting we may have about a five- to ten-minute suspension at that time so the technical team can get set up.

I'd like to welcome our witnesses today.

We have Michel Patrice, deputy clerk, administration; Pierre Parent, chief human resources officer; and Mélanie Leclair, director of employee relations. We also have, from the Public Health Agency of Canada, Dr. Barbara Raymond, executive medical adviser, vice-president's office, infectious disease prevention and control branch.

I'd like to start with Michel Patrice.

Go ahead, please.

[*Translation*]

Mr. Michel Patrice (Deputy Clerk, Administration, House of Commons): Thank you, Madam Chair.

I am here today with Pierre Parent, our chief human resources officer, who is leading the House administration's crisis management team.

We have put in place a number of preventative measures to help ensure the health and safety of members, their staff, and administration employees throughout the COVID-19 pandemic.

Our actions are guided by information from public health officials at various levels, with whom our health and safety team is in regular communication. We are liaising closely on various matters with parliamentary partners, other legislatures and security partners in order to base our actions on relevant and up-to-date information.

For several weeks now, the administration's crisis management and incident management teams have been meeting regularly to assess the situation, discuss mitigation strategies, and determine how to best support members and ensure a safe and healthy workplace.

[*English*]

In direct support of members and their staff, we have established a medical advisory service for those experiencing health-related issues that may be linked to COVID-19. Available Monday to Friday, the service arranges medical callback support with an on-call physician. Our in-house occupational health nurses are tracking cases, following up and responding to any concerns. In addition, four virtual sessions were offered by our members' HR services team to provide information to members relating to their role as employers. These complemented the information shared with members on Source.

Our employee and family assistance program continues to be available to members, their staff and administration employees for confidential support 24 hours a day. Mental health support is an ongoing priority. We want to ensure that everyone in the House of

Commons community is aware of the resources that are available to them.

For House administration employees, I can assure you that only those whose physical presence is necessary to provide required services are reporting to work on site. All other employees are teleworking where possible. I am proud of and impressed by the ingenuity of employees who are finding solutions to continue to provide support and services while also, in many cases, caring for family members. Where employees are unable to work, we have introduced flexible leave options.

Several steps have also been taken to protect those who are on site. We have increased the cleaning of high-traffic areas to three times a day. This includes entrances, elevators and handrails. A special COVID-19 cleaning and disinfecting service has been implemented for suspected and confirmed cases. This is in keeping with a protocol that has been established based on advice from public health officials. Additional hand-sanitizing stations have been deployed. Sanitizing wipes have been made available to front-line personnel. Physical distancing measures and proper hand hygiene reminders have been communicated, and signage is displayed throughout the precinct. Plexiglass barriers have been installed in areas where physical distancing options are not always possible. Other simple but important measures have also been taken, such as the rearrangement of furniture in lunchrooms. Our health and safety team continues to monitor the situation on site to ensure that guidance is being respected and to answer employee questions.

Regular communication with staff continues to be a priority. We are making special efforts to stay in touch with those who do not have House of Commons mobile devices. As such, we are communicating by text message, email, desktop pop-up and by the public website, and keeping a dial-in information line up to date. We use our regular communications to provide updated information—for example, the ID guidelines for interprovincial travel and changes to the House sitting calendar—and also to remind all employees of public health recommendations. Our occupational health nurses are personally following up with employees who have shown symptoms, and are liaising with public health authorities.

Through consultations with public health officials, we have been informed that personal protective equipment is not required at this time for employees working on site. However, given recent indications of a possible change of view on the use of masks, this policy will be closely monitored and adjusted as necessary. We have procured masks and gloves, and are preparing fact sheets to accompany their distribution, if required.

• (1110)

[*Translation*]

We are confident that we are in a strong position to support the activities of the House of Commons at the lowest risk possible to everyone involved. We will continue to closely monitor the evolving situation and adjust our actions.

I can say without reservation that this commitment to ensure a safe workplace is shared by all in the parliamentary community. Members of my team and I have been in constant communication with all the whips' offices, and I am confident that everyone is contributing to the application and respect of the various measures put in place to protect us and mitigate potential risks.

[*English*]

It will be our pleasure to answer any questions you may have.

Thank you.

The Chair: Mr. Patrice, thank you for your statement. It's always a pleasure to have you, Mr. Parent and your team here at PROC. You've been here many times before. Thank you for attending.

Next up is a new witness, one we've never had at PROC before.

Dr. Raymond, could we have your opening statement, please?

• (1115)

Dr. Barbara Raymond (Executive Medical Advisor, Vice-President's Office, Infectious Disease Prevention and Control Branch, Public Health Agency of Canada): Hello, Madam Chair and committee members. Thank you for the opportunity to speak to you this morning with respect to the public health issues associated with this particular study. I will start with a brief overview or update on COVID-19 in Canada.

As of today, we have more than 38,000 cases of COVID-19 in Canada and over 1,800 deaths reported. More than one third of these cases are of individuals over the age of 60. The virus has proven fatal in 4.5% of these cases. Over 600,000 people have been tested for COVID-19. Approximately 6.5% of those have tested positive for the virus.

It has now been just over 16 weeks since the first cluster of COVID-19 was identified in China. In Canada we identified our first case on January 15. We first began to see what we consider community-level transmission in mid-March, about March 15. In Canada at the federal, provincial and territorial levels, governments have taken extraordinary measures to respond to COVID-19.

Border measures are one example. Since February 3 the Public Health Agency of Canada has enacted a number of emergency orders under the Quarantine Act to minimize risk of exposure to COVID-19 in Canada, to reduce risks from other countries, to repa-

triate Canadians, and to strengthen measures at our borders to reduce the impact of COVID-19 in Canada. The result is that the ease of travel that so many of us have taken for granted has changed dramatically. Travel is now increasingly rare and is often associated with 14-day mandatory isolation or quarantine periods. This even includes some travel within Canada from province to province. This is a really extraordinary switch for us.

Physical distancing is one of the most important measures that have been put in place to control the spread of COVID-19. The need for physical distancing has changed the way we live and work and the way we interact with one another. Mass gatherings have now been prohibited. This has significantly changed the way we come together—in committee meetings, in how we celebrate and in how we mourn. The necessity to protect the more vulnerable members of our society has meant that we've not been able to see many of our family and friends for many weeks. That's a real challenge.

Schools have been closed. That impacts not only students but also parents and families. This has required and generated incredible creativity on the part of educators to support ongoing online learning.

In terms of our workforce, all but essential front-line workers have been instructed to stay home. Some non-essential workers are able to work from home, but many others aren't. This is having a very significant impact on individuals and families as well.

There are impacts on businesses. Many businesses have been closed or have had to significantly modify how they conduct their business, which is having a very significant impact across the board.

It is hard to conceive of all the ways our lives have changed, in such fundamental ways, over such a short period. All Canadians have taken extraordinary steps and made extraordinary sacrifices to bring us to the point where we feel we are seeing some signs that the outbreak may be slowing, at least in some parts of the country. Although the data reported in the coming days and weeks will continue to be critical in determining our trajectory, the rate of doubling of reported cases in Canada has slowed from doubling every three to four days, in the period of March 12 to 28, to doubling approximately every five to eight days, in the period of March 29 to April 10.

• (1120)

We are all anxious for life to return to normal. It is natural that any signs of the outbreak ebbing will give us hope for that return to normal. Unfortunately, we are still in a pandemic situation and we must remain vigilant. How we move forward will be critical. In the same manner that we increased our public health interventions over time, we will have to ease those interventions very carefully over time in a phased approach if we want to avoid a rebound effect of this outbreak.

The Public Health Agency of Canada is working with provincial and territorial governments to determine the safest way to resume many of our previously routine activities. In the meantime, we must stay the course.

At this point in time, the best advice of the Public Health Agency to Canadians remains to stay at home as much as possible. Most importantly, if you feel ill, practise physical distancing, practise good hand hygiene and practise good respiratory etiquette such as covering your mouth or nose with your arm or sleeve when coughing or sneezing and disposing of used kleenex as soon possible. Do all you can to protect others, particularly the most vulnerable in our society, from infection.

Thank you. I am happy to hear your questions.

The Chair: Thank you, Dr. Raymond.

Thank you to all of our witnesses.

We know that this is a very busy time for you, and I definitely acknowledge the sentiment that grieving is very difficult at this time. Our hearts go out to all those who have lost loved ones in the Nova Scotia mass shooting. It is a very tragic incident, and I know that Canadians are all grieving now in their own ways for those who have lost loved ones.

Now we will start with the first round of questioning, which is for six minutes.

Mr. Brassard, please.

Mr. John Brassard (Barrie—Innisfil, CPC): Thank you, Madam Chair.

I'm going to get right into it because time is short and I do have a lot of questions.

I'll start with Dr. Raymond.

Dr. Raymond, three sessions of Parliament have been held so far. The Prime Minister holds daily briefings, followed by daily briefings in the West Block by ministers and some deputies. In fact, the chief medical officer of health is involved in those, and we appreciate the fact that Canadians are getting those daily briefings.

Are they in full compliance with public health guidelines as they relate to physical distancing and other measures?

Dr. Barbara Raymond: To the best of my understanding, yes, they are. It is certainly what is the intent, so every effort has been made to ensure that those briefings are aligned with our best advice.

Mr. John Brassard: Okay, just to confirm, they are aligned with the best advice. That's great.

Are these also, Dr. Raymond, by and large the same safeguards that are observed in essential businesses that are open across the country?

Dr. Barbara Raymond: The same advice is provided. The same advice applies across the board for all Canadians in all settings, more or less. However, how it is implemented in different settings may vary somewhat. What may be achievable in one setting may not be achievable in another, so there may be alternative measures that we enforce or compensate for when something can't be done. For example, in a work setting where you cannot reliably and consistently maintain a two-metre distance and it is an essential workplace, there may be a requirement for personal protective equipment in those circumstances, but it really is a case-by-case analysis for each workplace, its peculiarities and its ability to implement the public health measures.

• (1125)

Mr. John Brassard: Thank you, Dr. Raymond.

I want to move now to you, Mr. Patrice, particularly as it relates to West Block. How many staff on a daily basis are required for these daily briefings by the ministers?

Mr. Michel Patrice: I will have to get back to you with the specific information on those daily briefings, but I understand that the support for those daily briefings would be minimal. I'll get back to the committee with the exact numbers.

Mr. John Brassard: I also understand, Mr. Patrice, that anybody entering West Block has to sign in, whether it's for these briefings or any other business at West Block. Do we know specifically how many people are signing into West Block on a daily basis?

Mr. Michel Patrice: We have that information, and we'll be happy to provide the committee such information.

Mr. John Brassard: Thank you.

This would be for both of you, Mr. Patrice and Dr. Raymond.

The committee is charged with looking at non-virtual alternatives. The other day we had Mr. Dufresne come in to testify on the legal and constitutional aspects of a virtual parliament. He referred specifically to section 16 of the Constitution and said that Ottawa is the seat of government and there's no legal impediment to holding meetings outside of Parliament—for example, there was the 1916 fire.

There are other venues within Ottawa. For example, the Canadian Tire Centre has 17,373 seats. The Shaw Centre is 365,000 square feet. TD Place, just down the road from Parliament Hill, has 10,575 seats.

As an alternative, if and when we do return to some sense of normalcy and there is still a requirement for physical distancing—and again, nobody's talking about 338 members coming back to Parliament—would or could those venues be alternatives that we can look at? For example, at the Shaw Centre, the diameter apart from each member of Parliament, assuming 338 members, would be 2,164 feet. The same would apply in the Canadian Tire Centre, with 80 sections of seats. Could those venues be used as an alternative to sitting in the actual chamber?

Mr. Patrice first, please.

Mr. Michel Patrice: I must admit that it's quite interesting, and if it's the will of the House, we definitely would look at making that possible.

Mr. John Brassard: Dr. Raymond, would those scenarios meet the physical distancing requirement? Other than holding a virtual Parliament, where an in-presence Parliament would be required, would those types of venues, given the fact they also have audiovisual equipment and screens, etc., accommodate some of the physical distancing guidelines that Health Canada would call for?

Dr. Barbara Raymond: Yes, it certainly sounds as though you would definitely be able to meet and surpass your physical distancing requirements.

However, I would caution that in changing your venue you have to take a more holistic approach to it. It's not just a matter of spacing everybody out. You're asking people to work in an unfamiliar environment. What will it take to sustain that environment in terms of cleaning, disinfection, control of who's coming and going, materials at hand, introducing the capacity for handwashing and all of those different things? It's—

Mr. John Brassard: If those measures could be met—

The Chair: Thank you, Dr. Raymond.

