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# Perspectives on the Election of Committee Chairs

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*The following is a revised and abridged version of the October 21, 2013 debate on MP Brad Trost's private member's motion (Motion No. 431) which proposes to instruct the Standing Committee on Procedure and House Affairs to: (a) consider the election of committee chairs by means of a preferential ballot system by all the members of House of Commons, at the beginning of each session and prior to the establishment of the membership of the standing committees; (b) study the practices of other Westminster-style Parliaments in relation to the election of Committee Chairs; (c) propose any necessary modifications to the Standing Orders and practices of the House; and (d) report its findings to the House no later than six months following the adoption of this order.*

## Brad Trost (Saskatoon—Humboldt, CPC):



together to get a motion through. The motion at that time was about the election of committee chairs

The idea behind this motion comes from two sources. The first, and probably the most relevant to this place, is the debate that was held in 2002 on an opposition supply day. There were members of the Liberal government caucus, the Canadian Alliance, the Progressive Conservatives and the NDP, who worked

directly by their committees. Peter McKay, the member for Pictou—Antigonish—Guysborough, said at the time: “An independently elected chair...would demystify and give greater credibility to the process. What we are talking about is not the election of opposition members to fill those important positions of chair, but government members.” Dick Procter, the member for Palliser, noted: “Frankly we make it far too easy for the media to cover politics in a very partisan fashion. There is a high angle shot which highlights, maybe even exaggerates, the neutral zone between the government side and the opposition side.” That was the general tone of the debate that day. These were members getting together and talking about ways to enhance the credibility of committee chairmanships, their powers and election.

The second inspiration for this motion is what is known as the Wright report, a report by the British House of Commons. Several years ago, Great Britain began to look at a considerable number of reforms to make its House of Commons work. One of them, among other things, was to look at the election of committee chairs. In the last year it has looked at and revised the changes that were implemented by the Wright report, and by and large it has come to a very positive conclusion. It seems to be working, and it seems to be very substantive.

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*CPC MP Brad Trost is the sponsor for M-431 (Election of committee chairs) in the 2nd session of the 41st Parliament. He was first elected in Saskatoon-Humboldt in 2004. Liberal MP Ted Hsu has represented Kingston and the Islands since the 2011 general election. First elected in 2006, the Hon. Laurie Hawa, Edmonton Centre CPC MP, is a former parliamentary secretary to the Minister of National Defence. NDP MP Christine Moore has represented Abitibi—Témiscamingue since 2011.*

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There were several different positive results from this change. First, there is the perception of independence and impartiality. We are in a unique business in politics. Reality is not always reality in politics; perception is reality. If we take steps to

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*~Brad Trost*

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democratize and bring forward more independence, and more perception of independence, we enhance the reality of democracy. That is not to imply any sort of criticism to current chairs – by and large, in my nine-plus years in the House of Commons I have dealt with excellent committee chairs. Second, members are more likely to be engaged. One of the areas where we do get engaged as members of Parliament, in a very deep and substantive way, is at our committees. We often do not have the time to become an expert on all aspects of debate here in the House. As members take responsibility at committees, through election, engagement and increasing independence, members will be more engaged and able to act.

This motion would not change who would be eligible to run for the chair of a committee. In a situation with a minority Parliament, opposition members would not choose from their ranks to fill the committee chairs that are normally filled by the government. Some honourable members have asked why this motion does not also apply to vice-chairs. On principle that would be a very good step; however, this would complicate this motion and reduce its odds of being accepted and I, as a government member, do not want to send the message that I am imposing such a procedure on the opposition.

How would this change function? The ultimate decision would be given to the committee. I would envision after the election of a speaker we would use a large preferential ballot. If there is more than one candidate who has put his or her name forward to stand, we would very simply number off: one, two, three, four. We could have one ballot with all the

committees listed, which is, perhaps, unwieldy, or we could have a separate ballot.

How would we actually ensure diversity among the people who are committee chairs? One of the first things I would say is that this is a very political process. Everything we do here is political. I would think all members of the House would have some interest in seeing a diverse range of people taking the chairmanships of the committees. Therefore, there would be a pressure to vote for a variety of candidates to encourage people who we know may not fit the traditional image of a committee chair to step forward.

It would probably be more difficult for rookies to get appointed or elected as committee chairs than it would be for veterans. That is normative now, as we see most committee chairs are people with experience. It does help to have some idea how this place runs before we get involved in a leadership post. Having said that, if someone is an energetic brand new member with a talent and an ability to communicate, they will be known by members in their caucus and the members of their caucus will vouch for that and will help them to get their candidacy put forward.

