



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

43rd PARLIAMENT, 1st SESSION

Standing Committee on Procedure and House Affairs

EVIDENCE

NUMBER 020

Thursday, June 4, 2020

Chair: Ms. Ruby Sahota



Standing Committee on Procedure and House Affairs

Thursday, June 4, 2020

• (1100)

[*English*]

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

Good morning, everyone. Seeing that almost everyone is here, we'll get started.

Welcome to meeting number 20 of the House of Commons Standing Committee on Procedure and House Affairs.

The committee is meeting on its study of parliamentary duties and the COVID-19 pandemic.

Pursuant to the motion adopted by the House on May 26, the committee may continue to sit virtually until Monday, September 21, 2020, to consider matters related to the COVID-19 pandemic and other matters. Certain limitations on the virtual committee meetings held until now are now removed.

As mentioned, the committee is now able to consider other matters, and in addition to receiving evidence, may also consider motions as we normally do. As stipulated in the latest order of reference from the House, all motions shall be decided by a recorded vote.

Finally, the House has also authorized our committee to conduct some of our proceedings in camera, specifically for the purpose of considering draft reports or the selection of witnesses. On this point, the Clerk of the House has informed the whips that until the House administration finalizes a process to seamlessly switch between public and in camera proceedings within the same meeting, all virtual meetings that begin in public must remain in public until the end, and all virtual meetings that begin in camera must remain in camera until the end.

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

To ensure an orderly meeting, I would like to outline a few rules to follow:

Interpretation in the video conference will work very much like in a regular committee meeting. You have the choice on the bottom of your screen of either "Floor", "English" or "French". If you're speaking in one language, I prefer that you switch to the language in which you are speaking. If you are going to switch your languages, then please pause for a moment and switch to the language

that you intend on speaking at the bottom of your screen where it says "Interpretation". Allow for a brief pause while you're doing so.

I remind everyone that all comments by members and witnesses should be addressed through the chair.

Should members need to request the floor outside their designated time for questions, they should activate their mike and state that they have a point of order.

If a member wishes to intervene on a point of order that has been raised by another member, the member should use the "Raise hand" function. This will signal to me that you're interested in speaking. To do so, please click on the "Participant" icon in the toolbar below. In that you will see a raise-hand function.

When speaking, please speak slowly and clearly. When you are not speaking, your mike should be on mute. The use of headsets is strongly encouraged.

Should any technical challenges arise—for example, in relation to interpretation or a problem with your audio—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.

If your screen or your computer disconnects, please email me or the clerk to let us know this has taken place, and we'll immediately call you and try to resolve the issue. If it's just a matter of interpretation or sound, then you can signal in some other way in this meeting, and we'll try to suspend while we resolve the issue.

During this meeting, we will follow the same rules that usually apply to opening statements and the questioning of witnesses during our regular meetings. Just as we usually would in a regular committee meeting, we will suspend in between panels to allow the first group of witnesses to depart and the next panel to join the meeting.

Before we get started, can everyone please click on the top right corner and ensure you are on "Gallery" view so that you have a view of all the members of the committee? If you haven't been using the "Zoom" function for the witnesses when someone is speaking, as you can see around my box, there is a highlighted yellow box, so you'll know which member is speaking and how to find them in the gallery view.

• (1105)

The witnesses today have seven minutes for their opening statements. I believe you've all been made aware of that.

Without further ado, I would like to welcome our witnesses today.

On our first panel, we have the former Clerk of the House, Mr. Bosc. Welcome back to our committee. Thank you for being here again today.

Mr. Marc Bosc (Former Acting Clerk of the House of Commons, As an Individual): I'm glad to be here.

The Chair: Thank you.

We have Mr. Dale Smith, a journalist whom I think a lot of us recognize. Thank you for being here today.

Mr. Dale Smith (Freelance Journalist and Author, As an Individual): Thank you for inviting me.

The Chair: We also have the Honourable Bill Blaikie with us.

Thank you for being with us here today.

Hon. Bill Blaikie (Former Deputy Speaker of the House of Commons, As an Individual): Good morning.

The Chair: Good morning.

Finally, last but not least, we have with us Mr. Kevin Deveaux, lawyer and chief executive officer of Deveaux International Government Consultants. Thank you for being with here with us today.

We will begin with the Honourable Bill Blaikie. Could you begin your seven-minute opening statement, please?

Hon. Bill Blaikie: Thank you, Chair.

Good morning to you, to all my fellow witnesses and to the members of the committee.

I'd like to begin my presentation with thanks for the opportunity to contribute to this important discussion. As some of you may know, I have a long-standing interest in, and concern for, the well-being of Parliament as a place where the highest expectations of Canadians for their democracy are lived up to. Fortunately for me, I had a great deal of opportunity to engage with this challenge of creating such a Parliament over my 32 years as a parliamentarian, from 1979 to 2008 as a member of Parliament and for two and a half years as an MLA in Manitoba.

By way of background, I was privileged to serve on the Special Committee on Standing Orders and Procedure, which was created as a response to the 16-day bell-ringing crisis in 1982; on the special committee on parliamentary reform that existed from 1984 to 1986, which produced what is sometimes known as the McGrath report; and on several subsequent less high-profile collaborations concerning the reform of the rules and the culture of the House of Commons.

I also had the benefit of a number of positions over the years that put me in close proximity to the way in which the rules of the House work—and sometimes don't work as well as we would like them to—serving as House leader for the NDP, as parliamentary

leader, as Deputy Speaker of the House of Commons and as government House leader in the Manitoba legislature.

With a great deal of interest, then, I accepted the challenge to be part of the process whereby the committee is charged with making recommendations on how to modify the Standing Orders for the duration of the COVID-19 pandemic as part of an incremental approach, beginning with the hybrid sittings of the House, as outlined in the report provided to the committee by the Speaker on May 11, 2020.

When I read the report submitted by the Speaker, I was pleased to see repeated emphasis on the temporary nature of what was being proposed, as that is certainly one of the points I would want to make today. Whatever decisions are taken as a result of the pandemic, such as the decision to have the hybrid Parliament agreed upon already, and any decisions that flow from it by way of implementation or improvement on what was agreed upon, should be clearly seen as not in any way setting precedents for the post-pandemic Parliament that I am sure we all hope is in the near as opposed to distant future.

In this respect, I would urge members not to import into the debate about the hybrid Parliament preferences or proposals that they may have long supported as changes to normal parliamentary reality. I am particularly concerned about any way in which remote voting might pave the way for electronic voting in a post-pandemic Parliament, something that I recently wrote about in an article for *rabble.ca*. In the same article, I expressed a larger concern about the erosion of personal contact and personal interaction between MPs, within and between parties, that is a feature of various modern technologies available not just to MPs but to all Canadians.

Nevertheless, if remote or virtual voting is to take place in the hybrid Parliament, I would certainly recommend that such voting take place in ways and at times that are known in advance and are predictable. Consideration could also be given, should voting occur, to the option of party whips indicating how their members are voting on any particular division, with provision made, of course, for those who may dissent from the group decision to cast their own vote. This would not be unlike the practice that developed in my time in the House, when the whips got up and indicated how their members were voting.

In conclusion, I would emphasize that the agreement to create a hybrid Parliament was the result of a negotiation reached in the context of a looming deadline. It should be seen as something open to improvement. The return of opposition days, perhaps, or take-note debates that wouldn't require votes, or perhaps some other complementary hybrid within the hybrid that would give opposition parties more opportunity to occasionally choose the subject of debate, should be looked at as the hybrid goes forward; likewise with private members' business, and perhaps even the estimates.

My hope is certainly that all these concerns will be met, preferably by a timely return to normal parliamentary life when the pandemic ends. If that should take longer than we all hope, then hopefully the recommendations of the committee will stand Parliament in good stead.

Thank you.

• (1110)

The Chair: Thank you very much.

Mr. Bosc, go ahead, please.

Mr. Marc Bosc: Madam Chair, I did not prepare a statement for today. I'm here to answer questions and contribute in other ways, but I have no opening statement today.

The Chair: Fantastic. Thank you very much. I'm sure there are going to be lots of questions.

Mr. Smith, please go ahead.

Mr. Dale Smith: Hi. For those of you who are unaware, I've been a journalist on Parliament Hill for almost 12 years now. I also am the author of a book called *The Unbroken Machine: Canada's Democracy in Action*, which is a primer on civic literacy and responsible government and Westminster parliaments in Canada.

I'm guessing I've been invited here today because I've written a number of columns in recent weeks that have been in opposition to a virtual Parliament in various ways. I'll start with outlining what some of my concerns are.

My biggest concern, obviously, is that Parliament is something that works best in person. A lot of the most important work that happens in Parliament is relationship building, and that happens on the sidelines, in rooms, in lobbies and in corridors, and it's something that can't happen at all in a virtual space. That's one of the concerns that I definitely have about a longer-term hybrid environment.

As well, I'm particularly concerned because there's a long history of unintended consequences with rule changes that happen in Parliament. Some of the examples that come to mind are when we capped speaking times at 20 minutes. Instead of creating a livelier culture of debate, all it did was create a culture of MPs reading canned speeches to fill time, as opposed to actually having back-and-forth exchanges in the chamber. That's incredibly concerning to me.

Another unintended consequence was the elimination of evening sittings in the early 1990s. That meant MPs were no longer having dinner with one another in the Parliamentary Restaurant three nights a week, and as a result, the collegiality in the chamber crumbled. It's no longer the same kind of environment that it was back then.

A further example I would cite would be the decision to expel Liberal senators from caucus. The unintended consequence was basically to eliminate the institutional memory of the caucus, as well as centralize more power with the leader.

As any kind of rule changes have unintended consequences, I think we need to think very hard about what those consequences might be in this particular circumstance.

When it comes to hybrid sittings and remote voting, one of my biggest concerns among these unintended consequences is that as much as people keep saying these need to be temporary, it nevertheless was mentioned in the previous report of this committee that there should be an exploration of using these means to modernize the rules of the House of Commons. For me, that means this is es-

entially a Pandora's box now—that any changes we adopt, even if they are thought to be temporary, will see people who are looking for them to be made permanent. [*Technical difficulty—Editor*] concerns about what these rule changes might lead to.

Thank you.

• (1115)

The Chair: Thank you. That was interesting.

Mr. Deveaux, please go ahead.

Mr. Kevin Deveaux (Lawyer and Chief Executive Officer, Deveaux International Governance Consultants Inc.): Thank you, Madam Chair. I appreciate the opportunity to present to the committee today.

For those who don't know me, and I think most of you don't, I will start with why you may be interested in what I have to say.

I have been a lawyer for the last 30 years, based here in Nova Scotia. I was an MLA for nine years in the House of Assembly here. I was the official opposition House leader during two minority Parliaments in 2004 and 2007.

After leaving politics, I worked for the United Nations Development Programme for six years, including four as the global adviser on parliaments. For the last eight years, I've been a consultant, based in Halifax and working with different international organizations trying to build effective parliaments around the world. I've worked directly with more than 60 parliaments globally, and I've worked with MPs from more than 110 countries. I'm also an instructor at McGill University in parliamentary development.

Briefly, that will let you know my background.

There are four main points I wanted to bring up, but I think Mr. Smith and Mr. Blaikie have touched on my first one. I won't expand too much more on that. I'll just say that I agree that the personal relationships—the dialogue—are the grease that oils the machine in politics in Canada. The more we break down that relationship—I think Mr. Smith gave some examples of how that has happened, and Mr. Blaikie, in his article, has done the same—the more acrimonious you're going to find Parliament. We have only to look south of the border to see some of the challenges that it will eventually lead to. I'll leave it there, but that's just to say that I agree with them on that point.

The other one, I think, is that we are obviously in the middle of a pandemic, and we have these dialogues now. We have House leaders who talk to each other. We have party apparatus that work together as a dialogue in Parliament, but during a pandemic, I think it's even more important that we formalize that structure.

I want to bring to you the example of New Zealand, which has a Business Committee that is a formal standing committee in Parliament. In their case, it is a full-time committee. I would suggest that maybe we try it in the pandemic, because I think there might be some value in formalizing the dialogue.

The Business Committee is chaired by the Speaker. It has on it the House leaders from every recognized party. As a result, what they end up with is a consensus on the agenda, on the Order Paper or on how long debate will be on a certain bill or motion or on supply. They're able to work this out in a formal setting, but it allows for consensus.

During a pandemic, when we all should be concerned about national consensus on the way forward—and I think political partisan approaches have tended to be checked so far—I think this needs to be considered. During national emergencies like this one, the opportunity for a formal approach, where there is that dialogue in Parliament to make sure that you can work out as many issues as possible, needs to be considered.

I guess my third and fourth points are related. The third point is related to virtual voting.

I want to echo Mr. Smith's comments with regard to unintended consequences when you change the rules. I worry as well that if you allow virtual voting, there will be, as he noted, a tendency for some MPs to stay in their constituencies more often. That will directly impact that cross-party dialogue between MPs and between parties, but I think it can also be seen as a bit of a trap, if I can put it that way.

There are MPs who are perhaps more remotely located or have work-life balance issues and who may choose to do that, and if we do that, if it becomes permanent, I think we're going to end up with a two-tiered system of MPs. There will be those who come to Ottawa and engage directly with senior officials and ministers and have more influence on policy-making, and there will be those who will be more constituency-oriented and spend less time in Ottawa, and they're going to be seen differently in their ability to influence.

I think that there are unintended consequences from virtual voting. I'd like to suggest an alternative, and Mr. Blaikie brought this up briefly. It is the possibility of party block voting. Again, New Zealand and also Victoria State and Queensland State in Australia use this approach, but let me be clear to start: We already have a pretty efficient system of voting in the Canadian parliamentary system. It's voice vote.

I took a rough look at the numbers on the House of Commons records. Since 2005, 92.6% of all the votes in Parliament in the House of Commons have been voice votes. It's a very efficient way of moving things along without having to get into recorded voting. It's a very efficient way of moving things along without having to get into recorded voting. We use recorded votes sparingly. We use them during contentious moments or during very important record-

ing moments, so I think we need to keep that voice vote as an approach.

● (1120)

Then you can look at using block voting instead of virtual voting when we do have recorded votes. This would mean—and this is how they do it in New Zealand and parts of Australia—that the House leader or a member from the party would stand up and say, “This many votes from my caucus will be voting yea, and this many nay.” It allows for dissension. If certain MPs want to say, “No, we don't want to be part of that block vote”, they have a way of recording their personal votes. Again, as proxy voting, it allows for the moving along of recorded votes without having to move to virtual voting. It's a procedural change, not a technical change. I think, given the efficiencies that we now have in the system with voice voting, I would worry about moving away from that. I've also seen electronic voting become very complicated in other countries. I'm happy to discuss that, if people want, as well.

In conclusion, thank you again for this opportunity. Thank you for the work of the committee, all the standing committees and the House of Commons. You've done a miraculous job of being able to technically bring this all together in a very short period of time. I monitor a lot of parliaments around the world, and Canada is now a symbol of one that can be seen as a leader in this regard.