We'll continue now with Dr. Duncan, please.

Hon. Kirsty Duncan (Etobicoke North, Lib.): Thank you.

Good morning, dear colleagues, and thank you to all our witnesses.

Dr. Raymond, my questions will be for you.

Thank you for everything you're doing to protect that health and safety of Canadians. I have many questions, so I'm looking for short answers, most often just a yes or no.

First of all, do we see a complete picture of the number of cases, or is there a one- to two-week delay between when people get sick and their information is reported to the Public Health Agency of Canada? Yes or no, is there a delay?

• (1130)

Dr. Barbara Raymond: There is always an intrinsic delay from the time—

Hon. Kirsty Duncan: So that's a yes. Thank you.

Has the goal of the last many weeks been to flatten the curve and increase health care capacity, yes or no?

Dr. Barbara Raymond: Yes, you bet.

Hon. Kirsty Duncan: The months spent under strong public health measures such as physical distancing have “prevented an explosive outbreak in Canada”. However, I believe that the chief public health officer has been clear that we are not yet out of the woods. Are we out of the woods yet, yes or no?

Dr. Barbara Raymond: We are not out of the woods.

Hon. Kirsty Duncan: If each infected Canadian transmits COVID to less than one person, is it true that the epidemic in Canada will fade out, will die out, yes or no?

Dr. Barbara Raymond: An epidemic wave will die out, but bear in mind that another epidemic wave could follow if those conditions aren't maintained.

Hon. Kirsty Duncan: In Canada are we at less than one yet?

Dr. Barbara Raymond: No.

Hon. Kirsty Duncan: How many cases did Ontario add yesterday?

Dr. Barbara Raymond: I don't have that number in front of me but I can get it for you. They are continuing to accrue cases.

Hon. Kirsty Duncan: Could you table the number of cases Quebec added yesterday, please?

Dr. Barbara Raymond: Yes, absolutely.

Hon. Kirsty Duncan: Thank you for being so kind with my rapid questions.

Is asymptomatic spread of COVID-19 possible, yes or no?

Dr. Barbara Raymond: Yes, it is possible. We do not know the degree to which it is driving the epidemic, but we do believe it to be possible. In addition to that, pre-symptomatic spread, through people who are infectious before they are aware that they are ill, is also a significant concern.

Hon. Kirsty Duncan: Thank you, Dr. Raymond, as that was my next question.

From watching the press conference each day, I believe Canada has a series of regional epidemics. Which provinces are continuing to accrue cases? Could you simply name those provinces, please?

Dr. Barbara Raymond: They are British Columbia, Quebec, Ontario and Alberta. We continue to see cases in a number of our larger provinces.

Hon. Kirsty Duncan: What is the doubling rate right now in Canada?

Dr. Barbara Raymond: I believe the current doubling rate was cited to me as five to eight days.

Hon. Kirsty Duncan: So every five to eight days the cases will double?

Dr. Barbara Raymond: Yes.

Hon. Kirsty Duncan: What does that mean for infections or the number of cases in the next few weeks?

Dr. Barbara Raymond: We anticipate that we will continue to see a considerable number of cases over the coming weeks.

Hon. Kirsty Duncan: What will that mean for the number of deaths?

Dr. Barbara Raymond: Unfortunately, it will similarly increase.

Hon. Kirsty Duncan: Thank you for all the work you are doing.

What happens if we return too early to the way things were before COVID-19?

Dr. Barbara Raymond: Frankly, I'm not sure there is a return to the way things were pre-COVID-19. Any return that we make to normal is going to be a new normal. If we rush that return, we risk a rebound and risk losing the gains we have made that all Canadians have sacrificed significantly for over the last number of weeks, and that would be tragic.

• (1135)

Hon. Kirsty Duncan: Finally, what is the Public Health Agency of Canada's view on reconvening Parliament too early? Thank you for your work.

Dr. Barbara Raymond: The Public Health Agency of Canada does not have a specific view on reconvening Parliament early, but as indicated, our advice to all Canadians is to stay the course, maintain physical distancing, continue to protect those who are more vulnerable, practise very good, robust public health measures and, if you must go to work, do so in the safest way possible.

The Chair: Thank you, Dr. Raymond.

We'll go next to Mademoiselle Normandin.

[*Translation*]

Ms. Christine Normandin (Saint-Jean, BQ): Thank you very much, Madam Chair.

Good morning, everyone. I'd like to thank the witnesses for being here.

Dr. Raymond, could you clarify the requirement to self-isolate for 14 days when going from one province to another? There seems to be some confusion about that.

First, does it apply to parliamentarians?

[*English*]

Dr. Barbara Raymond: I'm thinking about the provincial orders that I have seen most recently. I have not seen a specific exemption for members of Parliament, although there are exemptions made for individuals who are determined to be essential workers. I am not sure how members of Parliament fall into that categorization.

[*Translation*]

Ms. Christine Normandin: If parliamentarians were required to self-isolate for 14 days, what would the criteria be? What does the 14-day period of isolation mean? Can we go out and get groceries? Is it mandatory to stay home?

[*English*]

Dr. Barbara Raymond: Self-isolation or quarantining, essentially, is to stay at home. You remain at home; you do not go out. Someone else supports you with groceries and all the rest. You re-

main at home, unless there is some need to seek medical attention or something similar. You remain in your home, separated as much as possible from others who may be in the home. You adopt rigorous cleaning and disinfection-type protocols. You self-monitor closely, and if you develop symptoms, you identify to public health immediately.

For some individuals who have been designated as essential workers, there are exemptions to the quarantine that permit them to leave the home to go to work and to return to the home, but they are expected to maintain the quarantine otherwise.

[*Translation*]

Ms. Christine Normandin: We can expect a gradual reopening of child care centres and schools over the next few months. Some provinces have started talking about it.

Do you think coming to the House would pose a higher risk for parliamentarians who have children?

[*English*]

Dr. Barbara Raymond: That's an interesting question. I think all provinces and territories now... We are very actively engaged in these conversations about how to reintroduce what we once thought of as normal activities into our experience. No action stands alone, so determining that someone is to go back to work is associated with someone having to arrange child care, and that sort of thing. It's associated with an entire workplace having to gear up and take on appropriate preparedness and response activities. Nothing happens in isolation, so each of these measures has a fan-out effect.

Clearly, resuming these activities, easing up, causes us to have concern that we will see a resurgence of cases. We should be prepared, as we ease back into something resembling our previous patterns of behaviour, that if we see resurgence of cases, we will have to respond very rapidly to re-contain things. We may be seeing a situation where we ease up and release some of the restrictions on different aspects of life—return to work, child care or school—but we should also be very prepared to see those restricted again if we see a resurgence of cases.

• (1140)

[*Translation*]

Ms. Christine Normandin: If an employee or a parliamentarian were found to have COVID-19, is there a contingency plan in place right now to deal with that?

[*English*]

Dr. Barbara Raymond: The Public Health Agency of Canada would not be involved in a particular plan for an individual or place. I would suggest perhaps your administrative individual could probably answer that for you. It sounds as though they have put some plans in place, but that would not be under the purview of the Public Health Agency of Canada.

The Chair: Thank you, Dr. Raymond.

Ms. Blaney, go ahead, please.

Ms. Rachel Blaney (North Island—Powell River, NDP): Hello, everybody. Thank you both for those very important presentations.

First of all I want to say that I was able to sit in the first smaller Parliament. Part of the reason that I, as a British Columbian, was able to sit there was that I stayed. When I came back home to B.C., I self-quarantined with my family for two weeks. I arrived home, and my family wasn't there because they had gone to get my son who was away at university. They drove him back instead of having him fly, just trying to keep him safe. Then we stayed in the home. Family members and friends brought us food. It was very weird. We did that because we knew things were happening, and I certainly did not want to be unintentionally infecting anyone in my constituency and in my riding, so we made the decision to do that.

I'm also hearing from constituents in my riding who are health professionals—nurses, doctors and caregivers—who are now living in their RVs and self-isolating from their families. It's heartbreaking to hear stories from some of those health professionals who are talking about looking over the fence and watching their kids play but not being able to hug them. People are making some really massive decisions to make sure they take care of the health and well-being of their community and their family.

First of all I want to talk about the issue that Mr. Brassard brought up, the idea of having a venue that provides spacing for members of Parliament.

I have some questions around that: What about the workers? How is morale for all of the workers in the House of Commons who are having to come in and work with Parliament? You have 32 parliamentarians, but how many staff does that require to look after them? There is a question about the amount of cleaning. There was discussion about how often they're cleaning in those high areas. When the House is actually sitting for the day, or in our case overnight, how much more cleaning is happening? What does that look like? Are there appropriate spaces?

I think of the amazing interpreters—and that makes me remember to slow down—who are doing so much work in a very unusual environment. For them to be able to do their work effectively, there are so many challenges. I don't know if those spaces would provide for them.

I'm opening it up to both of you to answer given your expertise. The other factor, even having 338 parliamentarians spaced out nicely over those spaces, is flying. For me to fly to Ottawa it's an epic journey. I'm on Vancouver Island. At this point I actually can't fly from my riding. I would have to drive a substantial way to get on a plane.

That's half of my time already, but if you could talk about some of those challenges, I would really appreciate it so we all have clarity.

Mr. Patrice, if you could answer, that would be amazing.

• (1145)

Mr. Michel Patrice: I'm going to start by saying that your administration is an amazing and committed staff. Morale is good. I am also going to disclose that people are working very hard and long hours, but we're proud to support the House of Commons and members of Parliament.

In terms of numbers to support the House when it's sitting, when it's not sitting right now in the current situation, in terms of all our facilities and over the precinct, we have about 135 staff on site. We have many facilities, and that does not include the protective service personnel. For sittings such as the one we had last Saturday, you can add another 55 people, so that's roughly 190 people when the House is sitting in those extraordinary times.

A lot of our staff are working from home or supporting from home. We're happy that we can provide the services, but we also are always looking for feedback in areas where we could do better or better support you.

Thank you.

Ms. Rachel Blaney: Dr. Raymond, could you speak to the part about asking parliamentarians, the 338 of us, to fly across the country to come to a place where we may have appropriate social distance and what some of the potential barriers would be around having all of the staff required to host us?

Dr. Barbara Raymond: I think I would probably give you the same advice that I have given a number of different businesses, which is that there needs to be a fairly thorough risk assessment done that looks at all aspects of the equation.

As you say, it's not simply a matter of bringing the core group back together. There are the ripple effects. There's the associated staff, there's the support, there's the environmental cleaning and so forth, and then there's the air travel, with the going back and forth and the impact on families at home or perhaps people are going to stay here in Ottawa.

For all of those groups of people, you have to think about what their risks are. What are their risks of being exposed to the COVID-19 virus? How many people do they come in contact with in a day? Are they individuals who will encounter a large number of people? Are they individuals who may be in settings where they may be more likely to come into contact?

The Chair: Thank you, Dr. Raymond. That's all the time we have.

We are going to continue into our second round, with five minutes for Mr. Eric Duncan, please.

Mr. Eric Duncan (Stormont—Dundas—South Glengarry, CPC): Good morning, everybody, and thank you for this opportunity. I want to build on Mr. Brassard's comments and on Dr. Duncan's and maybe vent a bit.

I have the utmost respect, as you know, for all of my colleagues here who have gone around in the line of questioning in the discussions, but I just want to speak about some of what I feel is a misleading perception that some members are advocating. We keep talking about a return to normal and the fear of that or what the consequences would be of a return to normal.

Respectfully, from what I've seen over the course of the last several days of our conversations about non-virtual or different options, I don't think that anybody here on this committee is advocating for a full return of 338 members into the chamber—nor are many parliamentarians—and having all of the staff and support staff there. Some questions were asked about the number of people in a normal working day. I agree with what I think Dr. Raymond said, which is that the new normal is going to be different from the normal that we had before.

I certainly agree with that, but I fear that there is a perception out there, perhaps from Canadians who are listening to this and thinking that there's not physical distancing or that we're jeopardizing the health of each other by perhaps meeting in some ratio format continually in West Block. Ms. Blaney was one who was there. I waved to her from the gallery at the first emergency sitting. Mr. Gerretsen was there as well. I was a backup member, but I got to see it first-hand, and I have to say that the House of Commons administration did an excellent job from a health perspective when it came to our safety.

