

Canadian
Parliamentary
Review

***The Politics of Seat
Reductions***

Volume 42, No. 3

Parliamentary Politics Runs In The Family: The Halldorsons

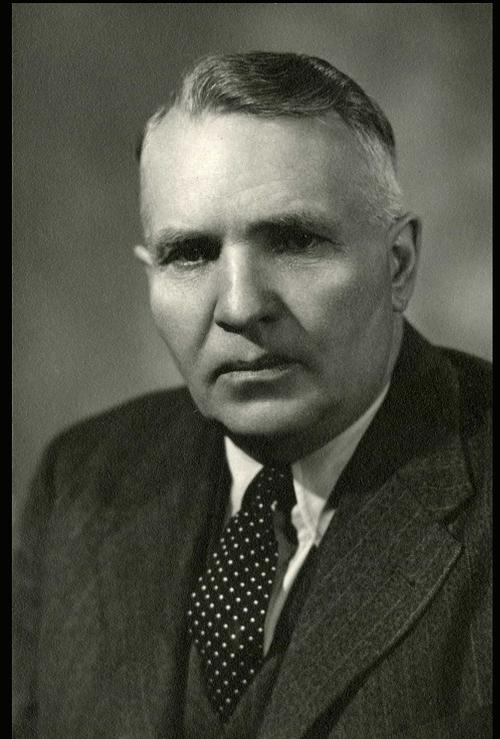


Elin Salome Halldorson was the first female elected from a rural riding and the second woman to be elected to the Manitoba Legislature. She was also the first female of Icelandic descent to be elected in Manitoba. Salome, as she was known, was born in Lundar, Manitoba in 1887, shortly after her parents emigrated from Iceland. Salome studied at Wesley College, the University of Manitoba and completed post-graduate studies in the United States and France. She taught languages at a private Icelandic school in Winnipeg where she was also the principal and dean.

Salome was elected as the Member of the Legislative Assembly for St. George in the 1936 provincial election. During her campaign, she gained popularity by speaking in French, Icelandic, English or German, depending on her audience. A strong

believer in the Social Credit movement, she was one of five candidates who won a seat; she later became the president of the Manitoba Social Credit League. She was defeated in the next general election in 1941 by Skuli Sigfusson.

However, another Halldorson defeated Sigfusson in the following provincial election. Salome's younger brother, Christian Halldorson, was first elected in 1946 and served three terms as the representative for St. George until his death in 1956. Unlike Salome, Christian was a member of the Liberal-Progressive party. Christian was born in Lundar in 1891 and was educated at the Manitoba Agricultural College. He served in World War I and upon his return he worked in the insurance industry prior to his election.



Heidi Rees

Head of Government Publications & Library Systems
Manitoba Legislative Library

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Frank Piekielko

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Contact

Canadian Parliamentary Review
c/o Ontario Legislative Library
Queen's Park
Toronto, ON M7A 1A9

E-Mail: revparl@ola.org
Web: <http://www.revparlcan.ca> (New)
<http://www.revparl.ca>

Editor: (416) 325-0231
Fax: (416) 325-3505
E-Mail: wstos@ola.org

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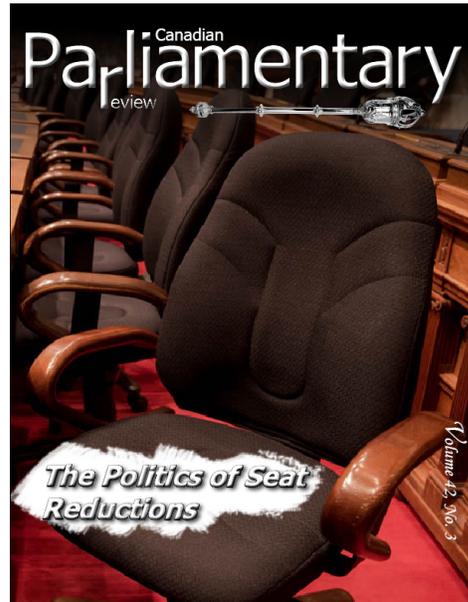


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The Inception of an International Grand Committee

Many issues studied by parliaments cross borders and boundaries. Concern about a major data breach involving social media users prompted similar parliamentary committee studies in both Canada and the United Kingdom. Information exchanged between the two committees and their willingness to work together paved the way for the inception of an International Grand Committee (IGC) – a series of meetings held by existing national-level parliamentary committees where parliamentarians from other countries are invited to participate. In this article, the authors outline the process to create the IGC, summarize two IGC meetings, and present comments on the IGC’s work by three Canadian parliamentarians who participated in these meetings. They conclude by noting the IGC meetings enabled parliamentarians from various countries to work together on issues of shared concern and importance, using existing national parliamentary committees as hosts and conduits for these international meetings; this structure differs from the work of multilateral interparliamentary assemblies.