Looking at technological and other rule changes is a good thing. It's always good to be looking, but let's not throw the baby out with the bathwater. There are a lot of good things that are working right now in Parliament. We need to make sure that those are not abandoned or lost as we move forward.

Thank you.

The Chair: Thank you so much.

You're absolutely right. The House of Commons team have done a fantastic job, in a very short period of time, of being able to manage all the changes that have been thrown at them. It's been incredible to see.

I have a couple of things before we move on to the question rounds.

First, with regard to the phone lines that some of the members' staff listen to, there is a bit of difficulty connecting those phone lines to the Zoom meeting today so that they can continue. Otherwise, they can turn on ParlVU and try to follow along through ParlVU until we get that fixed and up and running. I'll let you know if the phone lines become available. Until then, they should try to watch ParlVU and follow along that way.

Next we have Mr. Blaikie and Mr. Smith.

The translators are saying that your sound is not as clear as they would like it to be, so perhaps, Mr. Blaikie, if you could move closer to your device, that may solve the problem.

• (1125)

Hon. Bill Blaikie: Is that better now?

The Chair: It sounds better to me, but let's see....

Mr. Smith, you may need to hold your mike a bit closer to your mouth, but not too close either, so that we don't have that sound that is a little hard to listen to.

Mr. Dale Smith: All right. I will try to remember to do that.

The Chair: Try to be mindful of holding the mike a bit closer.

We will carry on with the rounds for questions. We're beginning with Mr. Richards for six minutes.

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you, Madam Chair. I'll start with Mr. Blaikie.

When you were a member of this committee, I think back in 2001, there was another freshly re-elected Liberal government that was pushing toward electronic voting. You, at the time, described that exercise as—and I'll quote you—"kind of a bean-counting exercise". What you were referring to was that the committee was being asked to rubber-stamp something, I guess, that the government was trying to push forward.

Are you concerned that rushing forward very quickly, as is being proposed we do right now with this study, might be akin to what you were experiencing back then—that this would be kind of another bean-counting exercise, so to speak, and something that we should move forward with a little more cautiously?

Hon. Bill Blaikie: Well, I have been concerned for a long time about the unintended consequences of electronic voting. I say this as someone who was part of the McGrath committee back in 1985-1986, which initially recommended electronic voting. The reason the committee did that at the time was that we were hoping for a Parliament in which there would be less party discipline on a number of issues, and we thought that electronic voting might facilitate that, in the sense that it would get rid of the situation of members who wanted to dissent from the position of their party having to stand up and listen to the applause from other parties or look at the frowns on the faces of their colleagues.

That was the intention, but over the years, as it wasn't immediately implemented, obviously, I came to the view that one of the unintended consequences—and certainly other witnesses this morning have spoken about it—would be that we would lose that time in the parliamentary life when the bells are ringing, people are on the floor and a lot of business is done.

When the bells are ringing and people are gathering, it's a time for members to go over and talk to people on the other side or to talk to cabinet ministers to whom they might have no other access. I felt that the price for adopting electronic voting was just too high, and so I changed my mind on it. As the House leader for the NDP, I was often able to stand in the way of its becoming a reality. I continue to hold that position.

What I had to say today was that if people have the agenda that they want electronic voting in Parliament, they should not use the pandemic as a way of importing an agenda they would have in a normal Parliament into this particular temporary measure. That was the point I was trying to make today. I'm not accusing anybody of that; I'm just saying that it is a danger and perhaps a temptation on some people's part. Let's look at what we need for the pandemic, and when we get back to a normal Parliament, we can continue to have these other discussions.

Mr. Blake Richards: Sure. That's wise advice, I think.

When we talk about the idea of wise advice, Mr. Bosc, you were here in our previous study a few weeks ago, or roughly thereabouts, and your wise advice at the time was that the committee should take a more cautious, more deliberative approach to what we were looking at. Obviously, the committee decided to move forward pretty quickly. I wonder if you still hold the belief that it would be better to be cautious and deliberative about this or if you think that maybe the committee ended up taking the right approach.

As a subquestion, this study has a deadline of June 23 to look at pushing forward with further change. Do you think that's a sensible, reasonable deadline, or do you think that we're again rushing too quickly into something?

• (1130)

Mr. Marc Bosc: I have two points.

First, I would say that I agree with Mr. Blaikie that the changes made so far relate to a pandemic situation. I think that has to be the lens through which you look at this particular exercise. The speed with which the hybrid model for the committee has been adopted, to me, is not a particular concern, but as Mr. Blaikie pointed out, if the tendency or the temptation is to make these changes permanent, that's a whole other issue.

In terms of voting, to me the missing piece in all of this right now that's preventing a full return of the House—a hybrid House, I mean—is voting and figuring out how to vote. If I had one wish, it would be that the committee find a way, find a consensus, on how voting could take place so that the House could properly resume.

Mr. Blake Richards: Okay. Thank you.

Very quickly, for any of you who would like to answer, you've all kind of indicated that this is something we should be looking at only for extraordinary situations and emergency situations like the one we're facing, and that we should not allow this to become something permanent. That seems to be what I'm hearing from all of you.

Can any of you give us any advice on how we might go about safeguarding that to make sure these measures are used only for those kinds of situations and don't creep in as a permanent measure, with all the unintended consequences that you've all warned us about? Does anyone want to take a stab at that?

Mr. Deveaux, I see your hand.

Mr. Kevin Deveaux: Thank you.

I think this was discussed in the last report of the committee. If you had stand-alone standing orders or special standing orders that could be triggered somehow by a declaration of a national emergency, which I know in this case wasn't done, or through some other trigger that would allow us to pull out standing orders that would be used during that situation, whether for a fixed time or for a particular event, I think that might be a good approach.

Mr. Blake Richards: Does anyone else have comments on that particular question?

Hon. Bill Blaikie: I think it would be up to the committee, really. The committee has to accept that they are dealing with rules for a temporary situation. They have to make that clear in their report and integral to any other recommendations they make.

Mr. Blake Richards: Mr. Smith or Mr. Bosc, do you have any comments?

Mr. Marc Bosc: I totally agree with Mr. Blaikie. These are temporary measures you're looking at.

Any longer-term application of rule changes, in my mind, requires a more in-depth committee study, either by your committee or by a special committee, as in the cases that Mr. Blaikie referred to, McGrath as well as Lefebvre, in the early 1980s. These committees were set up specifically to look at long-term changes to the Standing Orders, at reforms and improvements—

The Chair: Thank you, Mr. Bosc.

Mr. Marc Bosc: There we are.

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

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

Mr. Gerretsen, you are still on mute.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): For the record, I started off very well with the “unmute” thing, but it's gone downhill. I apologize, Madam Chair.

I'm curious, Madam Chair. Do any of our witnesses have any input into the “how”? We seem to have heard a lot about the “if” and the need for this, notwithstanding Mr. Blaikie's comment that we need to be watchful about precedent, and Mr. Bosc commented that there's a need to do that. Yes, we understand that.

This committee has been tasked specifically with the “how”. How do we go about this? The questions from Mr. Richards and the responses seemed to focus more on the “if”.

What we're interested in knowing is the “how”. How do we implement remote voting? I'm curious about whether any of the witnesses have any insight into that.

• (1135)

Mr. Marc Bosc: I can jump in.

There are many ways. I think you have to look at what you're trying to accomplish. Technologically, anything is possible. I believe the House administration can implement practically anything you decide, but the higher the levels of security and complexity, the lower the efficiency. That's a very important consideration.

Mr. Mark Gerretsen: Thank you.

Mr. Marc Bosc: The other aspect of it—and Mr. Blaikie touched on it—is the losses that are incurred by doing things remotely—namely, the transaction of business during an in-person vote. Obviously, this is a temporary measure, so you want to look at alternatives.

To me, proxy voting is an obvious answer, because everyone is familiar with that already. When you apply votes at report stage, you already do that. To me, that's worth exploring as a means—

Mr. Mark Gerretsen: I'm going to interrupt you right there, Mr. Bosc.

I'll go over to you, Mr. Smith.

You had some interesting comments on the centralization of power. Would you agree with what Mr. Bosc just said, and with Mr. Deveaux, who also indicated that the parties could be voting as a block. Do you agree that this would be in keeping with your concern about the centralization of power?

Mr. Dale Smith: That would be a concern of mine.

I would also just colour Mr. Deveaux's mention of New Zealand with the fact that they also have proportional representation, so—

Mr. Mark Gerretsen: You raised a number of good questions, Mr. Smith, about modernization. It seems as though you have some concerns about the modernization of Parliament, generally speaking, but you would have to admit that not all modernization is bad, correct?

Mr. Dale Smith: Most modernization has wound up being worse than what was before.

Mr. Mark Gerretsen: Would you include simultaneous translation in that?

Mr. Dale Smith: Not at all.

Mr. Mark Gerretsen: How about the amplification of sound? How about, from a journalist's perspective, letting everything be shown on TV through CPAC? Are all those modernizations considered not good in your opinion?

Mr. Dale Smith: I would say that there have been unintended consequences from CPAC as well.

Mr. Mark Gerretsen: Do you think that there is no possibility there could be some positives come out of the modernization of this?

Mr. Dale Smith: I mean, anything is possible, but—

Mr. Mark Gerretsen: Mr. Blaikie, I'll go over to you.

You specifically said that you were concerned about setting precedent. Would it be okay to set precedent if it was in relation to future pandemics? Would it make sense for us—you referenced a separate set of standing orders—to have a separate set of standing orders and a separate set of engagement so that, in case we suddenly face this pandemic, let's say five to 10 years from now, we have a precedent and we have a system that has been built in place so that it can be triggered immediately and we can default to it so we're not stumbling through it as we did this time?

In that case, would the precedent be worthwhile?

Hon. Bill Blaikie: Setting precedents for how we deal with a pandemic is one thing, and setting unintended or perhaps even intended precedents for how we deal with Parliament in normal parliamentary life are two different kinds of precedents.

Mr. Mark Gerretsen: And your precedent was specifically—

Hon. Bill Blaikie: I was making the point that the work of the committee at this time should not unintentionally set precedents for how normal parliamentary life should resume—

Mr. Mark Gerretsen: For normal.

Hon. Bill Blaikie: —and debate about that should take place in a different context. Setting precedents for how we deal with future pandemics.... Hopefully we don't have any, but if we do, that's fine. Whatever happens now will be a precedent for how we deal with it in future unless, of course, we discover that some of the things we do now didn't work out that well.

Mr. Mark Gerretsen: Thank you.

My last question is to Mr. Deveaux. You said in your closing remarks—and I liked it—that Canada has demonstrated itself as a symbol of one of the leaders in revolutionizing the way that we engage in a short period of time.

What do you think the difference could have been if we'd had a longer period of time? Would we have been even that much better?

• (1140)

Mr. Kevin Deveaux: That's a good question. I think there is value in learning from others. There are others out there who would have moved ahead more quickly. I think there are already others who have. Some have moved to—

Mr. Mark Gerretsen: But, certainly, your comment that we have been such leaders would suggest that we are capable of making this happen, if anybody could.

Mr. Kevin Deveaux: Yes, I think that's correct.

Mr. Mark Gerretsen: Thank you.

I think that's my time, Madam Chair. Thanks.

The Chair: Madame Normandin, please.

[*Translation*]

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

My first question is for Mr. Deveaux. It ties in with Mr. Gerretsen's.

As an alternative to remote voting, you suggested party block voting. You underscored the importance, however, of being physically present in the House for voting, because that's when the dialogue between the parties happens. That's when members have an opportunity to meet with ministers and talk about a variety of subjects.

Doesn't block voting encourage members to stay home and let their House leader provide the number of votes?

[*English*]

Mr. Kevin Deveaux: You raise a very good point.

Obviously, we need to find alternative means of voting during this pandemic or maybe a future national emergency. In those circumstances, I think the best worst alternative is proxy voting. It's not something I encourage, but I do believe that, in these circumstances, it's better than virtual voting, electronic voting and remote voting.

I wouldn't want this to become a precedent that then allows it to carry on beyond a national emergency like this, but I do think during an emergency it may be the best worst option, if I can put it that way.

[*Translation*]

Ms. Christine Normandin: I see.

My next question is for Mr. Blaikie.

Mr. Blaikie, you talked about the importance of opposition days, when parties have the opportunity to bring up their ideas in the House and encourage meaningful debate. Witnesses have told us that, under the current parliamentary format, it would be technologically possible to hold opposition days. Does the absence of opposition debate right now have more to do with politics? The pandemic and the virtual system are being used as an excuse for everything, because it would be possible to hold opposition days.

To what extent would you say it's more about politics than it is about technology?

[*English*]

Hon. Bill Blaikie: What I suggested, I suggested in light of knowing that the lack of opposition days or opportunities for the opposition to determine the subject of debate would be part of the discussion subsequent to the report and the adoption of the hybrid Parliament. I simply suggested that these things could be looked at as the hybrid Parliament moves forward and the committee makes its reports.

The committee can make recommendations in that regard if it chooses. It doesn't have to be the return of opposition days as such, which would require voting. There is also a tradition of take-note debates in the House, which don't require voting but which nevertheless give opposition parties the opportunity to compel debate on particular topics.

There are a number of ways to go about this. I simply suggested that if this goes forward for any length of time, Parliament in general and the committee in particular might want to look at ways to incorporate things that were not incorporated into the agreement that was reached, as I said, with a looming deadline. That was what was able to be agreed upon at that point. Other things may be able to be agreed upon later.

[*Translation*]

Ms. Christine Normandin: Thank you.

My next question is for Mr. Smith.

Mr. Smith, you pointed out that, under the hybrid model, we are seeing more members read statements for 20 minutes. Prior to the pandemic, during take-note debates, however, members had 20 minutes to speak, with 10 minutes allocated for questions and comments. Some members were reading 20-minute statements then, as well.

Is the phenomenon of reading statements attributable to the pandemic and the hybrid format? Is it more about politics? Should members not be allowed to read statements for 20 minutes?

• (1145)

[*English*]

Mr. Dale Smith: My comment was more.... It's the general rule that when the time limit of 20 minutes on speeches was first implemented, that's what created the impetus for reading 20-minute speeches instead of actually engaging in a back-and-forth debate.

[*Translation*]

Ms. Christine Normandin: I gather, then, that your comment wasn't necessarily a criticism of the hybrid Parliament format. It was a general criticism that had nothing to do with the hybrid or virtual model. Is that right?

[*English*]

Mr. Dale Smith: That's correct, yes.

[*Translation*]

Ms. Christine Normandin: Excellent.

[*English*]

Hon. Bill Blaikie: Chair, I wonder if I could just intervene on that for a minute.

The Chair: If Madame Normandin is okay with that, go ahead.