The physical distancing was I think very well done. I noted what Ms. May said at one point, which I respect, about the opposition lobbies and some of the walking there, but I think that other [*Technical difficulty—Editor*].

• (1150)

The Chair: Mr. Duncan, I paused your time, of course, while this technical difficulty was happening.

We're going to start from where we left off.

Mr. Eric Duncan: Thank you. I'll mention that I'm going to talk to the industry committee about better rural Internet service when this is all done.

To build on the point, again, of what I was saying about the interpreters, I was caught up on that aspect there and some of the challenges. They're in the building already. Security is there.

I will make the comment constructively that over the course of the last month or so the Prime Minister has made announcements every day. That's important for Canadians. I'm not begrudging that on an in-person level. The ministers have followed up in West Block on a near-daily basis, giving Canadians information that they want to know in these challenging times. I respect that. Again, there's a role and a necessity for Canadians to hear the news from the government. Also, in that same building there's an opportunity for all of us, as members of the government or opposition, to ask questions and give the feedback on what we're hearing from constituents on a daily basis.

If a media conference can be done, that requires interpretation, that requires technical support, that requires security, that requires the cleaning process. If that is being done seven days a week without problem, in the West Block, I think with physical distancing, proper health and safety protocols, as have been done, it is not unreasonable to continue to have this ratio, this safe number of members who can have some presence. Most continue to work from home, like myself. The ministers are in Ottawa and likely not travelling back and forth. We can have some team members who are there and who are doing that.

I have the utmost respect for Dr. Raymond and public health officials and our House of Commons administration. At the end of the day, I want people to understand that when we have these conversations we are not advocating for 338 people to come back. The pages don't have to be there. Our staff don't have to be there. We can have these ratio numbers.

In closing, I would make the argument that if it's safe for ministers to do press conferences in the West Block at a ratio level, combining a physical presence and a technological virtual presence, surely to heavens, as parliamentarians, we can do the same as a fundamental part. We can balance those aspects of not having to travel back and forth into our ridings or doing that for extended periods of time. Where there's a will, there's a way to do it safely.

I've been very proud of the three in-person sessions. I wish that when we do get back to normal, the House of Commons and question period look more like the three that we've had during this time—constructive questions, sometimes tough questions and proposals. I think at the end of the day, because of that presence in the chamber, because of those questions and the ability for all members to share what they're hearing in their ridings, we're actually getting better government policy at the end of the day. We've seen changes under the business wage subsidy. We've seen changes in the CERB. That has benefited Canadians.

I want to wrap up my comments by saying more of a rant, and maybe giving Dr. Raymond and her House administration time to breathe themselves. I believe there is no member who is not acting in good faith, who is not wanting to have health and safety measures as they are when they come to Ottawa, to protect themselves while here within the West Block. I think there's a balance there.

I go back to what's being done with media conferences and some of the other features, what's already happening and the staff who are already there. We can do a form of that there safely. I wanted to make sure that this presence, and that perception of what Canadians think some of us may be advocating for, is in no way unsafe. The three sessions we've already had are perfect, excellent models of a safe and good way of doing it. They can be tweaked here and there, I'm sure, to make it even better.

Again, we can add some virtual aspects to make sure—

• (1155)

The Chair: We are almost done for time, Mr. Duncan. I'll give about 30 seconds for an answer.

Mr. Eric Duncan: I'm not sure if anybody wants to take that or not. There wasn't really a question in there.

The Chair: There are 30 seconds, if anyone would like to make a comment based on those comments.

Seeing none, we'll move on to Ms. Petitpas Taylor, please.

Hon. Ginette Petitpas Taylor (Moncton—Riverview—Dieppe, Lib.): First, I would like to take an opportunity to thank the House administration staff for all the work that they've been doing over the past month or so to support us during these very difficult times. I also wanted to take a moment to thank the public health officials for the leadership that they've shown and they continue to show. We truly appreciate the work that they do.

On March 13, we had 197 confirmed or presumptive cases of COVID-19 in this country. The Board of Internal Economy, at that time, took preventative measures to protect the health and safety of staff, of MPs, and even of members of the public by putting some restrictions in place.

Today in Canada, when I look at the numbers on the public health site, I see that we have 40,824 cases of COVID-19.

Do we think that it's wise at this time to loosen the measures that we imposed just over a month ago on the parliamentary precinct?

The Chair: I think this question is probably for Dr. Raymond. Is that correct?

Hon. Ginette Petitpas Taylor: It's for Dr. Raymond or even the House administration staff. It's for both, actually.

The Chair: Okay. Could you both answer quickly?

Dr. Barbara Raymond: Our advice has been consistently to stay the course and to continue. We have asked Canadians to make very extraordinary sacrifices in order to see some flattening of the curve, and our advice to all Canadians is to stay the course.

If there is a determination that it is necessary to return to a workplace, we would recommend that a very careful risk assessment be undertaken, that all of the risks be addressed and that there be a plan in place to rapidly reintroduce measures if further cases are identified.

Mr. Michel Patrice: Based on the recommendations of public health officials and the decision of the board in terms of directions to follow, we're continuing the measures that were approved on March 13. The board recently reconfirmed those measures.

Hon. Ginette Petitpas Taylor: As members of Parliament, we are all employers and we all have employees. Mr. Parent or Mr. Patrice, what are the obligations employers have toward their employees during the type of pandemic situation that we're facing right now?

• (1200)

Mr. Michel Patrice: I'm going to start by saying that our obligation as employers is to provide a safe and secure health environment. Maybe I could ask Mr. Parent or Madam Leclair to continue and respond in terms of the different protocols that we've put in place.

Mr. Pierre Parent (Chief Human Resources Officer, House of Commons): Michel kind of stole my answer there, but yes, members are employers for their employees, so it's important to ensure that you are providing your employees with a safe environment. I know it's probably easier in Ottawa, but in your ridings there is probably more activity.

We have an HR service for members that is ready to assist you. If you have questions about how to manage your workplaces, please

call us. Even though they are working from home, they are able to support you wherever you are in Canada.

Hon. Ginette Petitpas Taylor: Thank you.

I believe Ms. May wanted to ask a question, but I don't know how much time I have left.

The Chair: You have about 30 or 40 seconds.

Hon. Ginette Petitpas Taylor: I'll share my time with Ms. May, if that's okay.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you. If I can, Madam Chair, I'll ask a question within 30 seconds.

Mr. Patrice, when I was observing on CPAC the session that just took place, I didn't see a six-foot distance between the table officers. I'm concerned that we didn't observe physical distancing. In the opposition lobby, I observed MPs clustering. The issue isn't whether I could walk in; the issue is I observed MPs clustering. I'm also very concerned for our table officers.

The Chair: I think that's all the time we have. Maybe at the end of this round we can ask if the committee is okay with hearing from Ms. May a little more.

We will move on to Mr. Richards, please, for five minutes.

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you.

We obviously have to consider public health when we think about how we do everything we do. As parliamentarians, we are now contemplating how we can continue to perform our roles as representatives of the people and what that means for how the House of Commons sits, how our committees work and how we do all of our other functions, whether they are in our riding or are our political functions.

For example, as I quite often do in non-election periods, I had planned to spend a lot of time in my riding in getting out and knocking on people's doors in order to hear from them about what kinds of concerns they have and what things on their behalf they'd like to see me working on in Parliament and elsewhere. Through the last six weeks or so, that has not been something that I've been able to do. Typically, it would have been something that I would have done quite a bit of through a couple of non-sitting weeks. This affects a lot of the things we do. As politicians, one of the other functions that we all perform, of course, is our political function. That would be a part of this.

I'm curious. We're in a minority Parliament right now, obviously, Dr. Raymond, and elections are always possible in a minority Parliament, at just about any time. Given what we're dealing with in this crisis, I wonder if you could tell us what it would look like if there were to be an election this summer or this fall. Do you think it would be possible for that to occur in the next three, four or five months? If so, what would have to be done to take precautions and to enable something like that to occur?

Dr. Barbara Raymond: If something of that nature were required, it would require a significant degree of planning in terms of how to do that safely, including physical distancing and avoiding mass gatherings and a large number of people coming together at any given time.

If the requirement is absolute, then we find a way to manage the risk associated with it. The first rule of risk management is to, if you can, avoid or eliminate the risk. If you can't avoid or eliminate the risk, then you take measures to put infrastructure or other structural changes into place that will help to manage or decrease the risk. Then you introduce policies and practices and so forth that will help to further reduce the risk.

You really always have to be aware that you are running a risk and [*Technical difficulty—Editor*] the ability to manage that.

• (1205)

Mr. Blake Richards: Yes.

There are obviously factors that anyone would consider in terms of triggering an election, and many of those are political, but I'm asking for your advice from purely a health perspective. Would you say that it would be advisable to attempt to do everything we can to avoid going into an election during this period of time?

Dr. Barbara Raymond: I would recommend taking whatever measures we could to avoid creating a condition whereby we increase the risk of transmission, where we create an opportunity for mass gatherings or large gatherings and where we create an opportunity or an obligation for people to gather together when they possibly can't maintain their distancing. Also, some people who are sick or some people are symptomatic would not be able to leave their homes. It would be a very complex undertaking.

Mr. Blake Richards: Yes.

Certainly, to hear you talk about the idea of large gatherings.... On the idea of people going to the polling stations to vote, I guess that's not necessarily a large gathering all at once, but you obviously have a lot of people going in and out of the same space over the course of a day. It would be pretty hard to imagine a scenario where it would be possible to do that safely, I would think.

Dr. Barbara Raymond: It would be challenging. My station always has a big lineup.

The Chair: Thank you so much.

Next we will move on to Mr. Turnbull for five minutes.

Mr. Ryan Turnbull (Whitby, Lib.): Thank you very much. I really hold all our panellists in very high regard and I thank you for being here.

My first question is directed towards Dr. Raymond. I want to ask about the public health advice and how decisions are made before things such as stay-at-home messages are released to the public.

Before PHAC came out with that messaging, did public health officials consider the inconvenience it would cause in people's daily lives for them to stay home?

Dr. Barbara Raymond: Absolutely.

Mr. Ryan Turnbull: Great, and did they also consider whether people were technologically savvy and could potentially work remotely?

Dr. Barbara Raymond: Yes, it was considered and it's always a factor, but we were well aware that not everybody had that capacity.

Mr. Ryan Turnbull: Thank you.

What about the knowledge of different Internet speeds and the variation in that across the country? Was that taken into consideration before that public health advice was put out very broadly?

Dr. Barbara Raymond: It was part of the knowledge set that we had at the time. I guess I would say to you that if we could choose the time for our pandemic, we would have chosen a time when conditions maybe were better suited to having everybody stay at home.

Mr. Ryan Turnbull: Sure. What about the disruption to the economy and the workplace of having people not be able to go to work? Was that taken into consideration?

• (1210)

Dr. Barbara Raymond: These decisions were not taken lightly. They were not taken easily. There was a very full appreciation of the level of sacrifices that Canadians were being asked to make to preserve the health and well-being of other Canadians.

Mr. Ryan Turnbull: Then despite all those inconveniences, disruptions and behavioural shifts that we know are challenging for anybody to accept, public health still came out with the advice to stay home. Why did they do that?

Dr. Barbara Raymond: It was because the cost, in terms of human life and illness, was considered to warrant it.

Mr. Ryan Turnbull: Thank you.

Is it fair to ask people to do that when there are massive repercussions associated with not complying with that advice?

Dr. Barbara Raymond: That is a very philosophical question. It's a very challenging question, but the nature of public health interventions is that we ask all Canadians to make personal sacrifices, not necessarily for themselves and sometimes counter to their own best interest or self-interest, but to preserve the health and well-being of others, particularly the vulnerable, and in this instance, our elderly, and so forth.

Mr. Ryan Turnbull: Thank you.

Does that include members of Parliament?

Dr. Barbara Raymond: We have asked extraordinary things of all Canadians.

Mr. Ryan Turnbull: Thank you. I appreciate the answers.

We've also heard that even within the reduced sittings, many staff have to go back to Parliament. It sounds to me as though there are quite a few risks even with the reduced number. By my rudimentary calculations, the estimates were over 100 people going back into the physical space.

I wonder if I could ask you a question that might make you feel a little uncomfortable, but I feel the need to make the point. That is, if you had the medical histories of all the 100 or so people who are having to go back to Parliament, would you in fact be able to predict which ones would contract the virus and which ones might succumb to it and eventually die?