Alexandra Savoie and Maxime-Olivier Thibodeau

Introduction

On March 17, 2018, *The Guardian* and the *New York Times* reported a data breach involving Cambridge Analytica, a company founded in the United Kingdom (U.K.), and Facebook.¹

With the help of Christopher Wylie, a Canadian whistleblower who was a former employee of Cambridge Analytica, the papers revealed that the company had scraped the data of over 50 million Facebook users. The personal information collected had been used in various campaigns, including the 2016 presidential elections in the United States and the referendum on the U.K.’s exit from the European Union (a process nicknamed “Brexit”).²

Responding to this situation, Canada’s House of Commons Standing Committee on Access to Information, Privacy and Ethics (the Canadian Committee) adopted a motion on March 22, 2018, to study “the privacy implications of platform monopolies and possible national and international regulatory and legislative remedies to assure the privacy of citizens’ data and the integrity of democratic and electoral processes across the globe.”³

Alexandra Savoie and Maxime-Olivier Thibodeau are analysts with the Library of Parliament.

Later reporting revealed that the number of Facebook profiles acquired by Cambridge Analytica was closer to 87 million and may have included the profiles of approximately 600,000 Canadians.⁴

When the data breach was reported in March 2018, the U.K. House of Commons Digital, Culture, Media and Sport Select Committee (the DCMS Committee) was already conducting an inquiry on disinformation and “fake news.”⁵ News of the breach led the DCMS Committee to focus part of its inquiry on Cambridge Analytica and other parties involved in that scandal.

The similarities between the Canadian and U.K. parliamentary studies, in addition to the fact that the whistleblower at the origin of the scandal was Canadian and that a Canadian company – AggregateIQ – was also involved, convinced the two committees to collaborate.⁶ Damian Collins, the Chair of the DCMS Committee, appeared before the Canadian Committee in April 2018 and both committees exchanged information regarding their respective work.⁷

The unprecedented collaboration between the U.K. and Canadian parliamentary committees and their will to collaborate at an international level in a parliamentary setting led to the inception of an “International Grand Committee” (IGC).

The term “grand committee” is not novel in the U.K. Parliament. It is the name attributed to an existing forum. Current grand committees in that country include the Welsh Grand Committee, the Scottish Grand Committee, the Northern Ireland Grand Committee, the Grand Committees: House of Lords and the Regional Grand Committees.⁸ The purpose of a grand committee is to allow U.K. members of Parliament “to debate issues affecting their region.”⁹ In a similar fashion, the purpose of the IGC was to allow parliamentarians from various countries to debate common issues affecting their respective jurisdictions.

The first meeting of the IGC was held in London, U.K., in November 2018. Despite its name, the IGC is not a stand-alone entity. It represents, in fact, a series of meetings held by existing national-level parliamentary committees where parliamentarians from other countries are invited to participate.

In London, the IGC was hosted by the DCMS Committee and occurred in the context of its inquiry on disinformation and “fake news.” The meeting was therefore named “IGC on Disinformation and ‘Fake News’.” As host, the DCMS Committee invited Canada and seven other countries from Asia, South America and Europe to participate.

After the success of the first IGC meeting in London, the participating parliamentarians agreed that there should be another meeting in a different country. The second IGC meeting was hosted by the Canadian Committee in May 2019, in Ottawa, and called the “IGC on Big Data, Privacy and Democracy.”

That three-day meeting culminated in the “Ottawa Declaration,” a joint statement signed by the participating parliamentarians on May 28, 2019. The signatories resolved to continue the work of the IGC in order to “foster market competition, increase the accountability of social media platforms, protect privacy rights and personal data, and maintain and strengthen democracy.”¹⁰

At the end of the meeting, Ireland was mentioned as a possible host for the next edition of the IGC, which should be held in November 2019.¹¹

The shared concern over international issues surrounding data protection, privacy and data monopolies has allowed parliamentary committees to bring more attention to these issues and to work cooperatively to identify possible solutions.