Hon. Bill Blaikie: With respect to the reduction of speeches from 40 minutes to 20 minutes, that was a recommendation made by the Lefebvre committee and the McGrath committee back in the eighties. The concern at that time wasn't just the length of speeches, but that there wasn't any back-and-forth, the very kind of thing Mr. Smith wants to see more of. The fact is that the reduction from 40 to 20 minutes was accompanied by the addition of a 10-minute

question and comment period after every 20-minute speech, so even though it may still seem inadequate, we actually have more back-and-forth than we did with the 40-minute speeches, because there was no question and comment period whatsoever. Whether the speeches were read or spoken without notes, we just had one 40-minute speech after another with no opportunity for interaction.

So I would come to the defence somewhat of the 20-minute speeches, insofar as they came in a package with the question and comment period, which members have taken advantage of ever since.

The Chair: Thank you, Mr. Blaikie.

Ms. Blaney, you have six minutes for questions.

Ms. Rachel Blaney (North Island—Powell River, NDP): Thank you.

I'm so grateful to have all of you here today. I think this is such an important subject. Nothing, in my opinion, can replace the in-person process of Parliament. I know that during this time, even for myself, the people I know, the people I've created relationships with.... I've continued to do that work, but there are folks I don't know, and unless I'm in committee, I don't necessarily see my co-MPs from different parties. When we're on the COVID committee, that's not a time when I'm going to have informal discussions with them about my personal life, when I'm talking to up to 338 members of Parliament. I just want to recognize that.

We also know that the reality is that we have anywhere up to two years, they're saying, until a vaccine is created, and as we look at this huge country and the travelling across it for our members, I think that's a significant concern.

I've heard a lot of people talk about proxy voting, whips voting on behalf of their party. I think voting, as Mr. Bosc said earlier, is pivotal in this process. We don't know how long it's going to last.

One of the questions I'd like to ask, and I'll ask Mr. Blaikie first, is about the tools we already have. Right now we're using Zoom. If we had virtual voting where members said yea or nay and their face was on the screen, which is similar to what we're using right now, I am wondering how you would feel about that as a next step after proxy voting.

Hon. Bill Blaikie: Frankly, I haven't given a lot of thought as to how that exactly would work, but that's certainly an option.

On the other hand, going back to what others have said, particularly Kevin Deveaux, a lot of votes don't necessarily have to be recorded. How would you do the ordinary business of the House without having to have these individualized virtual votes recorded every time you had to make some kind of decision?

That's a balance that I think the committee would have to strike if it were to make that kind of recommendation.

Ms. Rachel Blaney: Thank you, Bill.

Mr. Deveaux.

• (1150)

Mr. Kevin Deveaux: If you're asking about the technology, I'm not a IT person, so I don't know whether you can get voice modes within Zoom. If that's possible, great. I guess I foresaw that with the voice votes, which I said was 92% or 93% of the normal voting in the House, you would obviously have a small group in the House—this is a hybrid—and within that small group, you would have each caucus represented.

I was a Deputy Speaker for a while. When you do voice voting, the Speaker has to judge the room. It's not who is the loudest. When you're in a minority, you need to have some sense of where the different parties are standing on a matter.

You can still have voice voting in the chamber, knowing that presumably there have been discussions among the caucuses themselves internally, and you have the role of the House leaders managing that.

Ms. Rachel Blaney: Based on what you said earlier, Kevin, about all the work you've done internationally, I'm wondering if you have any examples of a time where they were maybe moving too fast, or an example of an unintended consequence.

Mr. Kevin Deveaux: I'll give you one example. I've seen many parliaments that have moved to electronic voting. They're very excited about what they call “e-parliaments” and the ability to.... Every MP has a little card that they put in and they can vote.

I've also seen circumstances where those cards are being held by leaders in the party. You have one or two people who go around within the chamber, literally walking from seat to seat, and just pushing a button and holding a card. I don't think that's good for democracy and I don't think that's good for Parliament.

My concern with the virtual voting is partly how that will play out in the long run. However, I understand there's a need to do something during the pandemic and a national emergency, and that is where the proxy voting is of value.

I'm not sure whether proxy voting is allowed now. I see that the U.K. is allowing it. It announced yesterday that it was going to allow it during the emergency for people who are immunocompromised or otherwise at high risk of being infected. Proxy voting has been used in Australia, for maternity leave purposes for women MPs who want to take time off. That's why I sort of settle on proxy as an alternative in those circumstances.

Ms. Rachel Blaney: You also talked a bit about the business committee. For this period of time, we need more structure on how we're going to work together, because we don't have the processes we would have when we are traditionally in the House.

How would you see that working in this time?

Mr. Kevin Deveaux: I foresee that being much like I talked about earlier. You'd pull off the shelf a set of standing orders or certain changes that happen when triggered by a national emergency of some sort. Within those circumstances, you would be able to establish this business committee specifically for that purpose. As I said, it's chaired by the Speaker; it's an opportunity for the leadership of all the parties to come together.

In New Zealand, it's actually required that members have to work on the basis of consensus and almost unanimity, if not near unanimity. It encourages that dialogue, and as a result, you end up getting better decision-making. I understand that we have those customs in place. But you're right that during these circumstances, it's much more difficult to have those “usual channels”, as they call them in the United Kingdom. There's a need to have a more formal structure, and I think that's one option.

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

Next for questions is Mr. Nater, for five minutes.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Madam Chair.

Again, thank you to our witnesses today. I think there have been some great insights so far.

I'm going to start with a very brief comment. I know that Mr. Smith mentioned, in the context of the Senate, the kind of institutional knowledge that comes with that. I think that's something we need to bear in mind as we go forward with this study. There are many in the current government, the vast majority, who've never served in opposition. In the same way, there are many in the opposition who have never served in government.

Bearing in mind the context of government versus opposition, it's great to have institutional memory on this panel today with people like Mr. Blaikie, who served in the House for many years. Also, of course, we have Mr. Bosc, who I believe started in 1986 with the House of Commons and literally wrote the book on procedure. It's great to have that context.

Mr. Bosc, I know that many of us in the House have appreciated your wise counsel over the years. Certainly, you are missed around the precinct, so we appreciate you being with us today. I will start with a question for you.

There's been a suggestion that perhaps there should be a standing order change that would be a catch-all, a “Standing Order 1.2” that would give the Speaker the ability to adjust procedures in the House of Commons in the context of an emergency or a pandemic.

I want to get your thoughts on whether it should be done as a single standing order change, which gives a blank cheque, for lack of a better word, or whether it should be articulated as a series of changes that would apply in the context of a pandemic or a national emergency. Could give us your thoughts on that?

• (1155)

Mr. Marc Bosc: Thanks, Mr. Nater, for your kind words.

On that point, I fail to see how the committee or even the House would agree to give the Speaker such broad powers. I mean, it's possible, but in the wake of October 22, the attack on Parliament on that day, former speaker Scheer and I agreed that it was necessary for the Speaker to have at least the power, as is found in New Zealand, to change the time of the meeting of the House. A letter was sent to the procedure committee. No action was taken. With former speaker Regan, we again sent a similar letter to the committee, and the committee was unable to reach a consensus on the point.

That was a very small example of the Speaker maybe needing some kind of authority to go so much further, to give the Speaker the authority and the power to change how the House works, top to bottom. I fail to see how the committee, or even the House, would agree to that kind of a change.

Mr. John Nater: Thank you for that, Mr. Bosc.

I'd like to follow up on that, and I'll open this up to Mr. Blaikie and the other witnesses as well.

There is an idea of unanimous consent among the recognized parties for these types of changes. We are talking about fundamental changes to the way the House of Commons operates, though I think there was a consensus on this panel that this is very clearly for temporary situations. For any of these changes where we fundamentally alter how we operate as a House, how important do you think it is that there is that consent among recognized parties to make those changes, even on a temporary basis?

Hon. Bill Blaikie: I'm not sure who should speak first on this.

You used the phrase, "unanimous consent among the recognized parties", and I would just say for the record that, having been in Parliament from 1993 to 1997, I didn't belong to a party that was recognized by the House of Commons, although I did belong to a party that was recognized by very many Canadians.

If unanimous consent is to be the bar, and I'm not sure that it need be, regarding that as consent arrived at only between recognized parties leaves members out on occasion, as it did in 1993 to 1997 with nine members of the NDP. Often, when unanimous consent was sought and there hadn't been consultation with those of us without party status, unanimous consent was not reached because not all members of Parliament had been consulted.

I would just urge that when you're talking about unanimous consent—and whether the committee wants to recommend that or not is another matter—independents and members of Parliament who belong to non-recognized parties, if there are such in the House today, should be taken into consideration.

The Chair: Thank you very much.

Next up is Dr. Duncan.

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

I would like to thank all our witnesses for being here.

I am going to start with Mr. Bosc, and I too would like to say thank you. Thank you for your over 30 years of service.

On April 23, Mr. Bosc, you said the following:

A hybrid approach has the benefit of retaining for members and the House the flexibility and agility afforded by in-person meetings, while respecting public health guidelines by supplementing such sittings with virtual participation that has the added benefit of safely ensuring cross-country representation.

I'm looking for a yes-or-no answer. Do you still maintain this position?

• (1200)

Mr. Marc Bosc: Yes.

Hon. Kirsty Duncan: That's fine. Thank you so much.

With respect to the hybrid Parliament, do you agree with the Speaker that MPs are able to participate from all across the country? Again, I'd like a yes-or-no answer.

Mr. Marc Bosc: Yes, so far.

Hon. Kirsty Duncan: Thank you. I appreciate this.

With respect to a hybrid Parliament, do you agree with the Speaker that French and English translation is available?

Mr. Marc Bosc: First of all, it's a committee, right? It's not the Parliament, the House sitting, but a committee sitting.

With regard to the committee, yes, of course translation is important.

Hon. Kirsty Duncan: Thank you.

With respect to the hybrid sitting as we have it, do you accept that the chair knows which minister will have the floor during the virtual questioning?

Mr. Marc Bosc: I can't really comment on that. I have not been watching the committee in action.

Hon. Kirsty Duncan: Thank you.

With respect to this hybrid sitting, do you agree with the Speaker that proceedings are fully accessible?

Mr. Marc Bosc: It's my understanding that there are a couple of members who are having trouble with that, unless by "accessible" you mean the hearing-impaired and so on. I'm not sure about the hearing-impaired on that point.

Hon. Kirsty Duncan: Thank you.

On April 23 you said, with respect to voting:

On the other hand, if the 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.

Do you believe that to be true, yes or no?

Mr. Marc Bosc: Yes, of course.

Hon. Kirsty Duncan: Thank you.

Do you believe that the staff have devised such a method, yes or no?

Mr. Marc Bosc: I'm not familiar with what staff have or have not done, but I'm confident that they can implement whatever the committee decides.

Hon. Kirsty Duncan: Thank you.

With respect to virtual voting, do you have comments on how this could be implemented?

Mr. Marc Bosc: Again, I think it could be done in a hybrid fashion. In other words, the members who happen to be present in the House at the time of a vote could vote in the traditional manner and other members could vote in whatever technological manner the committee has recommended and the House has agreed to.

That said, proxy voting, to me, is one of the options that have been mentioned that ought to be looked at.

Hon. Kirsty Duncan: Thank you.

Do you agree with the Speaker that MPs could see if their vote was recorded properly?

Mr. Marc Bosc: Yes, I think that's useful.

Hon. Kirsty Duncan: Thank you.

With that, I believe I have about a minute left. I would like to turn the questioning over to my colleague Mr. Turnbull.

The Chair: Go ahead, Mr. Turnbull.

Mr. Ryan Turnbull (Whitby, Lib.): Thank you, Madam Chair.

My first question is for Mr. Bosc.

I'm a new MP and I definitely can't wait to get back to Parliament Hill. I have two fundamental beliefs. One is that I want to fulfill all of my duties as an MP. As a newly elected MP, I think that's pretty important, and right now I'm not able to fully participate. However, I also have another belief, which is that I shouldn't be putting people's health at risk unnecessarily.

Based on your perspective, would you agree with both of those statements or beliefs that I hold?

Mr. Marc Bosc: Everyone wants to stay healthy and safe. I understand your desire to come to Parliament Hill and do all the duties incumbent upon you.

The Chair: Unfortunately that's all the time we have, but it was a good question.

Next up is Mr. Duncan.

• (1205)

Mr. Eric Duncan (Stormont—Dundas—South Glengarry, CPC): Thank you very much, Madam Chair.

Thank you to our witnesses today for some really good information and some good perspective.

Mr. Blaikie, your appearance here has at least generated one more sale of your book *The Blaikie Report*. When I saw you were presenting at committee I ordered it, and I appreciate all your experience over the years.

Mr. Gerretsen's point highlights a concern I have, and I think other members of the committee have—you've all mentioned this in your opening statements—as we talk about the modernization of Parliament. Is this study and the timeline we've been dealt an appropriate study to talk about permanent modernization? We talked about adding in cameras and things that have been done in transla-

tion. Would this process be the right way of doing it? Would this timeline be something you're comfortable with? Or should we be doing this when we get into a post-pandemic situation with permanent changes like this? I worry again about these studies we've been tasked with, remote voting in this current context. Do you have any concerns?

Mr. Smith, I had to smile at your article that said the majority of the committees never let a crisis go to waste. Does anybody have any comments about that, our timeline and the permanency we're talking about?

Hon. Bill Blaikie: I made it clear, and I think others did as well, that the committee should be looking only at what is necessary in the pandemic and not using the committee as it's now structured to do the normal work of parliamentary reform, which should be ongoing and which should take place in the post-pandemic environment.

I'm worried about the word “modernization”. I prefer to talk about parliamentary reform because modernization has an edge to it, and some of the things that are best about Parliament are very long-standing, quite unmodern, pre-modern and very valuable. I always resisted, although I wasn't always successful, in not talking about reform in the House of Commons as modernization. Certainly there's some of that with respect to technological possibilities, and a lot of that is taking place in the committee right now. I think other witnesses would agree—at least if I understood them correctly—that what the committee is doing here should not be precedent setting for the post-pandemic Parliament.

Mr. Eric Duncan: I appreciate that. I'm not sure, Mr. Smith, I think you might have a comment on that; I did invoke you.

Mr. Dale Smith: My comment about not letting a crisis go to waste is because a lot of these suggestions mirror some that were made in previous Parliaments this committee was studying, which were ultimately rejected. That's my concern there.

Mr. Eric Duncan: You would agree with me though that the context as you mentioned, if we're talking about reforms, modernization, whichever word, that permanent changes are not the study right now, and the time frame we've been given would not be appropriate?

Mr. Dale Smith: Absolutely.

Mr. Eric Duncan: Thank you. I appreciate that.

To all four of you, and I'll build again on Mr. Gerretsen's comment, one of the things I had as well was about the how. We've talked about the if, but not the how. Do any of you have specific preferences on how remote voting may take place, maybe not using electronic devices, but in person? Do you have any comments or advice for us as we consider what type of remote voting you would prefer that you think may be the safest, most transparent and perhaps easiest to go back to in our regular post-pandemic world, whenever that may be?

I'm going to start with Mr. Bosc.

Mr. Marc Bosc: I'm more of a person who thinks it shouldn't be A, B or C. It could be A, B and C. So you would have some in-person voting. You could have some online remote voting, and you could have proxy voting. I understand some members have trouble. They could write a letter to their whip or House leader, or any other member for that matter, saying they had their proxy for this coming vote. I think you can combine different methods so you have maximum participation and full coverage.