Dr. Barbara Raymond: I would not necessarily be able to predict who might be in contact or who might be infected, but there are some indicators that we have, that we know, of who would be the most severely impacted, who would have the most serious disease, who might require a ventilator or critical care, and certainly those who might pass away.

The Chair: Thank you, Dr. Raymond. That's all the time we have for this round.

Because we have enough time, we are able to go into our agreed-upon two and a half minute rounds. I just wonder at this time, because we do have a couple of minutes of leeway, if we could allow Ms. May to get two and a half minutes as well. Is that okay with the committee?

We will still have enough time to change over the panellists and get to the next panel.

Right now we will hear, for two and a half minutes, from Madame Normandin.

[*Translation*]

Ms. Christine Normandin: Thank you very much, Madam Chair.

My question comes with a short preamble, and since I'll be asking only one question, I'll be able to leave additional time for other members.

Nearly all MPs agree that we need to work from home whenever possible.

We will have to ask ourselves some questions about our presence in the House. Is it essential that we only show up for votes? Is it essential that we show up once—or three times—a week? Is it essential that there be 30, 60 or 120 members?

Dr. Raymond, could you give us some examples of criteria used in other settings to determine what is essential and what isn't, such as the criteria used by the Public Health Agency of Canada?

[*English*]

Dr. Barbara Raymond: In general we have defined “essential” workers or occupations as people who are providing direct care to those who are impacted by COVID-19 and supporting that care, and people who are supporting the response by maintaining food

supplies, critical infrastructure services and so forth, and in general maintaining the ongoing functioning of the country.

• (1215)

[*Translation*]

Ms. Christine Normandin: I would like to ask a sub-question about the physical presence of these people.

Who is considered essential?

[*English*]

The Chair: I don't think we had interpretation there. There may be a little bit of a problem.

Dr. Barbara Raymond: I think she is asking why we would require an actual physical presence in the workplace. That is very subjective and could be determined based on the requirement that needs to be met in the workplace.

[*Translation*]

Ms. Christine Normandin: I think my time is up, Madam Chair.

[*English*]

The Chair: Thank you so much.

We'll move on to Ms. Blaney for two and a half minutes, please.

Ms. Rachel Blaney: Thank you, Madam Chair.

First of all, Mr. Patrice, you talked about having masks and gloves and working out a protocol around that, and whether they'll be needed. When will this be something you feel the staff of the House will require? What's the measure that you'll be using?

Mr. Michel Patrice: Essentially, it's the advice provided by public health officials. We're just trying to anticipate whether this will come or not, and be ready.

Ms. Rachel Blaney: Thank you.

When the House has one of its reduced sittings—and it's had three now—what does that mean in terms of increased cleaning requirements? I know you have a plan around how to keep all of those spaces, which you talked about earlier, those high-travel areas, clean. How has that increased, and are there other areas you add to the cleaning regime during the reduced sittings?

Mr. Michel Patrice: We've basically planned our work around the requirements in terms of increased cleaning, and we're able to support those requirements.

Ms. Rachel Blaney: Okay.

When you have a reduced sitting of the House, are staff who do that work encouraged to do a little more, or do you have to bring in more people? I'm just curious, with the reduced sittings, how many more people you have to bring on site.

Mr. Michel Patrice: I have a specific number for the cleaning staff, but obviously when the House is sitting we bring in a few more. You'll understand that in a no-COVID time, our staff is way bigger in terms of supporting the precinct as a whole. We have lots of cleaning staff who obviously cannot work from home and who are at home right now, so we do a rotation in terms of not putting the same pressure on the same people.

Ms. Rachel Blaney: There was a question about signing into West Block. I understand that every building of Parliament has a sign-in system right now, so we're able to track who's coming in and who's sticking around. If people come in and work from their office within any of the parliamentary buildings, how much increased cleaning is required? How do you measure that, knowing that people can come in and out of those buildings as they feel they need to during any parliamentary day or any day at all?

The Chair: In 10 seconds, please.

Mr. Michel Patrice: The sign-in for us is very useful because it allows us to do targeted cleaning as opposed to cleaning the whole building.

The Chair: Thank you so much.

Ms. May, for two and a half minutes.

Ms. Elizabeth May: Thank you very much to all members of the committee.

Mr. Patrice, do you remember what I was asking when we ran out of time, and could you respond to the question about physical distancing for table officers and others?

Mr. Michel Patrice: Yes. In relation to the table officers, you will have noticed that we have moved the table officers farther down the table. The spacing between them exceeds the two metres.

I think you were probably also commenting in terms of when people move around. On that I'm going to say, and it's true for me too, that we all have to adjust and be aware. It's always a question of self-awareness and where we're located in relation to another person, so we remind our people quite often and ourselves also.

• (1220)

Ms. Elizabeth May: It is the case, of course, even meeting in the scaled-down numbers that we had on March 24 and April 11, that every time is a risk. I certainly feel Rachel Blaney's pain on this point. I just booked my travel to get to Ottawa for the Wednesday sitting next week. Normally I could travel it in one day, but now it's a day-and-a-half trip, involving driving to Vancouver and taking the ferry in order to make the plane. There are going to be additional risks for MPs to travel during a pandemic.

To the point around actual physical distancing in the House, I worried on Monday that pieces of paper are physically handed to the Speaker. Clearly, we're not keeping physical distancing at all times and people aren't wearing masks in the chamber. When we lose physical distancing, should we be wearing masks in the chamber?

Mr. Michel Patrice: I believe that would be a question for Dr. Raymond.

Dr. Barbara Raymond: Our public health advice is that if you are unable to consistently maintain a two-metre distance between

individuals, we recommend the wearing of a non-medical mask or face covering. That measure protects others, by containing respiratory droplets and preventing their spread, rather than protecting the wearer of the mask. It is an additional measure that can be taken if you are unable to maintain appropriate physical distancing.

The Chair: Thank you. That's all the time we have.

I want to thank the whole committee for its consideration in allowing Ms. May to ask her questions.

You've definitely been very dedicated to stick around for all of the meetings we've had. We thank you for joining us.

Now we will take a eight-minute break so we can change the panel around. This is just a suspension. We'll all be back at 12:30, please.

Thank you.

Dr. Barbara Raymond: Thank you.

• (1220) _____ (Pause) _____

• (1230)

The Chair: I believe we are just waiting on a couple of members. I don't want to be unfair to anybody. I know that these meetings are going on for longer than usual.

Mr. Richards, Mr. Duncan, are you there?

Mr. Blake Richards: Hi, I'm here.

The Chair: Okay, perfect.

All right, Mr. Duncan are you there?

Mr. Gerretsen?

Seeing that is 12:31 and we have a jam-packed panel, I'd like to resume as quickly as possible. I hope Mr. Duncan and Mr. Gerretsen are close by and can at least hear.

Welcome back. We're going to get started.

Everyone, I just want to remind you to please click on your screen at the top right-hand corner and ensure that you are in gallery view. This view is best so that we can all see each other at the same time.

As a reminder, all comments are to be addressed through the chair. When speaking, please speak slowly and clearly. When you are not speaking your mike should be on mute. Everyone has actually done an excellent job on this portion of it in the last few meetings, but it's the "unmutes" that we sometimes seem to forget, so let's keep that in mind. Headsets are strongly encouraged.

I'd like to welcome all of our witnesses to our 11th meeting of PROC. We are very honoured to have you all here. You have great expertise that you'll be able to share with us.

Today on the second panel of our 11th meeting, we have Monsieur Marc Bosc, the former acting clerk of the House of Commons; Emmett Macfarlane, associate professor, University of Waterloo; the Honourable Peter Milliken, former speaker of the House of Commons. Welcome again.

We also have Monsieur Benoît Pelletier, professor, faculty of law at the University of Ottawa. Last but not least, we have Mr. Gregory Tardi, executive director of the Institute of Parliamentary and Political Law.

Welcome to all of the witnesses. You each have some time allotted. I believe 10 minutes is what you were informed of. I'm hoping some of you will be able to help us out and try to shave off one to two minutes from that 10-minute introductory comment time. Please, if possible, try to do that.

We will start with Mr. Bosc.

Mr. Marc Bosc (Former Acting Clerk of the House of Commons, As an Individual): Madam Chair, members of the committee, thank you for the invitation to appear before you today.

[Translation]

It's an honour to be invited to contribute to your work.

[English]

It is rare that the House of Commons and its committees are confronted with existential issues such as those they are seized with today; hence, there is a need to step back and reflect on the broad principles that you will need to consider in formulating your recommendations.

The Speaker has outlined a series of such principles. The committee should heed these, as they are important reality checks on the practical implications of experimenting with the concept of a virtual House of Commons. I would add one overarching principle—the need to have an active and functioning legislative branch of government during the time of crisis.

In too many countries around the world, dominant executive branches of government eclipse Parliament. This makes parliaments weaker and less relevant. That imbalance needs to be addressed, especially in a time of crisis. The House of Commons needs to be functioning and to be seen to be functioning.

[Translation]

I want to be clear: Parliament, particularly the House of Commons, is an essential service to the country.

• (1235)

Members of Parliament are also essential workers, despite the fact that, in order to meet public health standards, the parties wisely decided to reduce the number of MPs attending the sittings, as did the House administration, limiting the presence of public servants to the strict minimum absolutely necessary for the functioning of the House. I'd like to point out, for information purposes, that the House sat the day after the fire in Centre Block in 1916, and that the House sat the day after the October 22 shooting in 2014.

[English]

So it was encouraging on Monday to see the House take steps towards resuming operations. It is a start, but more can be done.

The committee has already been made fully aware of the finite capacity of the House administration to deliver a virtual House on short notice. Indeed, the technical challenges are immense, and were evident at the committee meeting two days ago. Clearly, it will not be possible for all members of the House to participate next Tuesday.

[Translation]

Despite the superhuman efforts by House staff, led on the technical side by Stéphan Aubé's team and on the procedural side by the team of the deputy clerk, André Gagnon, the physical and technical limitations of a virtual House are significant and numerous. I'm convinced that these people will do their utmost to ensure that this project can eventually succeed, but I would ask you to be lenient with them and understand that this is the art of the possible.

[English]

Given these realities and the need to fully take into account legal, procedural and constitutional considerations, it would be preferable to move quickly to a hybrid model of House sittings. By this I mean in-person sittings augmented by virtual participation, for which the number of attendees would gradually increase as the House administration's capacity increases. As has been done so far, in-person sittings conducted with limited attendance that respects the proportions of the House obviates any concerns related to sections 16 and 48 of the Constitution, namely Ottawa as the seat of government and the need for a quorum.

As an aside, I am perplexed as to why, for the special committee agreed to on Monday, the quorum is set at only seven, when in reality it is for all intents and purposes a committee of the whole House, where quorum is 20, as it is for the House in full sitting.

A hybrid approach has the benefit of retaining for members and the House the flexibility and agility afforded by in-person sittings, while respecting public health guidelines by supplementing such sittings with virtual participation that has the added benefit of safely ensuring cross-country representation. That virtual participation will increase in numbers and efficiency over time. This way, Canadians will continue to see the physical House in action on a regular basis, will be reassured to see that their key democratic institution is functioning and thus that a return to normalcy is beginning ever so modestly. Public confidence is increased by a regular and visible challenge to the actions taken by the executive. As representatives of all parties and regions are heard, all Canadians will feel that their views and concerns are being expressed.

• (1240)

[*Translation*]

Naturally, there are still countless procedural details to be considered, particularly for virtual sittings. How will the Speaker know which minister will have the floor during a virtual question period? How will points of order and questions of privilege be handled? What happens to questions and comments in the context of a debate? What about recorded divisions? The list of questions goes on and on.

However, I have every confidence that the procedural services team will be able to support the Speaker and the House in coming up with creative solutions to the majority of these issues. One thing is clear, though: any approach will require collaborative, patient and constructive input from each party and all members of the House. Things can and should be simple so that we can focus on the real function of our assembly: to legislate, to study the business of supply and to hold the government to account.

[*English*]

With regard to votes, one possible avenue to explore is to build on the existing practice of applied votes by the whips, which is already routinely used, mostly in instances where the House is faced with large numbers of votes. On the other hand, if a purely technological solution is preferred, I am sure that House procedural and technical staff could advise the committee on how to devise a method of remote voting for virtual participants.