Meeting of the International Grand Committee in the United Kingdom

Held on November 27, 2018, the inaugural IGC meeting included parliamentarians from Argentina, Belgium, Brazil, Canada, France, Ireland, Latvia, Singapore and the U.K.

Parliamentarians from other countries were formally listed as witnesses to allow them to participate in a meeting of a U.K. House of Commons committee. In practice, however, the foreign parliamentarians were co-opted members of the DCMS Committee and invited to sit at the table with the regular members of that committee and ask questions to the witnesses. Foreign parliamentarians did not, however, have voting rights or any other rights of a formal member of the DCMS Committee.

Topics discussed at the London IGC included the disinformation and “fake news” inquiry of the DCMS Committee, the Cambridge Analytica data breach and its links to Brexit, Facebook’s business practices and its complicity in the spreading of disinformation, and the non-attendance of Facebook Chief Executive Officer Mark Zuckerberg, as well as the U.K. Information Commissioner’s investigation into the use of data analytics in politics.

Finally, as part of their participation in the IGC meeting in London, parliamentarians signed a document entitled *International Principles on the Regulation of Tech Platforms*.¹²

The final report of the DCMS Committee on its disinformation and “fake news” inquiry was published in February 2019.¹³

Meeting of the International Grand Committee in Canada

The Canadian Committee and – by extension – the IGC on Big Data, Privacy and Democracy, held an IGC meeting in Ottawa on May 27–29, 2019. In addition to Canadian members of Parliament, IGC participants included parliamentarians from 10 other countries, namely Costa Rica, Ecuador, Estonia, Germany, Ireland, Mexico, Morocco, Singapore, St. Lucia and the U.K.

Foreign parliamentarians participating in the IGC in Canada were presented as witnesses under the title “Members of Other Parliaments.” The Canadian Committee agreed to a formula that diverged from its

usual practice when hearing witnesses to allow the members of other parliaments participating in the proceedings a greater opportunity to participate in the activities of the committee and to ask questions of other witnesses.

During the IGC meeting, witnesses included experts and academics, as well as regulators. The IGC also heard from representatives of the following technology companies: Facebook, Google, Twitter, Amazon, Apple, Microsoft and Mozilla. Mark

Zuckerberg was formally invited to appear but declined to do so.

On June 18, 2019, Canadian Committee Chair Bob Zimmer presented a report in the House of Commons on the IGC hearings held in Canada, which invited future members of the Standing Committee on Access to Information, Privacy and Ethics in the 43rd Parliament to continue pursuing the issues raised during the meeting and to continue the work of the IGC in collaboration with parliamentarians from other countries.¹⁴



“When news broke of the personal data breach involving Cambridge Analytica and Facebook, the Standing Committee on Access to Information, Privacy and Ethics took it upon ourselves to try to find answers for the over 600,000 Canadians that were affected.

The study grew into something much bigger than any of us had expected as we began to learn more about the amount of personal data digital platforms are able to collect – often without the users’ knowledge or consent – and this added a sense of urgency and relevance to what we were studying.

It also became clear that many of our international colleagues were also trying to find the same answers on behalf of their citizens and that many of the issues we all were grappling with were global in nature. This gave us the unique opportunity to work collaboratively with our international colleagues to try to find ways to protect the privacy of our citizens.

It was an honour to co-chair both the inaugural meeting of the International Grand Committee in London and the second meeting in Ottawa. Both meetings allowed us to hear from a variety of expert witnesses, from regulators, and from the platforms themselves. Each participating country also brought to the proceedings their own distinct experiences and questions.

These are important conversations that we must continue to have as we seek to find answers to the questions we have on behalf of those we represent. For me personally, my biggest concerns are for our citizens’ privacy, our democracy, and that our rights to freedom of speech are maintained according to our Constitution.

“As lawmakers, we are all examining ways to protect our citizens from threats to our democracies in the digital age. That is why it is important that we continue to come together as a group to share our knowledge and best practices for tackling these global issues.

It is clear that the work that we have been pursuing with regards to data privacy is far from over and I would urge the members that will form the Standing Committee on Access to Information, Privacy and Ethics in the next Parliament to continue to examine these issues and the collaborative work of the International Grand Committee.”

