

---

# Third Conference of Canadian Parliamentary Committee Clerks

---

par Anik Laplante

*After Ottawa in 1999 and Ontario in 2003, it was Québec's turn to host the Conference of Canadian Parliamentary Committee Clerks, from September 12 to 15, 2007. The conference provides an occasion to bring together Canadian committee clerks who rarely have the opportunity to meet and exchange views on their respective professional practices. This article looks at the topics discussed during the Conference.*

The Conference began with a joint presentation by the committee clerks of the House of Commons (Pierre Rodrigue and Christine Lafrance) and of the Senate (Heather Lank and Shaila Anwar), who discussed the issues they have faced since the election of a minority government in Ottawa. The importance given to parliamentary procedure has increased, as it serves as the foundation for the development of new jurisprudence.

Within the context of a minority government, clerks are increasingly called upon as new procedural questions arise and increase in number. Exchanges between clerks in this regard are more frequent. The experience is thus most rewarding, both fostering closer relations among clerks and renewed enthusiasm regarding work.

François Arsenault completed this presentation by describing the situation prevailing at the National Assembly of Québec, which has experienced, since March 26, 2007, the first minority government in its modern history. Three parliamentary groups now share the Assembly seats. The Standing Orders, of which certain provisions had obviously become inapplicable owing to their having been essentially established for two parliamentary groups and a majority government, were replaced by temporary rules for the current legislature.

For example, the composition of the standing committees henceforth reflects the size of the parliamentary groups (even if one member of the Second Opposition

Group does not have the right to vote), while previously the parliamentary group forming the Government prevailed. For another example, the distribution of vice-chairmanships has been specified, as the Standing Orders are rather vague in this regard. In spite of everything, certain problems, such as the distribution of speaking time within the framework of certain mandates, have not been resolved by the temporary rules, the committees thereupon basing their decisions on the rulings rendered in the House by the President of the Assembly.

Nancy Ford, also from the National Assembly of Québec, gave an overview of the history of the Committee on Public Administration, which is celebrating this year its tenth anniversary and whose unique mandate distinguishes it from the other committees. Its principle duties are to: 1) examine the financial commitments that exceed \$25,000 for each ministry and public agency whose estimates are voted upon at the National Assembly; 2) hear, each year, the Auditor General on his annual management report; 3) hear, at least once a year, the ministers, deputy ministers, and chief executive officers of every public agency in order to discuss their administrative management. This huge task requires the Committee members to focus their work on the examination of administrative management and not on the pertinence of political choices and to reach a consensus on a mutual goal, namely the strengthening of the public administration.

Despite the newness of the Committee, its results are impressive, owing to both the atmosphere of cooperation that reigns within and to the improved visibility it affords to the report of the Auditor General and to the cor-

---

*Anik Laplante is with the Committees Secretariat of the Quebec National Assembly. This article was translated by Sylvia Ford of the Secretariat of the Assembly.*

---

dial relations established with the ministries and agencies, who often take the opportunity when participating in Committee hearings to emphasize improvements in their services to the population. For the Committee on Public Administration the next few years will be rife with challenges since it will be called upon to further develop the follow-up of its mandates, in accordance with those carried out by the Auditor General, and to refine its role as a guide to the sector-based parliamentary committees.

Mrs. Ford made a second presentation focussing on the required criteria for efficient accountability, which led to several constructive exchanges. Other than the aforementioned elements, strong leadership, adequate preparation, the drafting of recommendations as well as their follow-up and the participation of the public and the media are all essential criteria to achieve efficiency.

A round table discussion was chaired by Katch Koch, of the Legislative Assembly of Ontario, on special cases that have occurred in recent years within committees. The issue of accessibility to papers tabled in committee during in camera meetings was raised. In the concerned assemblies, the matter was resolved by the committees adopting various motions naming the persons having access thereto, providing for the destruction of the documents at the end of the session or establishing an embargo over a period of several years.

The use of videoconferencing during public consultations was also discussed. Certain jurisdictions defray the costs associated thereto. Its use is sometimes the method of choice, whenever possible, owing to the savings it affords and the elimination of problems related to witnesses travelling. However, other jurisdictions contest the advisability of this technology that may be intimidating for certain witnesses, though it is generally agreed upon that videoconferencing is suitable for expert witnesses.

The final point discussed concerned the fact that a decision rendered by a chairman may be contested and thus overturned in most assemblies, particularly regarding the receivability of amendments, whereas in Québec, for example, the Chair's ruling is final and without the possibility of appeal.

Viktor Kaczkowski, of Saskatchewan, led a round table discussion on technological developments within the parliamentary committees. Laptop computers, "Black-Berries", Power Point presentations and on-line consultations are examples of recent innovations in committees. However, only Alberta and Québec have developed an Intranet set aside for committee members that remains accessible even when travelling and where all pertinent documents may be accessed.

In this regard, Louis Breault, of the National Assembly of Québec, explained to participants the operation of this Intranet, known as the "Greffier" (Clerk) site, which was introduced in May 2006. The site is divided into two sections, one being accessible to all Members and the other reserved for the exclusive use of committee members. A wide variety of information is available on this site, including the texts of bills considered in committee, documents relating to public consultations (schedules, briefs presented by witnesses, documents prepared by researchers, citizens' answers to on-line questionnaires) or to deliberative meetings.

At the invitation of Tonia Grannum, of the Legislative Assembly of Ontario, moderator of the workshop on travelling committees, Mr. Breault continued with a second presentation on the recent proceedings of two Québec committees. In 2004, the Committee on Culture adopted a mandate on the protection of the religious heritage and travelled throughout the province to consult the population on this matter. Subsequently, it completed its proceedings by carrying out a mission to France. The Select Committee on the *Election Act*, established in 2005 to examine a draft bill, travelled throughout Québec over a 7-week period. An information booklet had been distributed beforehand to every Québec household. What made this committee unique is that it brought together both parliamentarians and citizens. Indeed, a citizens' committee composed of eight constituents of Québec, selected randomly by an independent firm among the candidacies received, assisted the parliamentarians during the proceedings.

Mrs. Grannum then chaired a final round table discussion on this subject. Certain jurisdictions emphasized various difficulties inherent to committee travel, such as the unequal distribution of the population over the territory, the absence of the required infrastructure for the holding of public hearings in certain cities or quite simply the constraints caused by the Assembly being in session. However, the clerks unanimously agreed on the benefits reaped by such an opportunity which allows for closer relations among committee members and the resolution of certain conflicts that appear insurmountable.

Conferences, such as this one, are yet another opportunity to encourage closer collaboration. They offer more than just workshops whose information is otherwise available. Their true objective is to provide occasions to meet and establish fruitful collaborations from which innovative ideas may arise. As essential links in the exercise of democracy, parliamentary clerks will be called upon in the future to meet new requirements in a world that is constantly changing. Assistance between colleagues will hence be welcome.