These are just a few of the issues the committee and ultimately the House will need to consider in the days, weeks and months ahead. A deadline such as that imposed on this committee in the current context is not realistic, in my view, if the committee wishes to thoroughly explore the subject area of virtual sittings. It is an extremely complex issue with broad implications, and would benefit from a longer, more in-depth study. As such, the committee may wish to present an initial report and then continue its consideration of this subject matter beyond the terms of its order of reference.

[*Translation*]

That brings my remarks to a close.

I'm available to answer any questions you may have.

[*English*]

The Chair: Thank you, Mr. Bosc. We appreciate all of your experience and your many appearances before this committee in the past.

Mr. Macfarlane, please.

Mr. Emmett Macfarlane (Associate Professor, University of Waterloo, As an Individual): I want to thank the committee for inviting me to join you today. In the written submission I provided, I outline a short set of disparate constitutional issues and principles that I hope will guide your decision-making on virtual activities in the House.

A key concern about Parliament's role during the pandemic is that all MPs be able to participate as fully and as practically possible. Because in-person meetings of the full House are not possible, and possibly for quite some time, this means undertaking a serious

consideration of the full range of virtual activities, including remote voting.

A skeletal parliament is not a substitute for the breadth and depth of debate and deliberation, question posing, and responsibility to vote on bills and motions by all of our elected representatives, be they members of recognized parties or independents.

Another reason for concern about the skeletal parliament so far is that it has not ensured that all regions and provinces are properly represented. While the Senate is properly regarded as the chamber of regional representation, and so regional or provincial representation within the House is not necessarily a formal legal requirement for any given sitting, ensuring such representation in the House is consistent with the broader principle of federalism and certainly from a political and legitimacy perspective.

Moreover, as central as political parties are to our system, our House of Commons is ultimately founded upon elected representatives at the riding level. No voters in any riding deserve to have a representative who can only fulfill part of his or her ordinary role. Maximizing what can be done virtually is the best way to facilitate full participation during this ongoing emergency.

One of the biggest obstacles to online voting by members is possibly the Constitution. Although much virtual activity may be facilitated by changes to the Standing Orders, permitting distance voting likely requires a formal amendment to the Constitution Act of 1867, by virtue of the language of sections 48 and 49 in particular. Section 48 refers to the "presence" of members "necessary to constitute a Meeting of the House for the Exercise of its Powers", and the language of section 49 certainly implies a physical presence in the House for voting purposes. However, Parliament has clear authority to amend these provisions unilaterally under our amending formula. As a result, the necessary amendments to facilitate online voting by MPs can be brought into effect by an act of Parliament.

Another obstacle suggested by some commentators is that meeting virtually clouds the application of parliamentary privilege. It is true that courts have been reluctant to expand the scope of privilege beyond parliamentary activities. In determining the scope of privilege, however, courts have quite consistently framed their analysis in terms of the sphere of activity or the content of the parliamentary function, not the venue or process by which that activity is pursued.

While I am not an expert on parliamentary privilege specifically, it is difficult to see how privilege would not extend to the core parliamentary duties of individual members if conducted in a virtual context. Nonetheless, formalizing virtual processes through changes to the Standing Orders or even the Parliament of Canada Act may help to ensure that such activities are regarded by the courts as being core to the formal legislative process.

As for practical and technological considerations, it's clear that there's a lot to be worked out. My political science colleague Nicole Goodman, and others, have written about how something like distance voting can be facilitated. It is even a recommendation by a recent report of the Commonwealth Parliamentary Association. Samara Canada has discussed some of the other challenges as well, but I agree with its position that these can be worked out.

I do think that formalizing provisions to enable virtual activities, including voting, is important not only for the next months but also as a future contingency. At the same time, however, I think that any changes to the Standing Orders or to statutes like the Parliament of Canada Act or even the Constitution Act that aim to facilitate virtual processes should be framed explicitly as emergency measures.

• (1245)

Provisions for virtual participation should be regarded as a temporary stopgap measure to ensure Parliament can continue to play its fundamental role to the best degree possible, but they cannot replace an in-person Parliament during normal times.

Finally, I do not have any opinion about the frequency of sittings of the House during the pandemic. There are clear reasons in favour of ensuring Parliament continues to sit and that its activities be as robust as possible, but the number of days per week or the length of any breaks in sitting are hardly scientific propositions, in that they can be left to the resolution of the various parties.

I'll leave it at that for now. I look forward to your questions.

The Chair: Thank you, Mr. Macfarlane.

We appreciate all the witnesses who have submitted written submissions to the committee. Those are valuable as well.

We'll move on to the Honourable Peter Milliken, please.

Hon. Peter Milliken (Former Speaker of the House of Commons, As an Individual): I'm not much of an expert on this subject, but having said that, I have recently, as a member of various boards of community or charitable organizations, had to attend a lot of meetings in this kind of format. I have actually done quite a number in the last few weeks, never mind the months before, because sometimes they have their meetings in this fashion.

By that, I mean they are like the one we have now, where you can see everybody on the screen or see their name, which in my view is quite an important part of this and would be very difficult, in my view, for sittings of the entire House. Having over 300 people on your screen is not going to work. It would be tricky, to say the least.

In thinking about this when I was asked to make some submissions on this subject, I thought the first thing I would say is that in my view this could work for committees, and I think it could work

reasonably well. If a committee wants to have a meeting and consider legislation, they could have a meeting somewhere on Parliament Hill in one of the committee rooms with a few MPs present who happen to be in town or whatever, and then have all the others connected on one of these devices and continue a fairly normal meeting that way.

I say "fairly normal" because the chairman of the committee can see who is there, members can indicate by holding up their hand that they wish to speak next, which we do on some of the boards I sit on, and the chairman of the committee can recognize the person who wishes to ask a question or make a statement and then move on to the next, and so on through these proceedings.

However, in a meeting of the House of Commons, that is going to be extremely difficult when you have so many people potentially wanting to participate at different times and on different things, and where you are going to have votes that are going to have to be counted by somebody who can watch the pictures of the members and then get a vote. It's going to be a very complicated process, and not one that I think is going to be terribly helpful, but as some of the others have suggested in their comments, if we have a situation like the current health situation in the country, we need to be able to have Parliament continue to do at least some of its functions and to deal with important legislative matters. Maybe this is the only way to do it.

The other part of this that I'm particularly concerned about is how the Speaker is to choose from this kind of screen arrangement persons to speak and ask questions and all of that sort of thing. As I've said, in a committee where you have a fairly limited number of participants it's not so bad, but in the full House, how is the Speaker to know who is going to be next and from which party and all that sort of stuff?

Yes, in question period, we have an order by party and so on, but you would need to find out who is going to be the one asking the questions, and there are points of order that come up from time to time as well. How do you have a member indicate that he or she wishes to raise a point of order or a question of privilege and signal that to the Speaker in a way that might attract attention on a screen of this kind when you have that many possible people on the screen? It's going to be very difficult to catch this, I think, but I'm not an expert on this topic.

• (1250)

The Chair: I just wanted to say, Mr. Milliken, that there is another function. I don't know what application would ever be used for a virtual Parliament, but right now we're using Zoom for committee. You don't just have to signal. There's also a button you can push to raise your hand. It gets prioritized according to who raises their hand first. I think there are some unique solutions being discovered at this time.

Hon. Peter Milliken: Yes, I agree. Almost all of my meetings have been Zoom meetings, and so I feel fairly familiar with this in some ways. But, as I say, when it's a much bigger screen with potentially 10 times as many people at least on there, it's going to be very difficult to examine it and see who's popping up, unless there's some technology allowing people who push the button to get their intervention to the front....

The other thing I've noticed in our meetings is that you can turn off your mute button and then start to speak. Members were interrupting one another frequently in these board meetings, not intentionally, but two or three would start speaking at the same time and then the chair had to calm them down, choose one, and say, "You're going first and others please be quiet". It's not a straightforward process. I'm just concerned, as the means of dealing with a large number of people, that it's going to be even more difficult for that.

What could happen, as what happens in the House, is heckling. You push off your silent button and start heckling the member who's making a speech if you disagree with what he or she is saying or want to challenge the member. You could have a whole bunch of people doing that at the same time, because once one starts, others would respond by saying, "You're not supposed to be speaking. Shut up." All that sort of stuff can go on, as happens in the chamber. It would make it very difficult, I think, for the presiding officer on a screen of this kind to manage the disorder. It's a numbers game, in my view, that is important here.

The other possibility is that when there is a crisis like this, there could be some worked-out arrangement whereby the House would only sit for, say, a day a week, and on those days, new legislation could be introduced and referred to committees right away. Then the next week, more of that, but then maybe some committee reports would come back with suggested changes to the legislation that could be adopted. Then, if the parties agree, there could be a vote on third reading or second reading, with approval of the amendments, whatever, and then get on with it without having lengthy debates at those stages of the bill. That could happen too. There might be some willingness to do that, at least on matters of national importance that Parliament might have to deal with, where we're not sitting for three or four months because of this infection.

I think those are possibilities for avoiding lengthy chamber sittings. This would also mean that most of the work done on computers would be committee work. As I say, I think committees could function reasonably well compared with the House, given the size. A committee could have a meeting, as we're having here now, because parties could express their views. Each of the members would get his or her say, witnesses could be called and questioned by the various members, and the chairman of the committee could see who's next by the colours that light on people's screens if they

push the button. It would be relatively easily managed because of the much smaller number.

I say that, having sat on these boards and watched. It's not that I'm wildly in favour of this method instead of an in-person meeting, but it's not that bad, in my experience, except for the fact that we do have a lack of control in who speaks. A bunch of people can speak all at once, and you then have to have somebody say, "Wait, we have to hear one first, because we can't hear everybody at the same time", and calm them down. That happens in the House too, but it's a different situation there.

Those are the points that I thought I'd suggest here. Obviously, there's going to have to be some good process for identification of the person, a picture or a camera that picks people up. That needs to be part of the process, in my view, so that we can see who's there doing the talking and that it is not somebody substituting for the member.

I think it's important, too, that the options for intervening in debate should be somewhat limited if the debate is taking place in this format.

• (1255)

We don't need to have lengthy questions and comments at the end of a member's speech. We don't need to have questions of privilege or points of order raised frequently, which could happen, but some of that will happen without much control. It's an issue that's going to have to be dealt with. It might be a little harder for the Speaker to deal with, because you can't always see what's going on in the background with the person appearing. There could be other people in the room with the MP speaking who are yelling at him or telling him to do something else or passing him notes, and this could cause consternation among some of the people watching.

I think it's an area of potential crisis or a problem, but one that may be important from a House perspective, as we have this lengthy period during which we will not be meeting or close to somebody because of this ailment that our country and much of the world are suffering from at the moment—

The Chair: Thank you very much, Mr. Milliken. We are so honoured to have you with us here. Presiding over four Parliaments is indeed no small feat, so it's wonderful to have you on the panel.

I'm also learning, as we go, how to use some of the features of what we're using right now in Zoom. We have the capability of muting people or turning their mikes on when needed, so you can have that control, which I think is a great ability to have in some of these meetings when there are a lot of people. I definitely hear everything else that you're saying, though. There are many challenges involved.

Next we will hear from Mr. Pelletier, please.

• (1300)

[*Translation*]

Prof. Benoît Pelletier (Professor, Faculty of Law, University of Ottawa, As an Individual): Thank you for inviting me to this meeting. I am very honoured.

I feel a bit like I'm involved in the creation of new rights. I must say that I have approached today's topic from a constitutional perspective. I am better known as a constitutionalist than as a legal expert in other areas.

I have been thinking about whether the work of Parliament could continue virtually in a much more comprehensive way than what Mr. Milliken has just set out. I very much appreciate his practical approach. Only a former Speaker of the House of Commons has that kind of knowledge. It is knowledge that I do not have.

For my part, I approached the issue from a constitutional law perspective and focused on the House of Commons, meaning that I did not focus on the Senate. Although my review has focused on the House of Commons, my comments are applicable *mutatis mutandis* to the Senate of Canada.

For my study, I examined a number of normative sources. Obviously, I examined the Constitution Act, 1867, the Constitution Act, 1982, the Parliament of Canada Act, the Canada Elections Act, the regulations developed by the House of Commons itself, case law, and constitutional conventions, which are extremely important in parliamentary matters.

I can tell you at the outset that I have found no constitutional constraint on the work of the House of Commons taking place virtually. The conclusion I have come to is that there is absolutely nothing in the Constitution that prevents virtual proceedings from taking place. However, there are a number of principles in the Constitution that must be respected. To the extent that they are respected, the work of Parliament can be conducted virtually.