Bob Zimmer, M.P., Chair of the House of Commons Standing Committee on Access to Information, Privacy and Ethics

The International Grand Committee from the Point of View of Canadian Parliamentarians

Canadian parliamentarians who participated in both the U.K. and Canadian meetings of the IGC are the Chair of the Canadian Committee, Bob Zimmer, as well as the Vice-Chairs, Nathaniel Erskine-Smith and Charlie Angus. In this final part of the article, we share their perspective on the work accomplished by the IGC.

First, Mr. Zimmer explains the importance of participating in the International Grand Committee meetings and how he hopes the work of the IGC will continue in the next Parliament. Second, Mr. Erskine-Smith underlines two reasons why the work of the International Grand Committee has been important. Finally, Mr. Angus emphasizes the need for international cooperation which was reflected in the work of the IGC and his hopes for the future of citizens rights in the digital world.



“In the wake of the Cambridge Analytica scandal, there’s been a growing realization that stronger rules are needed to better protect our privacy, defend our democracies from interference, and hold big tech companies to account. The International Grand Committee has been important for two principal reasons.

“First, the collaboration across jurisdictions has helped to raise public awareness of these issues in a way that no single parliamentary committee would have been able to do. The collective effort has elevated the conversation in the media and with the public, and both companies and governments are now taking these issues more seriously than they were before.

“Second, global problems require global solutions. Data very easily moves across borders, and few jurisdictions have the standing to move unilaterally with great success. Co-operation among lawmakers from around the world is crucial to developing and implementing solutions, and through the IGC we’ve established a framework for continued co-operation.”

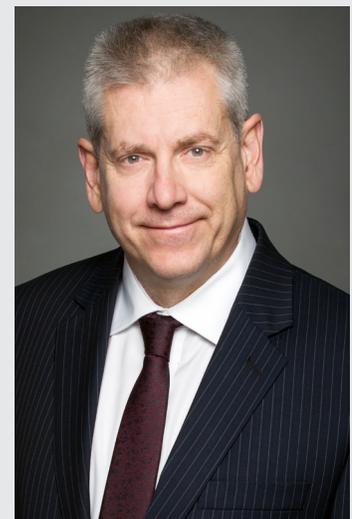
Nathaniel Erskine-Smith, M.P., Vice-Chair of the House of Commons Standing Committee on Access to Information, Privacy and Ethics

“Legislators across the world are grappling with the enormous power of transnational platforms and the corporations that run them. The refusal of Mark Zuckerberg to respond to political demands for accountability demonstrate why there must be international cooperation.

The work of the International Grand Committee is an unprecedented coming together of international legislators. It allowed us to put on the record serious questions about the growing power of surveillance capitalism. It is helping provide various jurisdictions around the world with a road map for protecting privacy, competition, democracy and labour rights.

It is my hope that this is the beginning of a lasting movement to restore the rights of the citizen in the digital realm.”

Charlie Angus, M.P., Vice-Chair of the House of Commons Standing Committee on Access to Information, Privacy and Ethics



Conclusion

The IGC meetings held in the U.K. and Canada enabled parliamentarians from various countries to work together on issues of shared concern and importance, using existing national parliamentary committees as hosts and conduits for these international meetings. This differs from such efforts at multilateral interparliamentary assemblies. So far, as Mr. Zimmer, Mr. Erskine-Smith and Mr. Angus have highlighted in sharing their thoughts on the meetings, the IGC has shown that national parliamentary committees have the capacity to demonstrate leadership on current issues and to engage publicly and effectively with their counterparts abroad.

Notes

- 1 M. Rosenberg et al., "How Trump Consultants Exploited the Facebook Data of Millions," *New York Times*, March 17, 2018; and C. Cadwalladr and E. Graham-Harrison, "Revealed: 50 million Facebook profiles harvested for Cambridge Analytica in major data breach," *The Guardian*, March 17, 2018.
- 2 Ibid.
- 3 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *Minutes of Proceedings*, March 22, 2018. The motion in question states:

"That, in light of the large data breach perpetrated by Cambridge Analytica and unreported by Facebook for several years, the Committee conduct a study of the privacy implications of platform monopolies and possible national and international regulatory and legislative remedies to assure the privacy of citizens' data and the integrity of democratic and electoral processes across the globe; including testimony from the Cambridge Analytica whistleblower, Christopher Wylie, the Privacy Commissioner of Canada, Daniel Therrien, as well as directors and executives of large platform companies such as Facebook, Amazon and Google."