Mr. Eric Duncan: I appreciate that.

In the interest of time, Mr. Deveaux, do you have any comments on that or preferences on the how?

Mr. Kevin Deveaux: Yes. The U.K. members were using an app on their phones. I don't know if you have it in your House, but in the U.K., every MP has an app that a lot of information is transferred to, through their smart phones. They were building up a system that was allowing them to vote virtually through the phone.

The EU, I think, originally was using email. I don't know if they still are. Maybe these are things that have been brought up with the committee in the past—

• (1210)

Mr. Eric Duncan: I'm sorry to cut you off. Do you have a preference, though, of the different ones? If you were to give us advice, what would you suggest?

Mr. Kevin Deveaux: I think I'd agree with Mr. Bosc's comment around a blended system, but I think you need to ensure that it's transparent, and I think you have to give MPs different options.

The Chair: Thank you. I provided a lot of leeway. I thought it was important questioning.

Next up we have Mr. Alghabra.

Hon. Omar Alghabra (Mississauga Centre, Lib.): Thank you very much, Madam Chair.

I want to thank all of our witnesses for being here.

I want to repeat what I said prior to the meeting; it's good to see Mr. Blaikie on here. I had a chance to serve with him in previous Parliaments, and he's always been seen as a voice of wisdom and integrity. Of course, all the other witnesses as well have similar reputations.

Let me clarify something, because in some of the testimony today I'm hearing a mixture of worry about the permanence of changes and also interim changes. We need to be very clear here. The purpose of this committee, the purpose of the study, is to study temporary measures under a pandemic, under an exceptional circumstance.

I understand the reluctance and the fear about permanent changes and unintended consequences, and I know Mr. Blaikie has been clear about this, but I'm going to ask a question to Mr. Bosc.

If we agree on proxy, block or voice voting, and then a single or a couple of MPs object that it's an infringement on their privilege, what can we do? Could that be ruled as an infringement on an MP's privilege who could not be there in person?

Mr. Marc Bosc: I don't think you can force an individual MP to submit to block voting, which is why you need to have a stopgap measure, an option for a member to opt out of that by dissenting, which is why I mentioned A, B and C. If you have all the options available, the member will have the opportunity to make that determination themselves.

Hon. Omar Alghabra: You agree, Mr. Bosc, that we need at least an option for virtual voting under this exceptional or pandemic circumstance.

Mr. Marc Bosc: I think on a temporary basis, yes. I think that is reasonable to expect, given the health circumstances.

Hon. Omar Alghabra: Thank you very much, Mr. Bosc.

Mr. Smith, you sound like you're against any kinds of changes. I don't know if that's what you mean to come across saying.

Mr. Dale Smith: I've been accused of that; so be it.

Hon. Omar Alghabra: So you're comfortable with saying....

For example, now we allow mother MPs to bring their infant children to the chamber. Are you against that?

Mr. Dale Smith: That has nothing to do with what we're discussing or the operation of Parliament.

Hon. Omar Alghabra: We're just talking about changes. There are, for example, e-petitions now. Canadians are able to submit e-petitions on line. Are you against that?

Mr. Dale Smith: I'm more opposed to the notion that e-petitions would trigger debates.

Hon. Omar Alghabra: The point here that I want to make is that we're looking at these exceptional circumstances and that we have no choice, I feel. If we want to respect the MP's privilege, and the MP is unable to travel, but he or she still has the responsibility to represent their constituents, don't you think we must offer an option for an MP to vote remotely?

Mr. Dale Smith: That's not for me to say. My concern is that, once you open Pandora's box, you can't put what escapes back into it.

Hon. Omar Alghabra: Go ahead, Mr. Deveaux.

Mr. Kevin Deveaux: I think my original statement was that virtual voting is not necessarily required in a hybrid Parliament. I think the proxy voting, the block voting, and then allowing dissent and recording that in another manner can work as an alternative. I don't think you necessarily need virtual voting.

• (1215)

Hon. Omar Alghabra: So how would you record dissent? Isn't that voting? What if an MP says, "Block voting infringes on my privilege; I want my vote to be counted independently?"

Mr. Kevin Deveaux: In other parliaments in the Commonwealth that have this, you originally go around and ask the parties how many votes they have. If that adds up to the total number of votes in Parliament, then that's the final answer. If there are votes missing because the party had certain people dissenting, you can then ask those people whether or not they want to vote.

Now, is that virtual voting if you have five members on Zoom who say they're voting differently? I suppose it is, but it's not the same as having all 338 members voting.

Hon. Omar Alghabra: Right. Again, I think we're agreeing there. We need to have the option.

The Chair: We're out of time.

Hon. Omar Alghabra: Thank you, Madam Chair.

The Chair: Next up is Madam Normandin for two and a half minutes.

[*Translation*]

Ms. Christine Normandin: Thank you, Madam Chair.

I have just one question, and I'd like to hear from any of the witnesses who care to respond. I'm going to preface it quickly, though.

The witnesses have talked a lot about their reluctance around any permanent changes. I, too, wish to point out that we are in a unique situation, and we are trying to fix a problem. All of us want to return to Parliament Hill, but some of my colleagues can't for health or other reasons.

Witnesses also talked about electronic voting—seeing as that falls within our current study—and the fact that it prevents personal interaction and discussions with members from other parties. I've heard little, however, in the way of tangible solutions in the current circumstances. I'd like to know where the witnesses stand on that front. Something to consider is the fact that the House leader meetings, which usually take place on Tuesdays, have all been cancelled. They provide an excellent opportunity for dialogue. I'd like to hear recommendations on how to improve the current situation, which we all have to deal with.

Mr. Marc Bosc: I think the meetings of the House leaders could resume. There is nothing that would prevent them from taking place.

Ms. Christine Normandin: That could be one of the recommendations resulting from our study, could it not?

Mr. Marc Bosc: Absolutely.

Ms. Christine Normandin: Mr. Blaikie or Mr. Deveaux, do you have a recommendation for us?

[*English*]

Hon. Bill Blaikie: Go ahead, Kevin.

Mr. Kevin Deveaux: I would go back to my point around the business committee. It's a temporary measure that can be brought in from other Commonwealth examples and that has worked. It can be used as a way of ensuring that dialogue, at least to some extent, is available. I would encourage you to think about that as an option.

[*Translation*]

Ms. Christine Normandin: What about you, Mr. Blaikie?

[*English*]

Hon. Bill Blaikie: I would just echo what Marc Bosc said. There's nothing to prevent House leaders from meeting virtually on Tuesday, like they always do. The committee could recommend that or House leaders could take that up amongst themselves.

[*Translation*]

Ms. Christine Normandin: Mr. Smith, do you have anything to recommend, perhaps in terms of improving debate between the parties during the crisis?

[*English*]

Mr. Dale Smith: I guess I would just say that it's for the parties themselves to work stuff out.

If I have a second, I want to make my own particular caution to the notion of a business committee, in that what that ends up doing is time-allocating all business. That needs to be under consideration.

The Chair: Thank you.

Next up is Ms. Blaney for two and a half minutes.

Ms. Rachel Blaney: Mr. Blaikie, in your initial report to us, you talked about the importance of predictability around any process that we take in terms of voting. I'm wondering if you could expand on what you mean by that.

Hon. Bill Blaikie: If you have a lot of members who are working from home and are not in the chamber, unless they're virtually tied to their computer...because they may also be involved in things like child care. They may be sharing technology at home with a spouse who's also working at home. The fact is that no matter what kind of voting you arrive at—block voting, for instance—there will be an opportunity for members to express their dissent from what the party position might be on any particular thing. No matter what kind of voting you adopt, if in fact you do adopt voting, all of these things would be easier to do if there was predictability. This already happens in the House. You can stack votes. You can agree that all the divisions that come up within the week can be dealt with on a Thursday afternoon or whatever the case may be.

All I'm saying is that particularly for the benefit of the members who might be working from home and who won't actually be in the chamber, they should know when votes are going to take place so that they can properly communicate with their whips as to what their position is, particularly if it differs from the party position. That's what I mean by predictability, by and large.

● (1220)

Ms. Rachel Blaney: Bill, you know one of the challenges for us right now is the fact that our members have to travel all across Canada to get to Ottawa. I know I certainly would have to travel a great distance, and I'm from a place where we haven't had any COVID-19 for close to three weeks. I'm just wondering if you could speak to what other local parliaments or legislatures are doing to address moving in a smaller country or province.

Hon. Bill Blaikie: Let me say that I take your point: Do the people of Vancouver Island really want their members of Parliament going to Ontario and coming back every week if we were to resume normal sittings in the context of the pandemic ongoing?

I would also say, apropos of your question, that whatever people think of what the federal Parliament is doing, it is struggling to continue to be a parliament in a pandemic context, which is more than you can say about, for instance, the Manitoba legislature, where the premier just adjourned it, and there's not going to be a real legislature, virtual legislature or any kind of legislature at all until the fall. In Manitoba, you have a low-risk environment, and you have a situation where most members don't have to travel very far. They certainly don't have to get on planes, most of them, to come to the legislature.

For the Canadian Parliament, in spite of the criticisms that have been levelled at it—sometimes you see these things on Facebook or on other social media about MPs not working—the fact of the matter is that they are working. They're working in their constituencies, and they're working in the context of this committee and other contexts to make sure that Parliament continues in some meaningful way. I hope that the recommendations of the committee will help that along greatly.

The Chair: Thank you. I think that was a good way to end off today's meeting.

I'd like to thank all the witnesses for being here today. I hope you are all doing well, wherever you are.

Mr. Smith, I look forward to seeing your commentary, if you have any, after this.

Of course, Mr. Bosc, I'm sure you'll be here at some future committee meeting once again.

Thank you, to all the witnesses, for being here, and thank you to all the members for your participation.

We're going to switch to panel two now. We will suspend until 12:30 p.m. Let's be back at 12:30 p.m. sharp for the second panel of provincial legislatures. Thank you.

• (1220) _____ (Pause) _____

• (1237)

The Chair: Welcome back. We're going to get started.

Can everyone click on the top right-hand corner of their screen and ensure that they are in gallery view? With this view, you should be able to participate in a grid view and see all of the participants at one time.

Before speaking, please wait until I recognize you by name. When you're ready to speak, you can click on the microphone to activate your mike.

I remind you that all comments should be addressed through the chair. Interpretation in this video will work very much like a regular committee meeting. You have a choice at the bottom of your screen of “floor”, “English” or “French”. As you are speaking, if you plan to alternate from one language to the other, you will need to switch the interpretation channel so that it aligns with the language that you are speaking. You may want to allow for a short pause when switching between languages.

When speaking, please speak slowly and clearly. When you are not speaking, please ensure that your microphone is on mute. The use of headsets is strongly encouraged.

We can begin with our opening statements from the three witnesses we have before us today.

Mr. Farnworth, you have provided a written copy of your opening statement, which will make it quite easy for the interpreters to be able to interpret, even if there are sound challenges. We're only worried about the question and answer period, but hopefully they'll be able to troubleshoot your issue by then.

Welcome to all the witnesses. Thank you. I'm sure you're very busy with your parliamentary duties in your provinces. We are very happy to have you here with us to share your insights and your expertise.

First off, we have the Honourable Siobhan Coady, Minister of Natural Resources and government House leader from the House of Assembly of Newfoundland and Labrador.

Hon. Siobhan Coady (Minister of Natural Resources and Government House Leader, House of Assembly of Newfoundland and Labrador) : Thank you very much. It's a pleasure to appear before you this afternoon.

Thank you for the invitation to appear before the committee. It is certainly a privilege to be with you today and to see some of my former colleagues from the House of Commons. I value the role of this committee as a former member of Parliament and as government House leader and Minister of Natural Resources in Newfoundland and Labrador. I am also chair of the Select Committee of Rules and Procedures Governing Virtual Proceedings.

These are indeed challenging times. Two and a half months ago, the idea of having Parliament meet in anything other than its traditional form was not contemplated. Today many legislatures around the world, and indeed here in Canada, are preparing various means of allowing assembly.

As Sam Cawthorn once said, “Crisis moments create opportunity. Problems and crisis ignite our greatest creativity and thought leadership as it forces us to focus on things outside the norm.” Indeed, that's what all of us are doing

Our House adjourned on March 12, 2020, for a regular constituency week break during the spring sitting and was scheduled to resume on March 23. Before adjourning, we were smart enough at the time, I guess, to put forward a motion, which was passed, that allowed an extension of the adjournment by the Speaker if advised by government that it was in the public interest. At that time, COVID was just starting to appear in the province and across the country.

Effective March 18, the Minister of Health and Community Services here in Newfoundland and Labrador declared COVID-19 a public health emergency under the Public Health Protection and Promotion Act, and it continues in effect today. As a result, the House did not resume as scheduled on March 23.

Special one-day sittings were held on March 26 and May 5 to deal with business of urgent public importance in this unprecedented situation. The House met on those days with a minimum quorum of members. Our House of Assembly has 40 members and a minimum quorum of 10, including the Speaker. By consent, routine business was waived and the House proceeded immediately to notices of motion and orders of the day, except on May 5, when we allowed for oral questions. The public galleries were closed to visitors, and House officials in the chamber were kept to a bare minimum.

When the House met on May 5, it passed a resolution to establish the Select Committee of Rules and Procedures Governing Virtual Proceedings. The resolution provides authority for the committee to determine the manner in which virtual proceedings of the House of Assembly may be held. It provides that virtual proceedings may include a proceeding of the House with any combination of members physically present in the chamber and members present remotely by other technological means, including video conference or audio-only platforms.

The select committee was established due to the exigencies of the COVID-19 pandemic to identify how members may fulfill their parliamentary duties as legislators and to provide for accountability and transparency while complying with public health guidance. The select committee is composed of the six members of our Standing Orders Committee, the House leaders of the opposition caucuses and one of our two independent members. To date, the select committee has had five meetings, all of which were conducted by virtual means, which is a first for our legislature.

There were a few key principles that led our deliberations. All members are duly elected under separate writs of election and all enjoy the parliamentary privilege necessary to do their work and represent their constituents. Any model of a hybrid virtual Parliament must take into account the individual privileges of members and the collective privileges of the House as a whole.

We also recognize that the mace is integral to the functioning of the House of Assembly and is the symbol of authority of the House and the Speaker through the House. The mace must be present for the House to be properly constituted.

The committee has heard that House proceedings can be distinguished as scrutiny proceedings, which are questioning proceedings, and substantive proceedings, wherein decisions are made. Substantive proceedings include voting, which is a core duty performed by parliamentarians. This invites more complex procedural, practical and legal considerations.

● (1240)

The committee has discussed such items as virtual meeting platforms and technology requirements across a very large geographic area; considerations for scrutiny versus substantive or decision-making proceedings; implications for privilege; logistical elements, such as attire, appropriate background displays and training for members; procedural elements, such as place of speaking, recognition of speakers, how routine proceedings like members' statements, ministerial statements, oral questions, notices of motion, tabling of documents and petitions are conducted in a hybrid setting; and the process of debate on resolutions and legislation in a

hybrid setting. We will implement procedures to provide speaking order on the various elements in advance.