I remind the honourable members that, even if the Constitution were to contain inescapable requirements or conditions with respect to parliamentary proceedings, there is always a possibility for the Parliament of Canada to amend certain constitutional provisions.

One of the inescapable conditions laid down in the Constitution is, of course, the obligation for Parliament to hold at least one sitting once a year. This follows from section 5 of the Constitution Act, 1982.

Second, the maximum term of office of the House of Commons is five years, with a few exceptions provided for in the Constitution. This follows from section 4 of the Constitution Act, 1982.

The Speaker of the House must preside at all sittings, according to section 46 of the Constitution Act, 1867. A quorum shall consist of 20 members, the Speaker being counted as a member, according to section 48 of the Constitution Act, 1867.

Questions must be decided by a majority of votes, according to section 49 of the Constitution Act, 1867.

English and French must be used in the debates, records, minutes and journals of the House of Commons, according to section 133 of the Constitution Act, 1867.

The Governor General has the power to dissolve Parliament at any time under section 50 of the Constitution Act, 1867.

The principle of responsible government must be respected. It is a constitutional convention that has probably acquired a supra-legislative status over time. It must be respected.

Immunity from speeches made in the House remains. This means that the absolute immunity that members enjoy in respect of what they say or do in the House remains, because that immunity relates to the proceedings of the Legislative Assembly and not to the physical place where it is usually held.

• (1305)

It is therefore aimed at the proceedings, not at the areas within a building. It also applies to the proceedings of parliamentary committees.

I also note in passing that under sections 7 to 9 of the Parliament of Canada Act, the immunity enjoyed by the broadcast of parliamentary proceedings must also be respected and must remain an essential feature of the House of Commons.

I also note that there must be a publication of parliamentary proceedings, pursuant to the Publication of Statutes Act and the Department of Public Works and Government Services Act. Of course, the duties of the Parliamentary Protective Service do not change. The Parliamentary Protective Service is responsible for security throughout the parliamentary precinct and on Parliament Hill.

However, two considerations are, in my opinion, a little more difficult to combine with the holding of parliamentary proceedings in a virtual way. The first consideration is the public nature of the House. I believe that it is the very essence of the House of Commons to have that public character. The House of Commons has a legislative function and a deliberative function. It also has the function of controlling the government. However, we must not forget that it also has the essential characteristic of having a public nature. If ever the business of the House proceeds virtually, it will be necessary to ensure that this public nature of the House of Commons is respected.

The last condition, as you may have guessed, is of course the media. It is absolutely essential that the House of Commons continue its work in front of the media. In the context where the House operates virtually, we have to find a way to ensure that there are no impediments to the media's role, that nothing affects the media's role. Obviously, that is also one of the essential characteristics of the House of Commons.

When I look at the essence of the House, the constitutional provisions applicable to the House, the constitutional conventions and the applicable laws, I see nothing that a priori prevents the business of the House from proceeding virtually. Of course, a number of conditions, which I have just mentioned, must nevertheless continue to be met.

[*English*]

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): You're muted, Ruby.

The Chair: Sorry. We all make mistakes sometimes.

Next but not least we have Mr. Gregory Tardi, please.

Mr. Gregory Tardi (Executive Director, Institute of Parliamentary and Political Law): I'd like to thank the committee for extending me an invitation to participate in today's proceedings. The chair mentioned that I'm representing the Institute of Parliamentary and Political Law. In addition to that, part of my background is 15 years spent in the office of the law clerk. Hopefully, that will be of some use in this process.

Given the relatively short amount of time available, I'd like to address in summary fashion the terms of reference the committee adopted in respect of today's proceedings. I sent the committee clerk a written version of my more detailed comments. I understand that the document is now being translated.

First of all, I think there is a constitutional foundation for the position of Ottawa as the capital of Canada. That is complemented by the convention that a capital city of a country should be, in normal circumstances, the seat of its government, including legislative, executive and judicial institutions. There exists, therefore, a legitimate expectation that Parliament should meet in Ottawa, but that expectation is refutable. I think I join in the sentiment and some of the comments made a few days ago by Philippe Dufresne.

We can ask, first, what is the work that parliamentarians are asked to accomplish? More to the point, what gives rise to parliamentarians' ability to conduct that work? Recent Supreme Court jurisprudence tells us that members of the House of Commons legislate, deliberate and hold the government to account. The condition precedent to enable MPs to perform these various tasks is the requirement for quorum.

This brings us to what I believe is the core of the issue. This core issue that we're asked to address today is the validity of a proposal to have the House of Commons sit, and to have MPs conduct their work, in what the committee mandate calls "alternate locations". To some extent, the committee's study may have been overtaken by the House decision, reached on Monday, April 20, to divide its work between in-person sittings in Ottawa and virtual sittings, including other locations in Canada. Nevertheless, the present study is constructive in providing such a decision with a sound footing in law.

The legal validity of the issue of holding meetings involving both Ottawa and alternate locations, or of holding virtual meetings across the country, hinges on the current understanding of the concept of quorum. In my opinion, the essence of the matter is that while the meaning of quorum in 1867 was understood to be simultaneous physical presence of the participants, that is no longer the case today. Considering the advances in technology in 2020, it is possible, and certainly more appropriate, to think of quorum no longer as simultaneous physical presence but as being based on the notion of participation—a virtual meeting of the minds, so to speak—wherever the MPs in question may be located.

This notion of participation as the basis of quorum is in fact supported by legal analysis in two mutually enforcing ways. The first is the purposive approach that has been adopted by the Supreme Court of Canada in recent years. What matters is the general purpose of a rule, such as that dealing with quorum. That purpose must be interpreted according to the real-life conditions at the time the rule is interpreted—that is, today—and not according to the world as it was in 1867. Second, the holding of meetings in alternate locations, or using technology enabling virtual presence, is, I believe, in line with the Supreme Court's understanding of the national emergency branch of the peace, order and good government doctrine.

• (1310)

COVID-19 has incontestably started an emergency and one that is national in scope. The House of Commons, therefore, has the requisite rational basis, I believe, for resorting to extraordinary measures. I submit that the understanding of quorum put forward here is in line with the concepts of parliamentary privilege. The requirements for meetings are part of the internal organization of the House and therefore subject only to House decision-making.

On a separate but related note, the House will have to devote particular attention to other aspects of parliamentary privilege dealing with alternate locations for virtual meetings. Most notably, it would be important for the House to decide whether it considers that privileges of freedom of expression apply to MPs in various locations across the country other than the chamber of the House of Commons situated in Ottawa.

Finally, what appears from the mandate of the committee is that it's very important—and I think Mr. Milliken just underlined this—to understand that the technical support rendering meetings involving alternate locations for virtual meetings must be as absolutely fail-safe as possible. The questions put to the committee today require analysis of several other significant aspects. I examine those in greater detail in my written submission.

• (1315)

[*Translation*]

I am prepared to answer your questions in English or French, as you wish.

[*English*]

Thank you, Chair.

The Chair: Thank you so much, Mr. Tardi.

The first questioner is Mr. Richards for six minutes, please.

Mr. Blake Richards: Thanks, Madam Chair.

I've got about four questions, and I want to ask both Mr. Bosc and Mr. Milliken to provide some responses. I'll ask that you give me a yes or no on the first question, and then we can maybe get some brief answers to the other three from each of you.

Mr. Bosc, you indicated in your opening remarks that you thought the idea of virtual sittings might not necessarily be the best idea and you talked about a hybrid model. I'd like to confirm from both of you—I think it was fairly clear in your opening remarks but I want to be sure—that you both felt the idea of the straight-up virtual sittings of all MPs would be pretty difficult or not advisable, given that we're trying to do this fairly quickly when we're looking at hundreds of years of parliamentary experience and we're talking about five meetings to study this.

Was I accurate in portraying your opinions, both of you, that you feel this may be not the best thing to rush into?

Hon. Peter Milliken: Yes, that's accurate. I'm not opposed to having them but I think they're going to be very difficult to manage properly. So that's why I suggested maybe one or two sitting days a week max where the House would sit and deal with very limited stuff and send a lot to the committees and let the committees keep doing their work. When the House comes back after the illness is finished, the House can meet for longer hours, and deal with all this stuff that has been studied in a much more efficient way than if it waits and deals with it all again when it comes back.

Mr. Blake Richards: That's fair enough.

Mr. Bosc, a yes or no on that one?

Mr. Marc Bosc: I agree that purely virtual sittings carry a lot of potential difficulty both technically and procedurally. On that score, I agree with former speaker Milliken.

Mr. Blake Richards: To both of you again, on that same point, would you say that one of the issues there might be, given the idea of parliamentary privilege and the ability to accommodate all 338 MPs, that there certainly is potential for breach of parliamentary privilege when someone isn't able to participate properly, whether that be because they don't have good Internet connections in their constituency or for other reasons? Would the two of you share those concerns about parliamentary privilege, and why or why not?

Hon. Peter Milliken: It would be a matter of privilege if they couldn't get into it. I hadn't thought of that as an issue, but they don't have to do it from their own riding; they could go to the provincial capital or a nearby city in their constituency and do the work from there. They don't have to be in their house or in their office to do this, I don't think, but it depends on what restrictions the House chooses to put on it.

Again, I don't think there's any reason you couldn't have a group of members of Parliament in one place who are all participating in the discussion like this, maybe all in your office together. Technically it could be done that way. Other members might not like it much, but I don't think you would be required to be in a room on your own for this to happen. I don't know how anybody could tell that was the way it was being done, if the other people were out of sight of the camera.

• (1320)

Mr. Marc Bosc: I'll add very briefly. Ms. May suggested on Tuesday that some members couldn't get to a location where connections were better or participate in that way. Each case would have to be looked at on its merits. If there's a snowstorm is one part of the country and people can't participate in a sitting of the House, the House continues. Each case is going to have to be looked at on its own particular circumstances and merits.

Mr. Blake Richards: Another thought would be that when debate is occurring in the House, if a member who is scheduled to speak isn't there and doesn't rise to speak, and no one else rises, debate can collapse.

What will we do in those situations where we have a bad connection or the microphone might not be working and so then, obviously, there's no ability to recognize that they're speaking? How would you see that playing out in a virtual sitting? Would that be the cause of the collapse of a debate, for example, if we couldn't get the connection up and running for several minutes and nobody else was available or ready to speak? I guess we wouldn't know the reason the person is not rising, essentially. Is it connection trouble, or what?

I want to hear your thoughts on that.

Mr. Marc Bosc: If I can just jump in really quickly, I'll leave more time for Speaker Milliken. The reason I'm in favour of something like a hybrid arrangement is that it preserves this agility and flexibility for the House for just those kinds of circumstances that you've mentioned. It takes that all away. People from each party in the House are there physically and they can jump up and say there's no unanimous consent or they're not ready to put the question yet or they've got a member who wants to participate in debate, but can't get a connection—that kind of thing.

That's why I like the flexibility of the hybrid model. It brings in as many people as possible, but it preserves all the good things that the House allows you to do in an actual sitting.

The Chair: Thank you, Mr. Bosc.

That's all the time we have for questions.

Mr. Tochor, you have your hand raised. Is it because you'd like to intervene or raise a point of order?

Mr. Corey Tochor (Saskatoon—University, CPC): No, I'm just wanting to be next in line to question, please.

The Chair: You are next in line. You will have five minutes in the second round.

This, I think, is the perfect opportunity for me to reiterate some of the rules I mentioned at the beginning of the meeting. If you want to make a point of order, you just unmute your mike, and you go ahead and interrupt and make that point of order. After that, if you want to speak to that point of order, it's best if you raise your hand in the participant list and then I get a generated list according to who's raised their hand first. It's very easy for me to identify the speaking order from that list.

Mr. Corey Tochor: I am aware of that. That's what I was following, and I was waiting in error. There are technology issues here, obviously.

The Chair: Okay. Thank you.

Next up is Mr. Gerretsen for six minutes, please.

Mr. Mark Gerretsen: Thank you very much, Madam Chair.

Thanks also to our guests, in particular my predecessor, Mr. Milliken, who's here today.

Speaker Milliken, I have a quick question for you.

At the last meeting, two days ago, we had the current Speaker of the House. I asked him, given the advice from Health Canada, and given the fact that he is ultimately responsible for the employees of the House of Commons, whether it would be his position to heed the advice and exercise social distancing to the maximum extent possible within the House of Commons given his position there? He said, yes, that he would.