See the Committee's report: *Report 17 – Democracy under Threat: Risks and Solutions in the Era of Disinformation and Data Monopoly*.
- 4 Nadeem Badshah, "Facebook to contact 87 million users affected by data breach," *The Guardian*, April 8, 2018; and Matthew Braga, "Facebook says more than 600,000 Canadians may have had data shared with Cambridge Analytica," *CBC News*, April 4, 2018.

- 5 United Kingdom, House of Commons, Digital, Culture, Media and Sport Committee, *Disinformation and 'fake news'*, Inquiry.
- 6 AggregateIQ is a small Canadian firm that worked on the Brexit campaign and that has alleged links to SCL Elections, a parent company of Cambridge Analytica.
- 7 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *Evidence*, May 3, 2018.
- 8 United Kingdom Parliament, *Grand Committees*.
- 9 Ibid.
- 10 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, "Appendix A: Ottawa Declaration, May 28, 2019," *International Grand Committee on Big Data, Privacy and Democracy*, June 2019.
- 11 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *Evidence*, 1135 (Mr. Bob Zimmer, Prince George–Peace River–Northern Rockies, CPC), May 28, 2019.
- 12 United Kingdom, House of Commons, Digital, Culture, Media and Sport Committee, *Disinformation and 'fake news': Final Report, Inquiry, Appendix 2*, February 14, 2019. The *International Principles on the Regulation of Tech Platforms* state the following:

The internet is global and law relating to it must derive from globally agreed principles;

The deliberate spreading of disinformation and division is a credible threat to the continuation and growth of democracy and a civilising global dialogue;

Global technology firms must recognise their great power and demonstrate their readiness to accept their great responsibility as holders of influence;

Social Media companies should be held liable if they fail to comply with a judicial, statutory or regulatory order to remove harmful and misleading content from their platforms, and should be regulated to ensure they comply with this requirement;

Technology companies must demonstrate their accountability to users by making themselves fully answerable to national legislatures and other organs of representative democracy.
- 13 United Kingdom, House of Commons, Digital, Culture, Media and Sport Committee, *Disinformation and 'fake news': Final Report*.
- 14 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *International Grand Committee on Big Data, Privacy and Democracy*, June 2019.

She Should Run: *An Interview with Laura Ross*

She Should Run is a campaign schools initiative organized by the Commonwealth Women Parliamentarians (CWP) Canada Region. The campaign aims to launch non-partisan “campaign schools” where women can come to learn about the processes of running for public office. These campaign schools, which usually take the form of short conferences, follow the CWP’s framework; they consist of various sessions and modules created specifically to support women entering the political sphere. The Canadian Parliamentary Review spoke with Laura Ross, Chair of the CWP Canada Region, to find out more about *She Should Run*.

Interview by Elena Senechal-Becker

Canadian Parliamentary Review: What is the main objective of the *She Should Run* campaign and how will you go about reaching those objectives?

Laura Ross: Our objective is to have more women seeking public office. Whether that be federally or provincially, territorially, on city councils, municipalities, school boards, anything like that, we need to have more women involved in public office, because at this point our number of female representatives is very low.

And how do we do that? By educating women and by encouraging women. CWP is a non-partisan organization and we’ve got members from all parties. We want to ensure that partisan politics doesn’t muddy the waters. Our vision for *She Should Run* and CWP are totally aligned; it’s a non-partisan non-profit promoting leadership and encouraging women from all walks of life to run for public office. But in order to do that, we have to educate them and encourage them. That’s where the campaign schools initiative came forward. We’re putting forward an introduction, an information session, where women can come to find out what *She Should Run* is all about, and then, from there on, we are going to be running a campaign school.



Laura Ross

Elena Senechal-Becker was the Canadian Parliamentary Review’s editorial intern in 2019.

CPR: Can you tell us a bit more about the organizations that are listed and detailed in the *She Should Run* pamphlet? What is the relation between these organizations and the campaign?