With respect to voting, the select committee has considered and discussed options, but we have not yet reached a final decision.

The House of Assembly has integrated video conferencing with the broadcast system and conducted rehearsals that were successful.

The select committee must report no later than July 1, 2020. Once it tables its report, the resolution provides that the report will be deemed adopted by the House.

The House will convene again on June 9, with all members physically present implementing special measures to accommodate appropriate physical distancing and compliance with public health guidance. We will have 34 members present in the chamber, four in the Speaker's gallery and one in the public gallery. All members will have microphones and will be able to participate fully. We can confirm that members will be required to wear masks when moving about the chamber and the precinct. Masks will not be required when members are seated at their desks or speaking.

The public gallery and Speaker's gallery will be closed to the public and employees. The press gallery will be open with a cap on the maximum number of media attending at one time to ensure appropriate physical distancing. Only those employees who are needed on site will be in the building.

There is an approved plan that will require adjustments to the chamber that are more significant, such as the installation of plexiglass, which will not be ready in time for next week's sitting, mainly due to a procurement issue and delays, of course. This will allow all members to be in the chamber at one time. Public Health officials were engaged when planning the various chamber configurations, and approval was sought from the chief medical officer.

While the House resumes in person next week, the select committee will continue with its task of determining the manner in which the House may conduct virtual proceedings.

In closing—

● (1245)

The Chair: I'll let you do your closing if it's short.

Hon. Siobhan Coady: I will paraphrase Justin Trudeau from his book *Common Ground*, which states that, in the end, we all have to come together as parliamentarians if we are to get anything done. Our political opponents are not our enemies; they are our neighbours.

I truly believe that through co-operation we can ensure the people's work is done.

Thank you.

The Chair: Thank you, Minister.

Next we have the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General.

Mr. Farnworth.

Hon. Mike Farnworth (Minister of Public Safety and Solicitor General of British Columbia, and Government House Leader, Legislative Assembly of British Columbia): Good afternoon, back east. I am speaking to you from my home office in Port Coquitlam, which is on the traditional lands of the Kwikwetlem nation.

In British Columbia, our current legislature is not in session at the moment. We have a total of 87 members, which includes 42 B.C. Liberal Party members, 41 B.C. NDP members, two B.C. Green Party members and two independent members, being the Speaker and the former leader of the Green Party. We have a confidence and supply agreement between the B.C. NDP and B.C. Green Party. We have fixed dates for elections. The last general election was in May 2017. The next election is scheduled for October 2021.

In order to function, we have to ensure we have—

The Chair: Minister Farnworth, could I ask you to slow down just a tad and also to try to speak closer to your computer?

Hon. Mike Farnworth: Okay. I am speaking very closely.

The Chair: Thank you.

Hon. Mike Farnworth: In terms of B.C.'s experience, we have seen cross-party collaboration on the arrangements for the special March 23 sitting, ongoing parliamentary committee meetings and the hybrid summer session. It's been a very productive relationship with opposition House leader Mary Polak and third party House leader Sonia Furstenau. I want to thank both of them for their advice and input.

As well, B.C.'s clerk of the Legislative Assembly, Kate Ryan-Lloyd, and her team have done outstanding work in providing members with the procedural tools, technologies, and health and safety measures we need to serve our constituents in this unprecedented time.

On March 23 we had a special sitting of the Legislative Assembly. During the regularly scheduled March 5 to March 23 adjournment, it became clear that the Legislative Assembly needed to meet urgently to consider and authorize new spending and legislative measures to respond to COVID-19. I worked with the other House leaders on arrangements for a half-day special sitting on March 23. The opposition was consulted on the content of the legislation going forward.

It was an all-party representation, with 14 members attending in person. We were physically distant in the chamber, with reduced staff and enhanced cleaning protocols. We had a deputy chair of the committee of the whole presiding over the proceedings, as both the Speaker and Deputy Speaker were self-isolating due to recent travel. We adopted a motion that allowed members to speak and to vote from a seat other than their assigned place for the day's sitting to allow for physical distancing. We continued daily routine business, but it was streamlined to question period and reports from committees.

Members considered and approved the 2020-21 supplementary estimates of \$5 billion to support the government's COVID-19 action plan, and passed a related supply act. A bill to provide workers with unpaid job-protected leave due to COVID-19, as well as three days of unpaid sick leave, was given careful scrutiny and adopted at all stages. Our adjournment motion allowed for the location and means of House sittings to be altered due to an emergency situation or public health measures by agreement of the Speaker and the House leaders of each recognized caucus.

British Columbia decided soon after the pandemic hit to move to a 100% virtual environment for parliamentary committee meetings. Our ability to do so quickly built on our successful experience with holding committee meetings by teleconference platforms, including Skype. Our provincial Constitution Act provides that committees may meet as they determine, unless there is explicit direction from the House.

We looked at teleconferencing options and ultimately decided to use the enhanced version of Zoom. We found it accessible, user-friendly and cost-effective. Plus, the enhanced version includes additional security features. In many cases, members were already using Zoom for virtual caucus and constituency meetings.

Our staff worked with committee chairs, deputy chairs and members to establish clear protocols for the conduct of meetings, to test the Zoom platform and to conduct trial runs. On March 30, B.C.'s first entirely virtual committee meeting took place. Two committees currently holding our first virtual public meetings are the annual budget consultations of stakeholders across the province and the committee that does the statutory review of the personal privacy protection act. As well, the children and youth and public accounts committees are currently meeting, and there are regular public and in camera meetings of B.C.'s parliamentary management board, the Legislative Assembly Management Committee.

● (1250)

Going forward for the summer, as government House leader, I am working with the Speaker and other House leaders on a plan to recall the Legislative Assembly for hybrid summer sittings. This plan will build on the March 23 experience of sitting with smaller numbers from all parties, plus participation of other members via Zoom.

The goal of the hybrid session is to ensure proceedings, as far as possible, involve a parity of treatment between members participating remotely and members participating in person in the legislative chamber. The House will facilitate active participation of as many members as possible from all caucuses and reflect broad regional representation from the province.

The summer sitting is expected to complete the 2020 budget debate, consider budget legislation and other government bills, along with providing government accountability. Key procedural elements, such as seeking recognition from the chair to speak, moving a motion and introducing a bill, making a member's statement, participating in question period or tabling a document will all be elements of a typical sitting day.

We are looking at procedural adaptations that will be subject to agreement by House leaders and approval by the House, which include hybrid summer sittings June 22 to possibly mid-August. This would include a proposed hybrid House, which would sit Monday, Tuesday and Wednesday, with participation by members in the chamber and online via Zoom. It would also include a virtual committee of supply on Thursdays and Fridays to complete the estimates supply process. Members will be fully participating virtually in those proceedings.

• (1255)

The Chair: We are well over time now, but I wanted to get some of those last thoughts in as to what you are doing. I think there will be opportunity to ask you further questions in the questioning round.

Next we have Ms. Polak, who is also from the Legislative Assembly of British Columbia. She's the House leader of the official opposition.

Hon. Mary Polak (Official Opposition House Leader, Legislative Assembly of British Columbia): Good afternoon, and thank you for the opportunity to participate in the very important work of your committee.

In British Columbia, as Mike said, we have benefited from a generally collaborative approach to management of the House. This collaboration has been even more pronounced as we face the challenge of carrying on the business of the people during a time of pandemic-driven restrictions.

On March 23, in an unprecedented one-day sitting of the House, we passed interim supply for government for nine months and moved important pandemic response legislation through all stages in one day. This was accomplished with the agreement of the official opposition and the third party. In order to make this possible, government provided to the opposition the draft legislation in advance, on a confidential basis.

On June 22, the British Columbia legislature will resume its spring session using a hybrid format. Members will be able to participate in person or online, with a designated maximum number allowed in the chamber at any given time. In preparation for this unprecedented session, I have participated in two simulations or mock sittings. While there are still some issues to be resolved, I'm confident we will be able to approximate a typical session experience for all members, as well as the public and press gallery.

Throughout the many planning discussions, by far the most important principle we have maintained is the right for every member to participate equally. It is important to note that with the exception of executive council, in other words cabinet members, no member is part of government. All members sit as representatives of their constituencies first and then may choose to align themselves with a

political party within a caucus. They may choose to sit as an independent.

It is my belief that this feature of our parliamentary system, although widely misunderstood, should form the foundation of any changes made in order to adapt to the necessary health restrictions under which we currently find ourselves. It underscores the importance of this committee's deliberations and, in my view, should be the starting point for any consideration of modified Standing Orders.

I thank you for your kind attention and I look forward to your questions.

The Chair: Thank you.

Thank you to all the witnesses.

First up, from the Conservatives, we have Mr. Tochor.

Mr. John Nater: No, Madam Chair, I think it's me up first.

The Chair: Okay, Mr. Nater. I'm just going off the list. It must have changed.

Mr. Nater, go ahead.

Mr. John Nater: We're just keeping everyone on their toes today.

Thank you, Madam Chair, and thank you to our guests today. It's great to hear the experiences from our provincial counterparts, whom I think are often great examples of where we can learn and where we can get ideas and advice from.

Very briefly, off the top, I want to say thank you to Minister Coady for mentioning the importance of the mace. I think that's an important ceremonial function, but it's also symbolic in terms of the power of our Parliament or the legislature, as the case may be. I appreciate that, Minister.

As well, I want to say thank you to each of our representatives today for talking about the collaborative approach among government and opposition parties. I think that's absolutely essential.

Ms. Polak, I think you mentioned a little about how some of that back and forth worked, and I think that's essential, but I want to get your input. As an opposition House leader, how essential is it going forward that any of these changes that are implemented are done with that consensus among the recognized parties?

• (1300)

Hon. Mary Polak: There are so many nuts and bolts to the operation of a daily sitting that you really only find out when you're testing it. Having had the mock sessions, that has hammered home for me the necessary co-operation. If you don't have it, then even just small technical things are difficult to hammer out.

I can't imagine how we would make this work if, between the House leaders, we weren't able to quickly...because that's the challenge. You need to make decisions quickly. In that environment, you don't have the luxury of time to consult for weeks and weeks on whether you should change this standing order to allow this or that. You need to operate, and you need to solve a problem in real time that, although it might sound nerdy and procedural, has a real impact on the participation of any given representative. You have a high-stakes proposition and very little time to solve it. If everything has to get passed on to a committee or if there's dissent that needs to be ironed out, additional time is taken, and you potentially lose the effective and essential participation of members.

I think it's absolutely critical, and our mock sessions, our test runs, have really proven that.

Mr. John Nater: Thank you so much. I appreciate that.

Minister Coady, you mentioned the special committee that's been set up. Is there a similar principle you're operating on there in Newfoundland and Labrador, that there is consensus among the members of that committee before decisions are made going forward?

Hon. Siobhan Coady: Certainly, we've collaborated quite well together and, as I said, when we passed the motion to set up the select committee, we made sure that we had representation from the various entities within the House. We ensured that we had an independent member, the third party and the opposition, so that we accommodated everyone's concerns and wishes.

We have been meeting collaboratively, talking about how we ensure the privileges of members of the House of Assembly and how we ensure a well-functioning House. We, as well, have done a kind of mock parliament utilizing staff, actually, to see how the flow would be, but again, it takes that essential co-operation. I have to know, as House leader, who is speaking next. I have to know how we integrate between the virtual Parliament and, in the hybrid sittings, someone sitting in the House of Assembly. It takes a bit more co-operation. It takes a bit more collaboration. It takes a lot of almost scripting in terms of "Who do you need for question period?" or "Who is going to speak to these bills?"

There is always the question of privilege. Any member can speak at any time, and we have to find the mechanism and means to ensure that can occur.

The Chair: Minister Coady, if you can just turn your mike a little closer to your mouth, the audio will pick up better for the interpreters. Thank you.

Sorry, I won't take that out of your time, Mr. Nater. Go ahead.

Mr. John Nater: Thank you, Madam Chair. I appreciate that.

This question is for both the representatives from Newfoundland and Labrador as well as B.C.

I understand in British Columbia, if the news reports are correct, that in addition to people being physically present in the chamber, there will also be committee room space available within your Legislative Assembly building where people could participate by Zoom within the precinct. I just wanted your clarification on that.

To Minister Coady, you mentioned that there would be, I believe, four members sitting in the Speaker's gallery and one in the public

gallery. It seems like a relatively small number needed up there. Is that because the floor of your assembly is large enough to accommodate that space?

Those are the two questions for our witnesses. Thank you.

Hon. Mike Farnworth: Yes, in British Columbia you're going to be able to be in the chamber, in your office in the precinct or in another location. If you're not in the chamber, you'll be participating by Zoom.

We actually did look at potentially using the gallery, but we decided against that.

• (1305)

Mr. John Nater: Just as a quick follow-up, how many members have you determined are able to sit on the floor of your chamber?

Hon. Mike Farnworth: We have been in discussions with our public health officer. We initially looked at 30, and we have 87 in our chamber. We have decided that it will most likely be about 24, not including the Speaker.

Hon. Mary Polak: I would add that it is important to recognize that it's only occasionally that all members are present. It is typically for question period or if you're introducing a budget, the throne speech or something like that, so there are limited occasions when members would ordinarily all be present. I think all of us who are part of legislatures understand this. The public doesn't always

We believe, as the opposition, that we can certainly manage that. Some members will simply go back to their offices and be on the floor via Zoom, but again recognizing that they have the privilege to be able to attend if they wish. We think it's eminently manageable.

The Chair: Would you like to add anything, Minister Coady, in just 30 seconds?

Hon. Siobhan Coady: Certainly.

We have accommodated, within the House of Assembly, as many people as possible. On the floor, we've actually moved from where the normal seating risers are to accommodating six members on the floor where the table officers sit.

There are some in the Speaker's gallery but they will be miked, and there is just one person in the public gallery. They will have their independent mike and be able to participate fully because the key issue here is privilege.

The Chair: Next is Mr. Gerretsen.

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

Thank you to our witnesses for being here.

Ms. Polak, I'll start with you. You talked in your opening remarks about the need and, it appeared to be, desire of every party within the legislature to come up with a collaborative approach. I took great note of it.

As a member of the opposition, would you say that what is happening is a collaborative approach?

Hon. Mary Polak: It absolutely is.

As I said in my opening remarks, generally speaking, even beyond the pandemic experience, the three House leaders do have a collaborative relationship. We can go at it hammer and tong in question period, and we do, but as opposition, I recognize that making sure the House functions well is an advantage to the opposition because we can rely on the process.

Mr. Mark Gerretsen: It's safe to say, as the opposition, that you are fully in agreement that this is a pandemic situation, it's unique and that we need to be looking for other ways of doing business as opposed to just everybody meeting in person in the House. Is that fair to say?