As a former speaker, would you have taken the same advice from Health Canada and done everything you could to maximize that?

• (1325)

Hon. Peter Milliken: I don't know. I never had to deal with this kind of issue when I was in office. I never saw it happen. I'm sure I would have taken the advice as—

Mr. Mark Gerretsen: You would have taken the advice. Okay. Thank you.

Mr. Macfarlane, help me understand the basic principle of parliamentary privilege. My understanding of it is that at its most fundamental core, it means that all members have access to the same opportunities and the same rights in terms of being present for meetings, and so on and so forth, and having access to the Hill. Is my understanding of that correct?

Mr. Emmett Macfarlane: That's certainly one part of privilege. There are institutional-level and individual-level components to parliamentary privilege. One of the other individual-level components is individual immunity for things like freedom of speech. We could elaborate on those different ones, but what you point to is certainly one part of that, yes.

Mr. Mark Gerretsen: But a fundamental principle of parliamentary privilege is that members have the same rights to represent them, and no member has a superior amount of privilege. Would a cabinet minister have a superior amount of privilege?

Mr. Emmett Macfarlane: No, not in the way I understand privilege.

Mr. Mark Gerretsen: Right.

Mr. Pelletier, what are your thoughts on that?

[*Translation*]

Prof. Benoît Pelletier: I'll answer you first in French, if you like, and then I'll add a few words in English.

Immunity and privileges shall be accorded equally to all members of the Assembly. I do not see any disparity between members of the Assembly.

[*English*]

This being said, immunity is related to the work of the chamber. It's not related to the House in itself, to a building—

Mr. Mark Gerretsen: It's related to the work. That's a very good point.

Prof. Benoît Pelletier: It's related to the work of the chamber. It means that a member has absolute immunity for everything that he or she says or does within the work of the chamber.

Mr. Mark Gerretsen: I'm more interested in what they have access to. For example, some members could argue that some ministers have been in every session of Parliament since this emergency, whereas some other members have not been to any, and I'm curious about that.

Mr. Bosc, would you agree with that assessment of parliamentary privilege, that all members should have equal access?

Mr. Marc Bosc: I tend to agree with Mr. Pelletier. I think all members have this immunity in the same fashion. Attendance is a tricky one, because the cause of the difficulty in attending might have a big impact on how a Speaker might rule on a question of privilege raised on that basis.

Mr. Mark Gerretsen: I guess, Mr. Bosc, what I'm having a really hard time wrapping my head around is that this idea of a hybrid model you've been talking about relies on certain members—and by your description it would be members selected by a party to represent the basic composition of the House—being allowed to be in the House and certain members being allowed to participate virtually. I have a hard time wrapping my head around that hybrid model and how the privilege of some members might be infringed upon because their access is at a different level. It would appear to me that a much more even access would mean everybody having the same kind of access. If that access was virtual, at least you could say every member had the same access to the meeting, whereas using this hybrid model would suggest that certain members have access that other members don't.

• (1330)

Mr. Marc Bosc: I don't share your concern at all on that point.

Mr. Mark Gerretsen: I appreciate that. Thank you.

Mr. Emmett Macfarlane: I would just add quickly, that's the reason to try to maximize what can be done virtually.

Mr. Mark Gerretsen: Right, but what I'm getting at is that it really comes down to everyone being treated fairly, not certain people being treated differently.

The Chair: Thank you.

Next we have Madam Normandin, please.

[*Translation*]

Ms. Christine Normandin: Thank you very much, Madam Chair.

First of all, I'd like to thank the witnesses for being here. I feel particularly fortunate to be able to speak to them.

I'm going to give a little preamble before I ask my first question.

One of the parliamentary privileges of members is to come to the House to speak. However, in the context of the crisis, some members who are older or in poorer health may decide not to go and prefer virtual sittings.

However, my question is the other way around. Some parliamentarians have said that being there remotely or virtually can help us exchange notes and receive suggestions for answers, so there would be less accountability.

Is there a form of parliamentary privilege where, even if our question goes through the Speaker, we can expect the person answering it to be physically in front of us?

Mr. Marc Bosc: I understand you have a concern that someone might get help before answering a question.

In the normal sittings of the House, that's the way it happens already. Ministers can receive emails or text messages. They have notes in front of them. They regularly receive outside help to answer questions. I don't really see a difference between a virtual situation and a situation where members are physically present.

Ms. Christine Normandin: I understand from one of the witnesses that section 49 of the Constitution Act, 1867, which deals with matters arising in the House of Commons, implies that members must be physically present. In the definition of the House of Commons in that section, does it refer more to a physical place than it does to the concept of the presence of members together?

Prof. Benoît Pelletier: I'll answer you, if I may.

You have to go back a little bit to the meaning of a parliament. A parliament is first and foremost an assembly, or a meeting of people who exercise the legislative function. In this case, the physical location is of secondary importance. The essence of what a virtual assembly is can be fully respected as long as, as I said, a number of conditions laid down in the Constitution are met.

In the specific case of section 49 of the Constitution Act, 1867, physical presence is not required. It simply imposes a rule for the holding of votes, but there is nothing to say that these votes can't be taken virtually. It says that the majority vote prevails, and that only in the event of a tie vote can the Speaker vote.

Ms. Christine Normandin: Thank you very much.

If a legal fiction were to be created about the House or even the Constitution Act amended, I understand that under section 44 it would be possible to do so by a simple vote of the House. I just want to confirm, on the one hand, that it is a simple majority vote and, on the other, that what is provided for in paragraph 41(e)

would not apply and therefore we would not need the vote of the provinces.

Prof. Benoît Pelletier: Basically, where section 44 applies, it's a simple majority vote. It simply requires the passage of an act by the House of Commons and the Senate, which will eventually receive the assent of the Governor General.

I'm using the Senate reform reference here. It's a decision that was handed down by the Supreme Court in 2014. It would not be possible for the Parliament of Canada to touch the very essence of the House of Commons or its essential nature. This means that, while the Parliament of Canada has a power of amendment under section 44 of the Constitution Act, 1982, there are limits that have not yet been defined by the Supreme Court of Canada, but there are limits to this unilateral power of constitutional amendment.

• (1335)

Ms. Christine Normandin: Interventions by members in the House during debates and oral question period on bills are part of what we use to determine legislative intent. I would like to know if virtual debates and debates held in the House, which can be seen in the Hansard blues, have the same legal weight.

Will debates held in the House and those held outside the House have the same legal status?

Prof. Benoît Pelletier: If I may provide an answer. Obviously, as I said at the beginning, we are dealing with new rights, let's not forget that. In light of recent events, some things will evolve, and privileges will probably evolve as well.

That being said, as long as a statement is made under the authority of the House, presided over by the Speaker of the House of Commons, as required by the Constitution, words spoken virtually have, in my opinion, the same authority as words spoken in the Parliament building itself.

Mr. Marc Bosc: I completely agree with that.

[*English*]

The Chair: That's all the time we have for that round.

I believe Ms. May has raised her hand, and I'm assuming she would like to receive some time. If any of you would like to share your time with Ms. May, please raise your hand and let me know.

Next, we're moving on to Ms. Blaney.

Ms. Rachel Blaney: I want to thank everybody so much for being here today. These are interesting times, and as we go into this conversation, we have to understand just what a complex question we're really approaching through this process. It's very good to have experts like yourselves here to help us through that process.

My questions are going to be going to Mr. Bosc and Mr. Tardi.

First of all, both of you have mentioned that the timeline of this study is relatively short for the capacity and the gravity of this conversation. I would like to hear from both of you how long this study should take. Are there particular parts, when you look over the process that we've laid out, that you would recommend us expanding on?

Mr. Marc Bosc: I hesitate to put a time frame on it, but I do know that May 15 is not enough time—that is for sure. You just don't have enough time to properly absorb the information and arrive at conclusions that really cover all the aspects that have been raised and need consideration, in my view.

Mr. Gregory Tardi: I agree entirely with Marc Bosc's interpretation of this.

In order to answer your question properly, I think the first step should be to distinguish what the most pressing and urgent aspects of this ensemble of questions are, get those resolved first and then add in details as solutions present themselves.

Ms. Rachel Blaney: Thank you.

In the last meeting with the law clerk and the Clerk of the House, they talked about what we can do to create a process to move into as needed. This sort of hit us by surprise. We're trying to adapt as quickly as possible. We have multiple committees happening. We're working on finding ways to question and hold the government to account, which is our job as opposition parties and something that I believe the government respects and understands keeps them more healthy.

As we move toward trying to discover what a virtual Parliament could look like, I'm just wondering if there are any thoughts on a staggered approach. When we initially look at it—and I think that's what we're going to see coming next week, a COVID-19 committee in the House that will be discussing certain issues related to that—it's about holding the government to account.

This is a short period of time. Is there an approach that could be staggered? There are some specific challenges and you both have mentioned them: questions of privilege, points of order, getting notice from the Speaker. Do you have any thoughts on a staggered approach to this?

That's to Mr. Bosc and Mr. Tardi. Mr. Tardi, maybe you can go first.

• (1340)

Mr. Gregory Tardi: As you were framing the question, my thought was that nobody in this meeting has yet talked about using international examples.

In the last week or 10 days, the Parliament of Westminster has made considerable progress in developing what in today's documents is called alternate locations and a virtual House of Commons.

The physical advantages, so to speak, that the Brits have on us are a much more compact geography and a single time zone. That said, I think it would be quite useful for us to consult with our colleagues in London to see what kinds of procedures and supporting technologies they have adopted.

Ms. Rachel Blaney: Mr. Bosc.

Mr. Marc Bosc: Simply put, a staggered approach is definitely the way to go.

One of the ways that could be done, which in fact has already been started with the way committees have started up again, is on a subject matter basis. I can easily see, say, a question period done on a thematic basis. You could say you're going to have three ministers one day and another three ministers the next week, and so on, so that you build up to full resumption. As the technology catches up and the health situation abates, you can continue to build up in that way.

In terms of the procedures, I'm confident that the team around the Speaker, the procedural services team, is going to be able to look at all these issues—the practicalities that former speaker Milliken referred to—and come up with ideas. As long as the parties go along with it and are willing to be patient and co-operative, I think it can work.

Ms. Rachel Blaney: That's something I heard multiple times in your presentation, that patience and understanding as the process unfolds.

Mr. Tardi, you talked in your briefing about having two different types of working groups to help us through this process. One has legal advisers who look at what other democracies are doing, and the other has technical experts to make sure there is a fail-safe approach to protect further access to the identity of MPs.

I'm just wondering if you could touch on that. I didn't leave you a lot of time, sorry.

The Chair: Please do it very quickly, in 10 seconds.

Mr. Gregory Tardi: I think each of the groups of advisers has different contributions to make. In the process of making their recommendations, it's important to have them meet together virtually so that the advice given to parliamentarians is complete and makes sense in both legal and technical terms.

The Chair: Thank you so much.

We're going to carry on with our five-minute round, with Mr. Tochor up first.

Mr. Corey Tochor: Thank you to the presenters today.

Mr. Bosc, I want to get your comments on rolling out a system that not all 338 MPs could log on to. What would be the impact of rolling out a system that doesn't allow everybody to access it online?

Mr. Marc Bosc: First of all, you have to remember that right now all the House has is a special committee that's going to meet three times a week. The House has made a decision that it wants to start that next Tuesday, and that decision has already been made. I think it's physically impossible, based on what I understand, for all members to participate next Tuesday. As time goes by, that capacity will increase, but the House has already made the decision that it's willing to go ahead, despite knowing the issue, so I can't question the House's decision in that respect.

• (1345)

Mr. Corey Tochor: But if we roll that out, then in a general, practical sense, if everyone cannot access it, that's a breach of privilege to a certain degree.

I'll switch gears a little bit.

On Tuesday I brought up the British North America Act and some of the constitutional issues that we have with the proposal that's going forward. The comment I have goes back to the Constitution. In a manner of speaking, it tethers our parliamentary privileges to those held by the United Kingdom's House of Commons.

Mr. Bosc, is that a fair, layman's explanation?

Mr. Marc Bosc: Yes, and I think what Professor Pelletier and Speaker Milliken would say is that those privileges that have been in existence before will continue in a virtual setting as well.

Mr. Corey Tochor: What does that mean in practice, though? In this case, does it mean that if we become more innovative than our British counterparts, we run the risk of going wide of the constitutional privileges? Is that a concern? How do we tell that we haven't breached our Constitution?