In presenting this motion, I am seeking concrete ideas as to how we can take this and make this very modest reform and hoping this will serve as a springboard to start to think about other ways and other places we need to have reforms done, both in committee and in caucus. This would be an opportunity for members to come together, to be collaborative, to be productive. I suggest this as a very modest, positive step to help make this place a more functioning, better democracy.

**Ted Hsu (Kingston and the Islands, Lib.):**



I support this idea. I must say that I feel a bit uneasy when I am introduced at riding events as the Liberal member of Parliament for Kingston and the Islands. My duty as an MP is to represent my constituents in Kingston and the Islands here in the House as well as to say and do what is best for the country. I

am their member of Parliament. I am not simply the Liberal Party's presence in Kingston and the Islands.

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to hold the executive to account, we must have a functioning independent committee system that merits the public's trust and confidence. The Standing Orders tell us that committee chairs are elected by secret ballot from among the members of the committee, but the Standing Orders do not fully reveal reality. The current reality is that committee activities are often directed by the executive branch of government, and a parliamentary secretary for a minister of the Crown often sits on the committee and guides its work. That work includes going to great lengths to protect the government of the day.

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*~Ted Hsu*

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Committees are not as independent as they could be, but then, committee membership and committee chairs are determined by the executive branch or by the leadership of opposition parties, who, to be fair, may be thought of as executive branches in waiting. Much of what happens in the House is determined by the leadership of political parties. They may have what they believe to be the best interests of the country at heart, but we have been elected not only to say and do what is best for the country, and that is why we support our political parties and work as a team here in Ottawa, but to represent our constituents. Therefore, Parliament and its committees must be more than fields of battle between political parties.

The election of committee chairs by a preferential ballot would have the potential to make the chairs and their committees more independent of the government of the day and more effective. I acknowledge the caveats that have been raised by colleagues, including the requirement that certain chairs be filled by members of the Official Opposition, the need for the preferential ballots to be secret, the risk of gender and regional imbalances and the need for the study by the committee to address these concerns. We don't know the full implications of this proposal nor to what extent it would nudge the balance of power in the House back toward elected members of Parliament, but it is a good step to consider at committee.

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**Hon. Laurie Hawn (Edmonton Centre, CPC):**

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The motion first sets out a requirement for the procedure and House affairs committee to consider the election of chairs by a means of a preferential ballot system by all members of the House. The motion then states that the committee would be required to study the practices of committee

chair selections in other Westminster style parliaments. It concludes with the committee having to table its findings within six months of the motion being adopted, including any necessary modifications to the Standing Orders.

Let us discuss the context for the current chair selection system. Standing Order 106 provides that at the start of every session and, when necessary, during a session, each standing or special committee shall elect a chair and two vice-chairs. If more than one candidate is nominated, an election is conducted by secret ballot. This approach is consistent with the long held view that committees are masters of their own affairs.

Before this motion came forward I was not aware that there were any major concerns with our current system. The existing rules for committee chairs have now been in place for over 10 years. I believe it is fair to say that the current system functions efficiently. It was the Canadian Alliance Party that brought forward a change of the rules through an opposition day motion in October, 2002. The motion proposed to change the Standing Orders to require a secret ballot when selecting committee chairs. The premise for the motion was the belief that committee members should have the freedom to vote by secret ballot for the member of their choice to be chair. The House agreed with that rationale and adopted the motion by a vote of 174 to 87.

I should note that although the previous government did not support the motion, many of its members did. After it passed, there was no subsequent attempt to undo the changes to the rules that it brought into effect. The result we see today is that committee chairs are elected by the members of the committees they serve.

With respect to electing committee chairs in other jurisdictions, many of the other Westminster style legislatures have the same system in place that we have.

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Most provincial legislatures, as well as the parliaments of Australia and New Zealand, have systems of electing committee chairs that are essentially the same as the one we use here.

An exception to this general approach is the United Kingdom, which only recently changed its system and rules in 2010. Under the new rules, at the start of a new parliament, the allocation of chairs of each party is set,

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~Hon. Laurie Hawn

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based on the results of the previous election. Members are then able to submit nominations for committee chair positions, as long as the member they nominate is from the party which has been allocated the chair for that committee. To be nominated, a member must obtain signatures from either 15 members of his or her party or 10 per cent of the party’s members, whichever is lower. All members of that House vote to elect committee chairs based on a system of preferential ballots, ranking as many candidates as they wish. A candidate is elected once he or she has received more than half of the votes, with the lowest candidate dropped from the ballot and those votes distributed according to the rankings after any round that does not generate a majority outcome.