Hon. Mary Polak: I think you can take this to other levels, but I'm old school and I do think that, to the extent you can, you should be in attendance in person. However, we should certainly exploit technology to advance the participation of individuals who are members in other circumstances and where this might improve their ability to attend.

Mr. Mark Gerretsen: Especially when it relates to health concerns like we're facing right now....

Hon. Mary Polak: Yes.

Mr. Mark Gerretsen: You also talked about the right of every member to participate, and I've heard all of the witnesses on this panel say that. This comes down to that issue of privilege. It's a great guiding principle.

How do you believe, through the collaborative approach that you've taken, that you are actually able to implement that?

Hon. Mary Polak: That's actually the heart of the whole discussion for all of us.

By trying out how we involve members who are attending virtually, and adjusting our Standing Orders and procedures so that they're able to be recognized when they need to be, they're able to speak on an equal footing with those who are in the chamber. In fact, even in our most recent simulation, question period took place across platforms, so you had members in the chamber asking questions of members who were participating virtually, and vice versa. It was equal—

Mr. Mark Gerretsen: Sorry, I'm just limited on time.

Were you confident, as a member of the opposition party, that you and all members were able to participate in accordance with that guiding principle of the right of every member to participate?

Hon. Mary Polak: Yes.

• (1310)

Mr. Mark Gerretsen: That's excellent.

Ms. Coady, in your opening statement you talked about some of the things you have been exploring, in particular, virtual voting. You talked about the Standing Orders as well. These are the things this committee is tasked with and researching right now so we can come up with our own recommendations. You said you had options for virtual voting, but that no final decisions have been made.

Can you give us some insight into what those options are, and whether there are any preferred ones at this point?

Hon. Siobhan Coady: As a committee we've met and talked about how important the privilege of voting is. We've talked about different options that may be valid and valuable to members.

We have a relatively small chamber. There are only 40 members in the House of Assembly.

We've broken it down to looking at some procedural voting decisions. When I'm talking procedure, I'm talking about motions to move orders of the day and motions to sit late. These are what I term routine matters. We've looked at how to do that in a virtual or a hybrid model.

Mr. Mark Gerretsen: What are some of the solutions you've seen in your examination?

Hon. Siobhan Coady: We think that we can do that by either raising a hand or a verbal yea or nay. Those are substantive decisions.

For substantive decisions, we absolutely believe that for bills going through particular stages, or a particular decision of the House like a private member's motion, there should be a recorded division.

This is still in debate and discussion, but that's some of the thinking right now.

You've got to remember we've got to make sure everybody has access, there's security, and that we recognize—

Mr. Mark Gerretsen: I have to jump in because I have one more important question for you.

You talked about the Standing Orders and how you were looking at a whole bunch of different things.

Can you tell us the top three standing order changes you've seen as necessary for a time like this?

Hon. Siobhan Coady: Voting would be the number one standing order.

How do we ensure that the privileges of members are met so that they have access and can participate? How they participate would be another.

The third is making sure we have the right platform and the right technology to support the privileges and the ability to advance legislation and to advance scrutiny, which is very important.

Mr. Mark Gerretsen: Thank you.

The Chair: Madame Normandin.

[*Translation*]

Ms. Christine Normandin: Thank you, Madam Chair.

I'd like to thank the witnesses for being with us. Not only does their experience give us insight into what works, but it also helps us learn from any mistakes.

Ms. Coady, you said something that struck me, and I'd like to ask you about it. I thought I heard you say that all the members of the House of Assembly will be meeting in person on June 9. You're still going to explore the possibility of virtual voting, even though you're all able to be physically present.

Unlike us, the members of the House of Assembly are all able to meet in person, without putting members' parliamentary privilege at risk. That's something we can't do right now. What led to your decision?

[English]

Hon. Siobhan Coady: Certainly we realize we're not through the COVID pandemic yet.

We're concerned that, as we keep hearing from public health officials, there might be a second or third wave and we want to ensure we have a virtual capability, especially coming into the fall. We have not passed our budget yet. We have interim supply until the end of the September. With an abundance of caution and making sure we have that virtual, potential opportunity, we can have all members of the House of Assembly involved.

That's the motivation behind it. We keep hearing that we don't have a vaccine yet, so we're making sure we have that availability even in the likelihood of something else happening. As we continue to evolve in the House of Assembly and in parliamentary procedure, the possibility is that you may use a virtual Parliament for reasons other than a pandemic.

I'll leave it there, but we want to make sure there is an abundance of caution and that we have an alternative.

• (1315)

[Translation]

Ms. Christine Normandin: Thank you.

My next question is for Ms. Polak.

Ms. Polak, you said that, generally speaking, not all members sit at the same time. I imagine that, where voting is concerned, all members are in attendance. Can you confirm whether that's true and whether voting is a key point in your proceedings?

In terms of where you stand on virtual voting and parliamentary privilege, would you say there are members who would like to be present despite the public health concerns? What are people saying about virtual voting versus voting in person?

[English]

Hon. Mary Polak: In our simulation, we practised this with some people in the chamber and some people virtually. The roll call vote worked exceptionally well. It does take quite a lot of time, but that's a small price to pay for making sure that everyone has a chance to participate.

Where we are still challenged and are trying to work out the bugs is on a voice vote. How do you conduct a voice vote when Zoom selects out the speaking voice of only one or two members and then slots them in? You get this cascade of "aye", "aye", "aye", instead of the one vote. We have a few ideas as to how to do that, but voting on substantive issues, where you would typically have the bells ring and people come, certainly involves everyone.

The way we are considering it at this stage is that we have duty teams, some in the House and some virtually. If members are not on that team and they are called to vote, they would have access to Zoom in their offices, even if they're at the legislature, so they

could vote there, but it would be a roll call vote with no one excluded.

Again, there are bugs still to be worked out on the voice vote.

[Translation]

Ms. Christine Normandin: Thank you very much.

My next question is for the members of both legislative assemblies.

One major difference between your legislative assemblies and the federal Parliament is the distance members have to travel to be present in the House of Commons and their ability to do so in a pandemic situation.

How do you determine which members will be physically present and which ones will participate virtually? In our case, distance is one of the reasons why members can't go to Ottawa. How do you deal with that? Who makes those choices? How many members are allowed to be physically present?

[English]

Hon. Mary Polak: Go ahead, Mike.

Hon. Mike Farnworth: It would be up to each caucus to make that decision. Also, we've done it on the advice of the provincial health officer and it's also up to each member. As we've said, members can be present in their offices or in the chamber.

We also have to travel significant distances in British Columbia, but we're not anticipating that to be a problem, and none of the members at the House have really said it's going to be a problem.

Hon. Siobhan Coady: It's the same here in Newfoundland and Labrador. There are great distances and it's up to the caucuses, but you have to remember that individual privilege. If people want to be present, they must be allowed to be present, so it's about that individual privilege. The key issue is making sure that you have the platform available for all parliamentarians.

The Chair: Thank you.

Next up we have Ms. Blaney.

Ms. Rachel Blaney: Thank you, everyone, for being here today. I found your testimony very interesting and compelling.

I would like to start with Minister Farnworth.

As we're doing this process in PROC, we're looking at structures for how we can continue to keep the communications open and transparent and to make sure there is recognition of all the different recognized parties. It sounds like British Columbia has done a really good job at that.

How are you navigating that? How are working with the House leaders and what are the structures around that?

• (1320)

Hon. Mike Farnworth: I would say, first off, that we meet literally every day, often in the House, prior to question period or just before business starts. I will let Mary, and Sonia from the Green Party, know how many bills.... We work together on what the order of the estimates will be, recognizing that even in a regular session things will come up. I sometimes will want to move something back, and she will say, "Look, we will need to move something", and we'll trade. A lot of it comes down to having a good working relationship and making it clear to your respective caucuses that when the House leaders make a decision on order, it's not changing. When the House leaders tell the opposition, "This is how something is going to be", that's how it's going to be. That takes place on a daily basis. We talk several times a day.

Critical in our legislature, in part because we are a minority Parliament, is that we have to be cognizant that every member's vote counts. People told us we wouldn't last three months, and here we are three years later.

Ms. Rachel Blaney: One of the challenges for me, as a British Columbia member of Parliament, is that to get to Ottawa would take close to two days now, which is not usual, and would require me to go through multiple airports as well. It is a long trip even in normal times. When I look at the great work being done in British Columbia to keep COVID under control, it's important to me to not present risk to my constituents. Of course, this is why we're having discussions about virtual and hybrid forms of Parliament.

You talked earlier, Minister Farnworth, about modifying and adjusting standing orders. When you look at the spring sitting that's going start at the end of June, what standing orders have been modified, and, again, how has that been done in a collaborative manner?

Hon. Mike Farnworth: We are looking at introducing a sessional order, so that the changes will only apply for this session of Parliament. It's been done very much in collaboration and co-operation with the opposition House leaders, in terms of how we make this work.

What worked in the March 23 session, and what has the provincial health officer told us that she wants to see in terms of the capacity in the chamber and the capacity of staff to maintain proper social distancing?

Having been in opposition, I know that the opposition members want question period; they want to make sure they have the ability to scrutinize legislation. My job in government is to ensure that the government's agenda goes through. One of the key things we did last time was to, on a confidential basis, share the legislation we wanted to get done on that day so that there were no surprises. That's the approach we've taken. As much as possible, it's to keep the sessional order similar to Standing Orders so that everyone can understand what it is.

The biggest change I think is in terms of voting. We will be deferring votes to a set time of the day, so that all members know that if the votes are taking place at six o'clock, they need to be in the chamber or on the Zoom screen to be able to vote. That's probably the biggest change that we've initiated.

There are still lots of other things to work out, but that's how it's taking place.

Ms. Rachel Blaney: I know that predictability is really important. For our Parliament, one of the biggest challenges is the multiple time zones. How do we make sure that when there is a vote, people can attend, that all the members have that capacity? I appreciate your talking about that importance.

I think predictability is also important in the context of the new reality of members working from their homes and having child care concerns, having to deal with partners who are working at the same time, using the technology. How do you make that all work?

I'm wondering whether you could speak to any challenges you've heard from your caucus on manoeuvring that. After you're done, I would like to go to Ms. Polak on that.

Hon. Mike Farnworth: One of the things we've learned just in regular sessions is that members like structure.

In our House, everyone has their duty time. You have from 10 until noon, two until four. We can't expect members to sit in front of a screen for eight hours; they're just not going to do it.

What you can do is to work with the whips' offices, to tell the caucus that members have their duty time, and "During that duty time, if you're not in the chamber, you will be in front of the screen, whether in your office or at home, and the whips will be ensuring that is taking place." That is going to give members the flexibility they need at home to deal with those issues.

In our case, it's a bit of an improvement. Previous to this, because we're a minority, we weren't allowed to leave the chamber because a vote could take place at any time. Now, with votes being deferred to a set time every day, members will be able to leave the chamber or leave the buildings, which many are quite looking forward to, for lunches and such.

• (1325)

The Chair: Thank you for that, Minister Farnworth.

We are going to continue into the second round of questions.

Looking at the time, we are a bit behind, as we have committee business at the end as well. I am wondering if it is okay with the committee members that we shave off one minute from the five-minute round.

Is that okay, for four minutes each?

Mr. Tochor, you're up next.

Mr. Corey Tochor (Saskatoon—University, CPC): No. I'd like to see where the questions go first. But if time is of the essence here....

Minister Farnworth, thank you so much for being here today. I think it's commendable for the B.C. government to be transparent and working with the other parties. It's amazing what you can get done when you let other parties take part in democracy and decide on how you will manage yourselves during these unprecedented times.

I'd like to get Mary Polak's comments on this. As an opposition party, was the government trying to jam you, or jam you in different ways, on how things would proceed during this pandemic?

Hon. Mary Polak: No, not at all. It truly has been collaborative. We've gone back and forth sharing ideas about how different elements could work. We're not done yet, so maybe tomorrow Mike will throw something at me that I don't expect, but I don't think so. Part of that is what Mike alluded to. We've developed a high degree of trust, and while Mike and I can both be hyper-partisan when we need to be, we know when it's time to take off the company T-shirt and get some work done.

The rules of Parliament are there to ensure that every member gets a chance to participate and that the opposition has the tools it needs to do its job. It's in my interest, as an opposition House leader, to ensure that the House runs smoothly.

They haven't jammed us. Everything so far has been very collaborative.

Mr. Corey Tochor: That's fabulous. So they haven't restricted the topics you could raise as opposition?

Hon. Mary Polak: No.

Mr. Corey Tochor: Moving on to the other coast, it's interesting that a budget is going to be presented and passed shortly, or hopefully shortly. I wonder if the honourable Minister Coady could speak about what change is being considered so that a budget can be passed. Obviously we know we're spending a record amount of dollars right now as a nation, and there's going to be a time that a budget will need to be presented here and scrutinized to ensure that the best interests of Canadians are being considered.

What are the main differences that appear between the budget coming up and the last budget? How many restrictions have been put on either time or format?

Hon. Siobhan Coady: As I said, right now we have interim supply until the end of September, so sometime towards the end of August or into September we'll have to have a budget. We'll be working with our—

The Chair: Sorry, Minister Coady, but your volume seems to be a bit low. Maybe it's the volume on your computer. Could you check that? It wasn't happening when you gave your opening statement, but ever since the Q and A started, it's been on the lower side. The interpreters keep mentioning it.

Hon. Siobhan Coady: I'm a Newfoundlander; I will speak more forcefully.

We're getting prepared for a budget. Obviously we have interim supply until the end of September, so sometime in that time frame we'll be working with all the parties in the House of Assembly.

We anticipate at this point that we'll have ironed out.... If we're still in a pandemic situation or in a second phase of the pandemic

and we cannot be physically present together, we'll have some kind of virtual hybrid mechanism. We have to ensure that the rights of members to scrutinize, to question, to consider are fulfilled. We'll find the right mechanism for that.

As we are coming through this and the chief medical officer is bringing down the alert levels, if all things remain the same, we'll be able to have the budget in the same or in a similar type of proceeding that we would normally have.

● (1330)

Mr. Corey Tochor: Ms. Coady, I'd like to thank you for bringing up parliamentary privilege. It's refreshing to have a government concerned about protecting members' privileges.

I have a quick question for Minister Farnworth.

In B.C., have you talked about what happens when you come out of the special restrictions? Hopefully we don't have a second wave. Hopefully vaccines are developed quickly and we're not going to need them. Have you had discussions on how you come back to normal? Who decides that?

Hon. Mike Farnworth: In terms of the session, it's a sessional order, so that would govern the proceedings of the House. When that's over, we are back to our regular Standing Orders.

As for the province itself, right now we have two states of emergency: the provincial health emergency and the state of emergency that's been declared province-wide. We are developing how we're going to come out of them, because we recognize that orders have taken place under them that we may not be able to end right away. We may have to transition, and that work is currently ongoing.

Mr. Corey Tochor: So the sunset clauses are built right into it. If it's just a sessional order, we know the end date. If things are changed and unfortunately for health reasons we have to go back, then opposition parties would have to agree on the new sessional orders that will govern you after these sunset clauses, correct?