I'm not a constitutional lawyer, but if we're not supposed to exceed the rights of the members of the House of Commons in the United Kingdom, how does that square that circle?

Mr. Marc Bosc: I'm going to defer to Professor Pelletier on this one.

[*Translation*]

Prof. Benoît Pelletier: I will answer you first in French, then add a few words in English, since I am more comfortable in French, quite simply.

The original rule in the Constitution in 1867 was that the privileges and immunities of the House of Commons should not exceed those of the United Kingdom. This was later changed so that the privileges and immunities of the House of Commons could not exceed those of the United Kingdom when the Canadian federal law determining those immunities and privileges was passed.

Canada can now effectively adopt privileges and immunities that exceed those of the United Kingdom, under section 44 of the Constitution Act, 1982. Therefore, the privileges and immunities now provided for in the Parliament of Canada Act may, in some cases, exceed those of the United Kingdom without being declared unconstitutional.

[*English*]

The privileges that are in the Parliament of Canada Act could exceed those existing in the United Kingdom without being invalid,

without being declared unconstitutional, because of section 44 of the Constitution Act, 1982.

The Chair: Thank you. That's all the time we have.

Next up, for five minutes, is Mr. Alghabra.

Hon. Omar Alghabra (Mississauga Centre, Lib.): Thank you very much, Madam Chair. I want to thank our speakers here today and I want to thank my colleagues on the committee.

I want to emphasize one point. I think we all agree that the role of Parliament is essential and that the job of parliamentarians is essential, and we're trying to sort out how we can conduct our job, given the public health advice. A fundamental part of our job as members of Parliament is to remain in touch with our constituents. However, today we're telling our constituents we can't meet them personally. If you're like me and you're meeting with your constituents daily or regularly over the phone or via social media or email, I think it's incumbent on us to find ways to also conduct our parliamentary duties with some flexibility.

I want to start my questions with Mr. Macfarlane. Can you comment on how you saw Parliament conduct its role in passing Bill C-13 and Bill C-14?

• (1350)

Mr. Emmett Macfarlane: I think we're into an emergency situation that is less than ideal, and on an emergency basis Parliament did what it could under the existing guidelines for health. I think that moving forward—and this is what the committee is investigating—it's about how we make that a more robust process.

Within the confines of the emergency context, I don't have a lot to criticize in terms of passing needed pieces of legislation. However, what I'd want to see, going forward, is more robust participation for members who could not be physically present.

Hon. Omar Alghabra: I'll go back to you, Mr. Macfarlane.

We heard from the law clerk on Tuesday basically agreeing with you by saying that the House of Commons is the master of its own domain, so the House of Commons MPs can decide among themselves what the rules are moving forward. He said that it would be constitutional, in his opinion, given the pandemic. Do you have any thoughts on that?

Mr. Emmett Macfarlane: Yes. The reason I raised the constitutionality issue, and even the idea of constitutional amendment, is really not that I don't think a living tree kind of interpretation would somehow lead the courts to say a virtual Parliament or even virtual votes are not constitutional, because I think as, a matter of expediency, that's how the Constitution will be interpreted. For clarity purposes, it is actually quite important to formalize what we can do and adjustments to certain procedures as much as possible, and that goes from more specific measures in the Standing Orders to bigger Constitutional clarifications.

I agree with everything that Mr. Tardi was saying about the purposive approach to understanding the Constitution, but the Constitution was written with certain assumptions. Certainly, the assumption of the founders of the 1867 document were that Parliament was an in-person, one-place process. I see no reason why this is not an opportunity to use the amending formula for Parliament itself to clarify and provide clarity to these options even within the act itself.

Hon. Omar Alghabra: Madam Chair, I'd like to pass the rest of my time to my friend and colleague Mr. Gerretsen.

Mr. Mark Gerretsen: Thank you very much.

Mr. Bosc, going back to your hybrid model, you talked about how slowly, as time went on, you could introduce more people back into the House. How would you recommend that decision be made as to who is worthy of being in the House and who still has to continue on the other side of the hybrid?

Mr. Marc Bosc: At present, parties already manage the participation of their members. That's already happening. They do.

Mr. Mark Gerretsen: That's been done through practice, though. Party whips will provide lists to the Speaker.

Mr. Marc Bosc: That's right.

Mr. Mark Gerretsen: That's an established practice. That happened just before Speaker Milliken came along. We're talking about physical presence in Parliament; we're not talking about who's next on the list to speak.

Mr. Marc Bosc: Right. I don't think that you could absolutely prevent any member wishing to attend the House from doing so.

The Chair: That's all the time we have, unfortunately.

Next up is Mr. Brassard for five minutes.

Mr. John Brassard: Thank you, Madam Chair.

The question that the committee is seized with on this issue is the temporary nature of what it is that we are to recommend. I think I've heard from several of you this afternoon that having until May 15 is not enough time.

It came up the other day in our meeting that, not only are we looking for a temporary measure during the height of this public health crisis to try to come up with some model, but we're also thinking about the future and what trigger points would exist in order to move us to virtual sittings in the event of another pandemic, for example.

I know, Mr. Bosc, you talked about this being temporary. What potential danger is there going forward if, in fact, changes to the Standing Orders are made and those changes are made by the government of the day to reflect a more permanent aspect of these types of virtual sittings compared to the model that we have right now?

• (1355)

Mr. Marc Bosc: I have a deep respect for the institution of the House of Commons. I think, as I mentioned in my opening remarks, an overarching principle that the committee should be guided by is the importance of having that physical gathering of members in Ottawa. I think that it is extremely important for citizens to

be able to see their institution at work in a particular setting they are familiar with. Visually it's impressive; it gives it the *gravitas* and importance it deserves.

The trappings are important, I'm not going to lie; otherwise, every day's press conferences would take place by Zoom, the way we're doing this meeting, but they're not happening that way. There are elements of having that particular setting that give importance to the activity. I think that's something you need to consider.

Mr. John Brassard: I think another aspect of that too—and we're seeing this on the committees as well, so I address this to you, Speaker Milliken—is the committee structure right now doesn't have the same formal process under the Standing Orders.

For example, we can't compel the government to provide documents. We can call witnesses. We've seen on the health committee where those witnesses don't want to come, but it's almost turned into a seminar process where we're hearing things but we're not charged with doing anything, at least on some of the other committees. The same thing can be said about the opposition. To Mr. Bosc's point, the opposition is becoming an audience as opposed to an opposition that questions the government.

Former speaker Milliken, how important is it that the committee structure maintain the same order as it does normally if Parliament were sitting, if we move to this virtual setting, and how important is that opposition in holding the government to account?

Hon. Peter Milliken: I don't think there ought to be limits on a committee's power to call witnesses and stuff, regardless of how they're sitting, whether it's in person or whether it's a screen like this, because they can perfectly easily hear witnesses as you've just done this afternoon from us here. I think that's a reasonable way to go at it.

For a smaller group it's not a bad function, particularly for committees that are having meetings with others. They may not feel safe to bring them into their space where the people don't want to go and where the costs of flying to Ottawa and giving testimony here prohibit them from that.

Mr. John Brassard: For example, Speaker Milliken, committees can't move motions under the current agreement. How important is it that they maintain that same functionality virtually as opposed to in person?

Hon. Peter Milliken: You mean motions to move what?

Mr. John Brassard: To compel the government to provide documents, for example. Committees have been limited in doing all kinds of hearings.

Hon. Peter Milliken: It was just done by changes to the rules of the House?

Mr. John Brassard: It was adopted by Parliament on two occasions now.

• (1400)

Hon. Peter Milliken: I was not aware of that. Certainly hearing witnesses I don't think has been restricted from what you've said; providing documents is another issue.

I'm surprised that's the case, but certainly the House could demand production of the documents and then the committee could look at them to their heart's content. It's a matter of dealing with that in the House, in part, because the House is able to make these demands. The committee could recommend to the House that the House demand production of the documents, I suspect, and then if the committee reports are concurred in...

Mr. John Brassard: What about producing motions at committees?

The Chair: That's all the time we have. I have given some leeway because we had some technical difficulties.

It is true that in committee right now we cannot move motions. We have been requesting documents and that hasn't been a problem with the witnesses so far, but I understand the complications that could arise.

We have one more questioner and then that's all the time that we are going to have for this meeting today. I will have a couple of housekeeping items at the end.

Mr. Turnbull.

Mr. Ryan Turnbull: Thank you, Madam Chair.

Thank you all for being here today.

I have three questions. I am going to start with one that I've been puzzled with for quite some time.

I think we often hear the terms “essential work” or “essential workers” and we're talking about front-line health care workers, grocery store clerks, construction workers, etc. All these workers have a very physical element in performing their functional duties that I believe are essentially different from parliamentary functions and our roles.

I'm a new member of Parliament, so excuse me if my understanding of my duties is simplistic. I've been told that we're here to debate, legislate, take care of the business of supply, conduct committee work and hold the government to account.

I'm wondering, Mr. Tardi and Mr. Pelletier, whether any of those functions require us to be physically present in principle.

Prof. Benoît Pelletier: I don't see any function that requires members of Parliament to be physically present. It could be done virtually, though I would like to add to your description that I consider the House of Commons to also be a public forum, which means that freedom of expression has to be exercised in public and that is what is difficult to reconcile with virtual work of the House of Commons.

[*Translation*]

There will be a challenge.

[*English*]

There is a challenge for everyone here to make sure that democracy is still alive, that the media is still able to cover the work of the House of Commons and that the House of Commons itself stays as a public forum.

[*Translation*]

In my opinion, this is the great challenge ahead of us if we are to move towards more work in virtual format. It is a matter of really ensuring, on the one hand, that the media maintain the quality of coverage of the proceedings of the House and, on the other, that the House, despite its virtual character, maintains its public nature.

[*English*]

Mr. Ryan Turnbull: Thank you.

As long as it is made public and the media has access, then essentially there is no physical requirement.

Mr. Tardi, do you want to respond to that as well?

Mr. Gregory Tardi: I have an answer for you in three parts. First of all, with respect to the necessity part of having Parliament and in particular the House of Commons, I think the even more fundamental aspect of this is that democracy is in question. If there is no Parliament, if there is no give-and-take, if there is no communication between the governors and the people, essentially, in my view, democracy breaks down. That requires there would be a Parliament, a viable legislative institution at all times.

The second part is your point about the physical presence of members of Parliament almost, you could say, facing each other. I have taken the view, and I want to reiterate now, that what is much more important is a meeting of the minds.

• (1405)

[*Translation*]

I think I agree with what Professor Pelletier said about that.

[*English*]

I think he and I are on the same wavelength about this.

Finally, there is one point I've been trying to make in response to several members who have questioned this, and that is the temporal nature of whatever solution the House decides to adopt on these points. At some point, this pandemic will be over. In the worst-case scenario, we can take the Spanish flu as an example. It lasted two years. That theoretically could bring us to—

The Chair: Could you wrap up your comments?

Mr. Gregory Tardi: Absolutely.

That could bring us into 2022. At some point, the House will be able to resume its sittings in Ottawa with all MPs present.

With that, thank you.

The Chair: Thank you.

That wraps up our questioning for today's meeting.

Our meeting on April 28 will also be a video conference meeting on the same Zoom platform and there will be two panels of witnesses. The first panel will be on Internet connection challenges and Internet security. The second panel will be on video conferencing platforms and feasibility.

We're still awaiting confirmation about our request for a three-hour time slot. We were able to get accommodations made for the last several meetings. My hopes are high that we will be able to get the same time slot, which is 11 a.m. to 2 p.m.

Yes, Mr. Richards.

Mr. Blake Richards: On that point, my understanding, if I'm not mistaken, is that the House question period would be occurring at I think noon eastern time and would be overlapping with our meeting. I know that there was already some discussion about the feasi-

bility of this. Can you give us any update on how that would be handled if there's a conflict there and what that would mean for the timing of our meeting?

The Chair: That's a very good question, Mr. Richards. Just give me one moment, please.

I will investigate further with the different parties and their whips as to how this is being dealt with, but as far as I, the clerk and our team know, we are scheduled for 11 a.m. It might be something that you may want to bring up, Mr. Richards, but that is what's planned for now. If I get more information as to what talks are happening about that conflict, I can share it via email with all of you.

Seeing as no hands are raised at this time, that adjourns our 11th meeting of the procedure and House affairs committee. Thank you, everyone, especially our esteemed witnesses, for participating today.

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