LR: The beginning part of the pamphlet is like a literature review. It's resource material, so that women and organizations can say: "What are other people doing? What are other organizations doing within Canada, within North America, to encourage more women to seek public office?" It addresses the campaign school framework, it touches on different organizations, what they are doing, and women can then use this as a working document. The remainder of the document is to set up a framework to indicate how to put together a campaign school. They can then say: "Okay, this is what I need to do, and this is how I'll be moving forward." We want to encourage them to reach out past their local sphere of influence and spread the net wider. It's an educational tool.

CPR: Where did the idea for the campaign, as it exists now, originate? Can you pinpoint a moment where you had the "spark"?

LR: I had attended a campaign school in 2008 put on in Nova Scotia by their women's department staff.

It had always intrigued me to replicate that. When I had the opportunity to become chair of CWP Canada Region, I promoted it along with the other women on the steering committee. I fully believe that this is the way we are going to be able to move this forward. The title says it all; we kept it simple. When you're talking about a woman or to a woman, you say: She's got the leadership skills, she should run! It captures the imagination.

CPR: Do you have a specific target audience for this project?

LR: I don't want to prescribe a specific audience. All women are underrepresented. What we want is women from all walks of life, from all backgrounds and different ages. There are women of all ages, especially older women, who own their own skin, know who they are, and have the ability to really step up into that leadership role. I even want to cast that net wider, so that all women can see themselves there. Once women decide that they want to do this, we are there to teach the skillsets, the tools, the nuts and bolts you need to pursue a campaign. We want to serve all the women in our communities.

Tricorne Tweeting: Alberta's Speaker Engages the Public and Enhances Democracy

Interpreting and enforcing the rules of parliament is a central part of a Speaker's responsibilities within an Assembly. However, it is certainly not the only part of the job. A Speaker is also an ambassador of the Assembly, and it is her or his responsibility to explain, educate and provide resources on parliamentary democracy. A Speaker is, therefore, an advocate and exponent of democracy and democratic institutions. In an effort to fulfill this role and communicate in a way that draws in a large audience, Alberta's Speaker has created a new digital and social media campaign to engage with Albertans and visitors interested in the province's parliamentary processes and traditions. In this article, the author outlines aspects of the campaign and explains why a Speaker's neutral, non-partisan position makes him or her uniquely equipped to advocate and explain parliamentary democracy to citizens and visitors alike.

Philip Massolin

Parliamentary education and outreach can take many forms. The Legislative Assembly of Alberta offers heritage interpretation, Legislature tours, school programs, and a Visitor Centre with exhibit space that explores the parliamentary history of the province. However, the recently elected Speaker of the Assembly, the Honourable Nathan Cooper, has embarked on a project to use digital and social media to better engage Albertans in a conversation about the history and conventions of the Assembly.

Those interested in Alberta's democratic traditions can get a behind-the-scenes glimpse into both the legislative process and the Legislature building itself, through Speaker Cooper's ongoing video series which covers a number of topics and is available on a variety of social media platforms. Speaker Cooper's videos show how the use of technology, combined with personal storytelling can inform, educate and even entertain Albertans and other visitors about the institution of parliament in the province. A main goal of the video series is to demystify the Legislative Assembly and to use a modern means of communication to make this content accessible to a wide and diverse audience.

Philip Massolin is Clerk of Committees and Research Services at the Legislative Assembly of Alberta.



Speaker Cooper visits the Palm Room.



Speaker Cooper wishes Albertans a Happy Canada Day.

"If you're here, it's likely because you have questions," declares the opening line in the Message from the Speaker on the Legislative Assembly of Alberta's website. "Whether you're a student seeking to learn more about our parliamentary democracy, a citizen seeking information about legislation currently before the Assembly or a first-time visitor to the Legislature Grounds, we are here to help." Above this text, where a series of short videos are available to watch, Speaker Cooper makes his own contribution to answering Albertans' questions, piquing their interest in parliamentary procedures and practices and offering a few "fun facts" about Alberta's parliamentary past. Click on the video and Speaker Cooper first appears in the Legislature Library, clutching an object that turns out to be a hamburger, encased and preserved in resin. It is the 50th anniversary of the hamburger, he explains, which was tabled in 1969 by an MLA who cheekily critiqued the food being offered at the time by the Legislature cafeteria. In one video Speaker Cooper is in the Chamber, discussing the total number of Members of the Legislative Assembly that have served the

province throughout its history; in another, he is on the Speaker's balcony overlooking the Legislature grounds, inviting people to visit the Legislature to celebrate Canada Day.