Hon. Mike Farnworth: Absolutely, so this—

The Chair: That's all the time we have. I allowed you extra time to get that last question in, but I think you got your answer for that.

Next up we have Mr. Turnbull.

Mr. Ryan Turnbull: Thanks, Madam Chair.

Thanks to all the panellists today. I really appreciate it, and I have learned a lot from everything you have shared with us so far. I have a question related to Mr. Tochor's line of questioning.

We have two government House leaders here with us today from two different provincial legislatures. It sounds to me like you are both very concerned with the scrutinizing of your government and that parliamentary privilege is something you take very seriously.

Would you say that's true, Ms. Coady?

Hon. Siobhan Coady: Certainly it is important that we have the opportunity to be scrutinized and questioned. That is part of the responsibilities of the legislature.

Mr. Ryan Turnbull: Thank you.

Some of the work you're doing is really demonstrating the commitment to that.

Mr. Farnworth, would you agree with that as well?

Hon. Mike Farnworth: Absolutely, and that's why we've tried as much as possible to make sure that the session is equivalent to what a normal session would be.

Mr. Ryan Turnbull: Great.

I share that commitment. Obviously I'm not a government House leader, but I think our government has also demonstrated that.

I want to ask Ms. Coady some questions. I know you were already asked why the committee on procedure studying virtual Parliament kept moving forward even though you've opted to meet in a hybrid Parliament. It sounds like you've gone down that road, as you said, "in an abundance of caution". I thought that was really great.

Were there concerns expressed by the opposition parties in your legislature around making broader sweeping changes that were permanent? Could you speak to whether you experienced any kind of push-back or whether any other parties actually agreed that you should proceed with an abundance of caution?

Hon. Siobhan Coady: I have had great co-operation from all members of the House of Assembly. As I said, we have the Progressive Conservatives, the NDP and two independents, and I deal directly with all of them, as House leaders and as independents, to ensure that we have clear discussions and clear common goals. To answer your question directly, the common goal is to have as much opportunity as possible to have our legislature proceed.

You're right; we took the abundance of caution approach. We made modifications to our House of Assembly so that everyone could come together, but we wanted to make sure we had the virtual platform available as well.

We do have sunset clauses on any changes to the Standing Orders based on these modifications, and that is again to ensure that we can make any adaptations or changes we feel are necessary as we transition through this.

• (1335)

Mr. Ryan Turnbull: It makes sense. Thank you for that.

Mr. Farnworth, I'm going to go back to you for a moment. You also made temporary changes to the Standing Orders. Was there at all a concern—and I'll go to you, Ms. Polak, in a second—about these changes being more permanent than temporary, or was it made clear that these were temporary changes given the current context?

Hon. Mike Farnworth: It has been made clear that they're being done by a sessional order to deal with this situation.

Obviously, what we will do after this, though, is look at what happened, what worked and what didn't work. In terms of our longer-term general emergency procedures in British Columbia, we need to know what we do in the event of a natural disaster, earthquakes being a big one. In many ways, this is a test run, but changes to the rules would be done on a collaborative, co-operative basis.

In this instance, these are just for this situation.

Mr. Ryan Turnbull: Ms. Polak, do you want to comment on that?

Hon. Mary Polak: I would have every expectation that, if there were permanent changes, Mike and Sonia would certainly involve me in that discussion. We did make a permanent change to allow people to bring their infants into the chamber. That was a very collaborative process, so I have no concerns about that.

Mr. Ryan Turnbull: Thank you.

I have one last question.

You said that the biggest change was around voting. You didn't shy away from that, did you?

Hon. Mary Polak: No, not at all, as long as everybody gets a chance to participate fairly.

Again, we're still working out the bugs on the voice vote, but as far as the roll call vote, it worked fine.

After each simulation, we're all debriefing with the Clerk and talking among the House leaders about things that didn't work and how we can tweak them. By June 22, we're going to have this running very smoothly, touch wood.

Mr. Ryan Turnbull: I'm touched by the level of collaboration.

The Chair: Thank you.

Mr. Duncan.

Mr. Eric Duncan: I echo what Mr. Turnbull said. It's very nice to see the co-operative approach from your respective provinces.

Ms. Coady, I want to talk about your special committee. I have a couple of questions.

How often has your committee been meeting? Is it weekly? Is it a set schedule like ours? How does that work? Are you hearing from witnesses?

Hon. Siobhan Coady: We've been meeting sometimes twice a week, but most often once a week. We've had five meetings and are about to have our sixth. It's done on a co-operative schedule check of each other's calendars to see how we can fit in as much as possible.

We've been working through those issues and have not called any witnesses. These are standing orders; we haven't opened it up to witnesses. These are procedures of the House of Assembly. We've been working through each of the Standing Orders to see how we can adapt and adopt, and to allow as many people as possible to participate by virtual means, and to determine what the rules would be in the House of Assembly with the mace.

No we're not hearing from witnesses, we're just doing the work of the House of Assembly.

Mr. Eric Duncan: I appreciate that.

Is it in camera, public or a combination of both? How is that working?

Hon. Siobhan Coady: They're all in camera. We're just meeting as a group to figure out the rules of the House of Assembly so we can meet in public.

Mr. Eric Duncan: To build on my earlier line of questioning from the first panel we had, I'm curious on the timelines for your report.

When did the committee start, how long has it been now and when are you expecting a final report to come back to your colleagues?

Hon. Siobhan Coady: When it came to the House of Assembly for a decision in early May, we set a date of July 1. We will meet that date or table the report earlier. We have one final thing to solve, which is the voting issue, but we're making good progress on that. I would think within the next couple of weeks we'll have that solved and then be able to table our report.

• (1340)

Mr. Eric Duncan: At that point, you're looking at probably having taken a month and a half to two months, from start to finish.

Would that be accurate?

Hon. Siobhan Coady: Absolutely, a couple of months.

Mr. Eric Duncan: Thank you, I appreciate it.

The reason I build on that is going back to caucus involvement. I've mentioned to some colleagues my thoughts about the timelines we're under right now, and, yes, the changes we would be pushing forward would be temporary. I'm assuming you're going back to your caucus colleagues, getting feedback and buy-in at that point.

You probably can't speak for the other parties, but can you describe to me how that's working?

I will ask Ms. Polak that question as well.

Hon. Siobhan Coady: Again, it's about that level of co-operation and discussion. When we have a report, we bring it to our individual caucuses, or the independents review it to make sure they are in agreement with how we can progress, and then we come back as a committee and make final decisions.

Mr. Eric Duncan: I'm not sure if I have time for Ms. Polak, but I'll try.

Hon. Mary Polak: We have a committee that is organizing our COVID caucus. It's a small group of our MLAs and some staff. When there are substantive issues, we bring that back to the whole caucus.

Mr. Eric Duncan: I appreciate that.

Last but not least, I will ask Minister Farnworth and Minister Coady about the voting and where you're you at right now.

Ms. Coady, I'll start with you and then go to Minister Farnworth.

What options are you looking at right now in Newfoundland? You probably can't say because they're in camera going through discussions. Is it a device or Zoom, like British Columbia is doing? What's on the table? What are some of the holdbacks?

Hon. Siobhan Coady: For a hybrid model, if we're doing it virtually we have WebEx. That's the platform we've chosen. For procedural decisions, we're discussing whether that would be a voice vote or a hand signal button. On substantive issues, it will be a divisional vote.

There has been no determination at this point; I'll make that caveat.

Mr. Eric Duncan: The asterisk is noted for sure.

Minister Farnworth, on Zoom and that relationship there, how long did that process take? I take it you're happy with that. You're not looking at any other devices or anything else. You're happy with what you have there right now?

Hon. Mike Farnworth: Yes, we are. We're happy with Zoom. We've done a couple of trial runs now. That's why we think doing the set time each day for the votes will work.

In terms of what Mary was talking about earlier on the voice vote for the introduction, who votes aye, who votes nay, we can do a little tweaking. We're not going to if we need to do a roll call. We tried that; it takes too long, but the roll call vote for main substantive votes works just fine.

Mr. Eric Duncan: Thanks for the information.

Thank you.

The Chair: Thank you.

Mr. Alghabra, go ahead, please.

Hon. Omar Alghabra: Thank you, Madam Chair.

I want to thank our witnesses who are here, and give a special greeting to Minister Coady. It's nice to see her.

Minister Coady, Mélanie Lauzon from the whip's office says hi and wants you to know that she misses you.

Hon. Siobhan Coady: And I miss her.

Hon. Omar Alghabra: I want to emphasize a couple of these points we've been discussing throughout the conversation.

I'll start with you, Minister Coady. Do you agree that in order to respect the privileges of every member, an option for virtual voting has to be available, obviously respecting the public health situation under these exceptional circumstances?

Hon. Siobhan Coady: We've had some debate and discussion and, Omar, you're absolutely correct that, should there be a public health emergency, should there be a second wave or a requirement, we want to make sure that we, as an assembly, could come together. We want to make sure our Parliament could function. That is why, out of an abundance of caution, we are continuing to make sure that we have this virtual Parliament opportunity. You're absolutely correct, but we still believe—I think there's still a lot of debate and discussion on this—there are a lot of benefits to bringing an assembly together, including the ability to have that interconnection and discussion. We've had some discussions among ourselves on how it will be important that we find a mechanism to be able to assemble. While the virtual platform is very important to us—we want to make sure we can have it since we know there are emergencies—to make sure that we're able to come together through some means and mechanism, we also believe that the physical ability to talk to one another is important as well.

• (1345)

Hon. Omar Alhabra: Thank you for that.

I agree with you. I think every single MP in the House of Commons wishes we were able to go back to work the day before tomorrow, but there is the unfortunate reality of the pandemic, and therefore we have to respect Public Health's advice and maintain physical distancing.

I want to ask the same question to Minister Farnworth. I know the answer, but I want to hear you say it. Do you agree that in order to respect the public health situation and the privilege of all members the virtual voting option needs to be present?

Hon. Mike Farnworth: Absolutely. Because of the provincial health officer's social distancing request that we've had in this province, we've made it an important focus of our campaign against COVID-19 and it applies to the legislature. The ability and privileges of all members to vote on the business of the day are critical, and that means having a virtual ability to do that, so there's just no argument there.

Hon. Omar Alhabra: What about you, Minister Polak?

Hon. Mary Polak: Yes. Remember, there are safeguards that can be put in place. We decided that you are not considered present unless you are there with your video and audio. That makes you present and able to vote. In terms of being able to be recognized or to call a point of order, exclusively the chat function on Zoom that goes directly to the clerk's desk is there for members to be able to say, "I have something to say. I want to be recognized", etc. So, there are safeguards that can be put in place, and we believe they're necessary.

Hon. Omar Alhabra: I want to note that in the House of Commons we've also had a collaborative approach with the opposition parties. The government has been working with everybody, especially on the issue of the response to COVID, and I think all Canadians are grateful for that, but I want to ask the following as well. Have you done any business other than the COVID response in your legislature yet?

We'll start with you, Minister Coady.

Hon. Siobhan Coady: Yes, we're about to do that. Come Tuesday of next week, we're going to go back to normal business. The

order paper that we concluded with will come back again next week, so we'll be having at least the next two weeks of regular business.

Hon. Omar Alhabra: Will that be under those new standing orders?

Hon. Siobhan Coady: No, it will not be under the new standing orders as yet because we're still in deliberations, but we will be respectful, obviously. We've made modifications to our House of Assembly. Now that we're at alert level 3 instead of alert level 5, we're able to fit more people in and there is more movement. It's because of the lower alert level that we can bring more people into the assembly.

Hon. Omar Alhabra: Right, but you still expect it to be some kind of a hybrid. It's just that you have not finalized—

Hon. Siobhan Coady: There will be adaptations.

Hon. Omar Alhabra: Right, okay.

What about you, Mr. Farnworth? Have you done any business other than a COVID response?

Hon. Mike Farnworth: Our assessment is that we are going back on the 22nd. We'll be picking up where we left off when we adjourned on March 23.

The Chair: Unfortunately, that's all the time we have.

Next up is Madame Normandin.

Welcome to Mr. Manly, who has joined us at committee. Elizabeth May oftentimes does join us, but unfortunately....

I hope you are aware that we are nearing the end of the committee meeting, and we have about five minutes left of witness testimony at this point, but welcome nonetheless.

Mr. Paul Manly (Nanaimo—Ladysmith, GP): Thank you.

The Chair: Madame Normandin.

[*Translation*]

Ms. Christine Normandin: Thank you, Madam Chair.

I have just one question for the witnesses.

I commend you on the level of co-operation you were able to achieve within your legislative assemblies. That's something that's been missing from our Parliament on occasion. In terms of the ingredients of your successful co-operation, would you say the opposition's lack of resistance to virtual proceedings and the government's openness to a broad parliamentary agenda with numerous checks and balances played a part? Is that fair to say?

[*English*]

Hon. Mary Polak: I'll answer.

Sure, I think that was essential. We were ready to do whatever we needed to, understanding that the gathering of the legislature was the primary goal. How we accomplished it was secondary.

• (1350)

Hon. Mike Farnworth: I would add to that.

I think it also comes with the relationships and the trust that you're able to build up. I think part of it has to do with having served in a government a number of years ago when there was virtually no trust between government and opposition, when one said "black" and the other said "white", and nothing got accomplished. How destructive and debilitating that is. Mary has seen that as well.

We have tried, whether it's through this COVID pandemic or a regular system, to understand that both government and opposition have roles that are better served when the House actually functions, as opposed to its being unfunctional. I think that's been a big part of the relationship that we've had over time, both with Mary and with her predecessor.

Hon. Siobhan Coady: Very importantly, we all had a common goal.

The first common goal was that we were in the middle of the pandemic and that whatever special measures had to be met, we wanted to do so effectively in the House of Assembly and to meet the requirements of the Province of Newfoundland and Labrador.

Second, I think, was the coming together and making sure that we had an effective, functioning Parliament, taking aside the mantle of any kind of partisanship. How do we ensure that goal? How do we represent the people of the province? How do we advance legislation, and how do we address the pandemic in the most effective way possible? With that common goal, we worked out how to action it and how to function together to meet that common goal.

The Chair: Thank you.

Ms. Blaney, please.

Ms. Rachel Blaney: I'm going to come back to you, Ms. Polak.

You mentioned a couple of things that I want to hear some more about. You talked about participating in mock sessions and also about the ability to do debriefings with the clerk on what worked and what didn't.

As we're going through this, one of the things I've continually asked for is an incremental approach so that we have a place where we can do those checks and balances, and so there is actually a structure in place to ensure that it does occur and is not something that is just talked about.

I'm just wondering if you could speak to those two examples.

Hon. Mary Polak: It's a good example of "You don't know what you don't know."

Until I had participated in the simulations, I really didn't understand some of the very small things that can have big consequences for how it operates. I think it's absolutely essential to have a full on run-through. We have the procession and all the different things that would ordinarily happen. We experiment with all of them, and then afterwards, members who have taken part can stay on the line.