This new system was implemented in 2010, so it has only been used once. In that case, 16 of 24 committee chair positions were contested and decided by preferential ballot, and 8 were elected unopposed. At this time, it is too soon to determine what the long-term impact of those changes will be or whether there are any unintended consequences of the changes. There are several factors in the consideration of changes to House rules.

Members will know that the rules of the House are carefully balanced, based on parliamentary principles and traditions and reflect the interests of all members. We should keep an open mind about changing these rules, but such change should never be a trivial matter. Rather, prudence, due diligence and a wide support among members are needed before considering any significant changes to the Standing Orders.

Some of the questions and concerns members will be no doubt commenting on include these: Is there a need for changing the current system? Is there something about the system that is not working? Do members want a system where opposition members could influence the selection of government chairs and government members could influence the selection of opposition chairs? What are the mechanisms for removing chairs from their positions once elected? Would just committee members vote on this or all members of the House? How might this proposal affect considerations such as adequate gender or regional representation of committee chairs? Are these important issues for members? Are we willing to consider moving to a system based on one established very recently in 2010, for which there is little understanding of its long-term impacts and possible unintended consequences?

A study by the procedure and House affairs committee could review these and many other considerations. The committee is already undertaking a review of House rules and could review the process for electing committee chairs in the context of its broader review of the rules. The government will support this motion. That said, it is important all members consider what is at stake when we implement any changes to the Standing Orders. Any such decision should be made with a clear understanding of potential impacts down the road.

**Christine Moore (Abitibi—Témiscamingue, NDP):**



Since this will be studied in committee, the end result may be different. However, we will seriously consider the issue. The important thing is to find a way to improve the democratic process and the independence of our committees. We will consider this in an ordered, thoughtful

way and if possible make the appropriate changes. Democracy must continually evolve and improve.

Although the motion is rather straightforward, the process of electing committee chairs can be somewhat complex. Electing 20 or so committee chairs by preferential ballot at the beginning of each session could be difficult for new members, because they do not know the candidates. Within the first few days of my arrival here in the House, we voted to elect the

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speaker of the House. We received some letters, and I tried to learn about and understand the candidates. That is how I made my choice. However, if we have to do that for all of the committees, that is a lot to ask of new members who are trying to understand how the House of Commons actually works.

Furthermore, if committee chairs were to be elected, it would only make sense to give all the members time to get to know the candidates. However, if we delay the election of committee chairs, would this not also delay the beginning of committee work at the start of each parliamentary session? These questions need to be examined in committee.

Gender inclusiveness is also very important to me. I fully support the principles of democracy and independence. At present, I imagine that both the government and official opposition whips—at least I am sure this is true of the official opposition whip—try to have adequate representation of women as chairs and vice-chairs. How can we be sure that this principle is honoured and give women, who are often under-represented, access to these positions? This principle needs to be protected when new committee chairs are elected.

There is also the issue of representation of minorities. I am also wondering if, during this process, the four committee chair positions that are currently reserved for the official opposition will remain that way. That is something else that must be looked at.

In fact, there are many technical details that will need to be looked at. For example, could someone be considered for two chair positions at the same time? Currently, the majority of chairs are government party members, except the four positions reserved for the official opposition. Would someone who is normally not allowed to hold the position—because he is a member of the third party or sits as an independent—be able to throw his hat in the ring?

Of course, the voting system will have to be discussed in order to determine if it would be by secret ballot or recorded vote. The voting system that is chosen will have to be effective and result in chairs actually being elected. If it takes several hours of voting for each committee and there are 24 committees, then this risks being a complicated way to begin a session and it could make it difficult to implement the motion. However,

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***~Christine Moore***

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solutions may already exist to ensure that it happens very quickly and that we can promptly get to work on electing committee chairs.

That said, I am questioning whether the preferential ballot is necessarily the best voting system and whether, with 308 ballots, the numbers might make the calculations too complicated. There are plenty of questions. For example, what would happen in the case of a tie? Would we have to start the voting all over again? Although the motion is a simple one, it is clear that it could be quite difficult to actually implement because of all the technical, practical details that need to be looked at in order to make it an effective process. However, in order to protect the principles of independence and democracy, I think it is really worth examining this motion, taking the time to study it and checking to see if there are one or more ways that it could be implemented.

*Editor’s Note: Motion No. M-431 was further debated by the House on January 29, 2014, and adopted on February 5, 2014.*