The clerk is there in the chamber with a microphone, and we talk through what worked, what didn't and what we could tweak. Then we try it again the next time. I think it's essential.

Ms. Rachel Blaney: I think that's really important as well. In our House, the Clerk has done some great work on that, but representatives from different parties have not been there, and I think it's really important, as we take these steps, that we always include that process.

Minister Coady, I would like to come to you. You were talking about the work your special committee does. I'm wondering how you make decisions. Is it a unanimous system or do you have some other way of making decisions?

Hon. Siobhan Coady: To be quite honest, we haven't had to have a substantive vote, if I can say that. We've been trying to work through things collaboratively. We talk to each other and find the best means and mechanisms to move forward. It's basic collaboration. We haven't had a split vote or even a divisional vote. It's all driven by consensus. We're trying to be reasonable and co-operative to find the best means and mechanisms to meet the goal of resuming Parliament and utilizing some virtual means.

Ms. Rachel Blaney: Thank you. Those are all my questions.

The Chair: I guess that brings us to the end of this panel.

Thank you to all of the witnesses for being here today. It was quite interesting to learn about the methods that you're adopting to be able to represent your constituents, and especially about the collaboration that has been taking place among all of the parties in the different legislatures. Thank you for informing us and giving us your insights.

For the rest of the committee members, we have a couple of things to go over. One is the work plan that was put forward at our last committee meeting. I want to see if all of the members are okay with it. We've already had two of the meetings that are listed on it—June 2 and June 4. What we have left is the June 9 meeting, the international meeting. For this one there is a bit of an issue because we've had such a willingness on the part of the witnesses to come before the committee to make presentations. I think there's a lot that we will be able to learn, but we have about eight international witnesses and there's no way we can get all eight into one panel.

We're trying to work with the whips' offices to see if we can get an extra meeting tacked on. That would allow us to have interpretation and the witnesses in on that day.

Mr. Richards.

• (1355)

Mr. Blake Richards: Madam Chair, unfortunately I wasn't able to be at the last meeting. I know there was some committee business then and we dealt with a bit of this. I have some concerns about the plan that came out of that, for sure. I know I'm not the only member who does.

We're rushing this very quickly. We are packing panels. As you've indicated, there's one with eight witnesses. I'm glad to see that this will be broken down further. We're packing some panels pretty darn tightly, and I fail to understand what the big rush is to do this by June 11, or whenever we want to finish having panels. I'm just not clear on why we need to rush this so quickly. Why wouldn't we take the time to get this right?

I want to make it clear that this is not an attempt to try to stall anything. Why are we rushing this so quickly, though? We're talking about some pretty significant change here. Why couldn't we take the time that's needed to hear from people?

I know that we've been given this June 23 date. Having said that, I'm not sure why we couldn't, as a committee, choose to extend beyond that date. Parliament wouldn't sit after that until mid-September, so I don't know why we feel the need to be so rushed. Maybe that was explained at the last meeting, but it is certainly unclear to me. I know it is to some others on the committee as well. Perhaps we could get some kind of response to that.

I think we need to slow down and hear from witnesses properly. Having eight witnesses on one panel is absolutely ridiculous. Even having four, five or six on a panel is. When you have an hour and a half, you don't get any time to hear from these people or ask them questions. I just don't get why we're in such a rush.

The Chair: Yes, I hear you, Mr. Richards. I think there's more feedback the committee would like to give. I'm willing to go in any direction the committee would like me to go.

Mr. Gerretsen, you had your hand up.

Mr. Mark Gerretsen: Thank you, Madam Chair.

The clerk did inform us at the last meeting, when Mr. Richards was not present, that we are required to return a report by the deadline given to us. If that report includes a comment that we perhaps need more time, then that's a hurdle we can get to when we get to that point, but at the very least, we need to provide a report.

The deadline of June 23 was adopted by the House. It was voted on by all members who were present. My understanding is that it was only the Conservative Party that voted against it, so at least the Bloc and the NDP have agreed to the June 23 deadline, in addition to the Liberal Party.

The only thing I would add is that I have no problem hearing from good, solid witnesses about how we do this, but the reality of the situation is that the first panel we had today—and my understanding is that majority were “conservative” witnesses put forward by the Conservative Party—were just talking about whether or not we should be doing it. We're well beyond that; that ship has sailed. Parliament has decided that we're going to do it, and they specifically say how we're going to do it, not if.

Perhaps, as the steering committee or the subcommittee, we need to go back and revisit who these witnesses are and try to get a determination as to whether or not they're going to be providing constructive input on how we make this happen. We wasted, in my opinion, 90 minutes today with witnesses who offered very little in terms of the how—

• (1400)

Mr. John Nater: A point of order.

The Chair: Yes, Mr. Nater.

Mr. John Nater: Thank you, Madam Chair.

I have to interrupt very briefly just to put on the record that we're talking about a former Clerk of the House of Commons, the former dean—

Mr. Mark Gerretsen: Yes, okay. That's not a point of order, Madam Chair.

Mr. John Nater: —of the House of Commons.

Mr. Mark Gerretsen: That is not a point of order.

Mr. John Nater: These are respected people, and the way Mr. Gerretsen is talking, downgrading the testimony of these distinguished people who have served our country and served our House of Commons, I think is—

Mr. Mark Gerretsen: With all due respect, Mr. Nater, you're not raising a point of order—

Mr. John Nater: —is pretty unfortunate.

Mr. Mark Gerretsen: You're grandstanding right now.

Mr. Blake Richards: He's got the floor.

Mr. Mark Gerretsen: Yes.

Madam Chair, that was not a point of order.

Mr. John Nater: Yes, Mr. Gerretsen, it is.

The Chair: Well, I haven't even—

Mr. John Nater: I'm talking about how you are speaking down—

The Chair: Sorry, maybe I'll have to...

Mr. John Nater: —to witnesses and the respect of this committee.

Mr. Mark Gerretsen: If I can finish—

Mr. Blake Richards: On the point of order—

The Chair: No, just a moment.

Mr. Blake Richards: On the point of order—

The Chair: No, just a moment. Just a moment.

Mr. Blake Richards: Can I add to the point of order.

The Chair: Just a moment. Please, everyone, just pause.

A point of order was raised. I'm going to hear out that point of order to see where it is going. Then, of course, we'll go back to whomever is on the speaking list.

Mr. Nater has had his say on that point of order. It is debate, I guess, is what Mr. Gerretsen was saying, but it's noted and on the record.

Mr. Blake Richards: Is that on the point of order?

The Chair: It's to that point of order, Mr. Richards.

Mr. Blake Richards: Yes.

The Chair: Okay.

Mr. Blake Richards: Just to add to the point of order, I think for a member to suggest that witnesses somehow should be censored and be told what they can and can't speak on a study.... I mean, people come in and offer their opinions.

The Chair: Okay.

Mr. Blake Richards: They have the right to do that. I think for a member to suggest that people should be censored by the government is absolutely ridiculous and ludicrous.

The Chair: You could raise your hand, Mr. Richards, and you can get back on the speakers list, but for now—

Mr. Blake Richards: A point of order, Madam Chair.

The Chair: No, I—

Mr. Blake Richards: A point of order on that.

The Chair: Is this a separate point of order?

Mr. Blake Richards: Am I not on the speakers list?

The Chair: Oh. You—

Mr. Mark Gerretsen: You just spoke before me.

The Chair: Yes, you were on it originally, but I think you're—

Mr. Blake Richards: I didn't add myself back after I spoke?

The Chair: I think you're going to have to take your hand down and then raise your hand back up.

Mr. Blake Richards: I thought I had done that, but—

The Chair: Okay. I'll just list you manually.

Mr. Blake Richards: —I will do so now.

The Chair: Thank you. You would come after Ms. Blaney.

Mr. Gerretsen, you have the floor, then Ms. Blaney and then Mr. Richards.

Mr. Mark Gerretsen: Thank you.

In my opinion, that was just a little bit of grandstanding there, because in no way whatsoever did I infer that the witnesses or the individuals who came forward were in any way not upstanding individuals who contribute a lot to our Parliament in some cases, our democracy in others.

What I was referring to was the fact that the testimony they offered, in my opinion—which is a debatable point, fair enough, but certainly not a point of order—was not testimony that can be used to help us to establish how we go about doing what we need to do.

We can continue to argue and grandstand over this, or we can get down to the work we've been tasked to do by the House of Commons, and I choose the latter.

The Chair: Thank you.

Ms. Blaney.

Ms. Rachel Blaney: Thank you, Madam Chair.

I just want to let the committee know that I have an urgent meeting in two minutes and I will need to go. We are going to attempt to get somebody in here to fill in for me.

I also just want to say that I did find the testimony this morning very helpful. I thought it pinpointed some key issues that I have felt.

As for the conversation on the next steps, I'm hoping that we'll soon hear if we can have those extra days. One of my biggest concerns with this timeline is what we experienced last time. I found it quite discombobulating to have to write a dissenting report to a report that I couldn't physically look at. Given the hard work of all the clerks, interpreters and translators for us, I'm not saying anything negative about their incredible work, but it was concerning to me to have to do that. It was so last minute.

I hope that as committee members, we evaluate as we go through the process and that we're not afraid to give an interim report that extends our time, if that is what we need to do. This is a serious issue—I just want us to take it that way.

We are talking about our democracy. We cannot undermine how important this is and that we do get it right. I think the warning about opening up Pandora's box is something we should consider, but we also have to address the reality that immunization from this—a vaccine—is not coming for a long time, and we want to make sure that all of our members have the ability to participate in a meaningful way.

As we move through this process, I hope we all remember and look at the example we just saw from some of our provincial counterparts of collaboration and working together, and not to take this as an opportunity to refer to other members' witnesses in a negative way. I think that is just something about collaboration that we should all consider.

Thank you, everyone. I am going to have to go, but I'm going to work really hard at getting somebody in to continue this conversation with you.

• (1405)

The Chair: Thank you, Ms. Blaney.

Do you think there is somebody coming, or are you going to....?

Ms. Rachel Blaney: We were hoping this would be done on time—

Mr. Blake Richards: Madam Chair—

Ms. Rachel Blaney: —so we're working on it, but we'll let you know through the clerk as soon as possible.

Mr. Blake Richards: Madam Chair...

The Chair: Yes, Mr. Richards.

Mr. Blake Richards: I might be able to be helpful on this. I have very similar thoughts to Ms. Blaney, actually. I think there might be a way to move forward on this and to comply with what we've been told.

I know Ms. Blaney has to leave. I know I have somewhere else that I have to be very shortly as well.

Perhaps we could just schedule a little time at the beginning of Tuesday's meeting, or however it needs to be done, so that we can just have this discussion and figure out a path forward. I think I would have some suggestions on how we might be able to do that, but I think it's going to require a little discussion.

Knowing that we have two [*Inaudible—Editor*] chairs who won't be able to be here much longer, it might be helpful to hold that discussion on when we can both be here.

The Chair: It's up to the committee, I guess, but my opinion is that when we have witnesses waiting, I'd prefer to try to keep the discussion to the end just because it's really difficult scheduling these witnesses, and then—

Mr. Blake Richards: The end is fine.

The Chair: —if we have a conversation that runs overtime, at least at the end it's us figuring out our schedules or trying to get a substitute, but in the case of witnesses it becomes quite difficult.

As for the next meeting, maybe we could just consider baby steps, not an end goal or the end date. Is it okay if we move forward with the international witnesses—two panels of them—at the next meeting? Is everybody okay with that?

Mr. Blake Richards: Madam Chair, what you're suggesting is that we then have committee business following—

The Chair: Yes.

Mr. Blake Richards: —those witnesses. Okay.

The Chair: Correct.

Committee business will be scheduled for the meeting next Tuesday at the end of our two panels of international witnesses. Is that okay?

Everyone seems to be in agreement with that.

I look forward to seeing you at the next meeting.

Mr. Clerk, are you going to refer to the issue that was brought up last meeting?

The Clerk of the Committee (Mr. Justin Vaive): Madam Chair, I just want to flag that last item to you, with respect to the statement.

The Chair: Thank you.

I know that Ms. Blaney has had to leave.

There was an issue that by Mr. Genuis at the last meeting. I did say that I would come back with an explanation of what may have occurred during that time.

Has Mr. Richards also left this meeting? No, Mr. Richards is here as well. Okay, we have some of the Conservatives members.

I want to just address that issue so that during committee business at the next meeting we can deal with the work plan ahead.

Basically, Mr. Genuis—for those of you who weren't here—mentioned that he was cut off from the meeting for approximately 10 minutes, so I'll just take a moment to address that. The last meeting was on June 2. He indicated to the committee that during the in camera portion of that meeting, starting at approximately 12:47

p.m. and for a duration of approximately 10 minutes, his House of Commons computer stopped working and stopped responding, and as a result, he was disconnected from the meeting. He indicated that this technical issue prevented him from effectively carrying out his important work in this committee.

At the time, I committed to following that up and learning more about what had happened. The digital services and real property service of the House of Commons, the DSRP, has confirmed that the machine had not been responding and that, regrettably, his system appears to have crashed at that time. I understand that a DSRP IT ambassador has already reached out to Mr. Genuis to see if there are any proactive steps that can be taken to hopefully avoid this situation from occurring next time.

As I've stated many times in my opening statement, should a technical problem occur, members and witnesses are reminded to contact the IT ambassadors right away. They are available before, during and after the meeting, but it's mainly during the meeting that they are there. Please let us know next time you get disconnected so that we can try to handle this issue in real time or suspend the meeting temporarily so that we can take care of the issue so that everyone can participate. The contact information for the technical support team is included in the log-in information that is sent to members before each meeting, as well as on the Source site.

In addition, when issues arise, the IT ambassadors will inform the clerk, who can then advise me of the problem. In this case, had the support team been informed of the situation by Mr. Genuis, by his caucus colleagues, by his staff or by the IT support, they could have shared this information with me. At that time, I could have advised the committee or even taken the appropriate action, such as temporarily suspending the meeting, much like we do when the interpretation system is not working. Should any other members face a similar disruption during a meeting going forward, I would ask them to immediately let the clerk, the support staff or myself know so that the appropriate action can be taken in the future. As members know, while relatively rare, it is possible that computers and internet connections can malfunction, and other technical glitches can occur from time to time. While we have a robust infrastructure and support system in place, this is unfortunately one of those challenges that we are all navigating in this new virtual environment. We also know that little technical issues do arise in committee rooms from time to time as well.

In all of these cases, as chair, I remain mindful of this, and I am ready to work with all members of the committee to ensure that the proceedings may take place with as few technical issues as possible and to deal with them as they may arise from time to time. I hope that this clarifies the matter for all of the members and that if there are any other issues, you will bring them to my attention, either now or in the future.

• (1410)

That is what occurred during that meeting. Hopefully, the members can also advise Mr. Genuis of that matter. We are still in public, so he will also be able to take a look at the blues of the meeting or listen to the recorded meeting itself.

Is there anything else that anyone would like to say before we adjourn for today? All right.

We will see you at the next meeting for international witnesses, and we will discuss the work plan then as well.

Thank you.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>