All of Speaker Cooper's videos are available through his various social media accounts on Facebook, Instagram and Twitter. Some highlights in the digital series include:

- a video shot in the "Palm Room", high atop the Legislature rotunda, showing the public a rare glimpse of a room that visitors who tour the Legislature no longer get to see;
- an explanation of why MLAs "speak through the Chair", instead of addressing each other by proper names as they debate and ask questions in the Assembly;
- information about the size of constituencies, in terms of population and geography;
- a short primer on how the Assembly funds the Government through interim and supplementary supply.



Speaker Cooper discusses why MLAs speak through the Speaker instead of speaking directly to each other.

So what observations can one make about this initiative? Twitter indicates that each of the videos has thousands of views, with the most popular having approximately 11,000 views. They have also garnered interest from the mainstream media. In an article entitled, “New Alberta Speaker sheds light on rarely-seen corners of legislature,” Global News Edmonton’s Jennifer Crosby points out that Speaker Cooper’s video series “takes the public inside politics in a whole new way” and says that his work is an attempt “to remove some of the confusion around the political process”. She concludes that the Speaker’s “enthusiasm for the role and all its trappings” is evident in the videos.¹

Speaker Cooper has been successful in increasing access to information about parliamentary democracy by reaching out to Albertans beyond the elected members and staff who work within the Legislature. Online communications tools – including social media – can break down barriers of geography and demographics, reaching citizens from all corners of the province, and beyond. Users can access as much or as little of the content as they want, on their own

devices, and on their own time; they do not have to visit the Legislature or consult complex texts about procedure to do so.

Although vitally important, the transmission of this type of information via social media is only one aspect of accessibility. Accessibility is also very much about the message itself and the way content is expressed and delivered. In sharp contrast to the complex and text-intensive descriptions of the parliamentary authorities, such as *Erskine May* or *Beauchesne’s*, Speaker Cooper’s videos are brief and to the point. He delivers his messages in plain language, avoids technical terms, and explains complex concepts in a straightforward, yet conversational manner. His choice of topic for each video is key, because the material covered is not restricted to parliamentary procedure. Glimpses into some of the quirkier and interesting vignettes of parliamentary life at the Legislature are interspersed among these more sober presentations. Whatever the topic being discussed, Speaker Cooper is always passionate – engaging his audience as well as informing it.

So how do these videos relate to the parliamentary role of the Speaker? The Speaker's role is much more than the interpretation and enforcement of the rules of parliament. A Speaker is also an ambassador of the Assembly, and it is her or his responsibility to explain, educate and provide resources on parliamentary democracy. As such, the Speaker plays another critical role within not only the Assembly but also within the province itself: the role of advocate and exponent of democracy and democratic institutions. Effectively performing this role well requires a purposeful and earnest effort to inform and educate the public as to what democracy is, how it functions, why it matters, and how it impacts the people of the province.

By way of analogy to what is happening in Alberta, John Bercow, Speaker of the House of Commons at Westminster, is also an active proponent of educating citizens about parliamentary democracy. In addition to being responsible for the oversight of educational programs and facilities, including a state-of-the-art education centre on parliamentary democracy, Speaker Bercow provides the public the opportunity to speak directly with him, over Skype, in an "Ask the Speaker" segment. Here, he fields questions posed by students aged 7 to 18 about the role of the Speaker, how parliament works, and how the House of Commons operates. "What is the meaning of impartiality and how does it apply to the Speaker?" and "Why do you say 'Order!, Order!'" are some of the more popular questions asked of Speaker Bercow.

It is also notable that the Speaker is uniquely situated to talk about the traditions and history of an Assembly or Parliament. Unlike members of the Government and other elected Members who often operate within partisan parameters, neutrality and

nonpartisanship are intrinsic to the Speaker's role. In Alberta, the Speaker is guided by the principle of impartiality in his approach to outreach and is well-placed to speak with authority – and without bias – about all things parliamentary.

To conclude, for many, many decades, understanding parliamentary democracy – and the rules and procedures it is based upon – was typically reserved for those with direct access to the process (such as MLAs or parliamentary officials) or those who had studied complex parliamentary authorities or accounts. In other words, knowledge about the democratic process was accessible primarily to society's educated elite. With advances in communications technology allowing for increased access to social media, a greater number of people from different backgrounds and from areas far removed from legislatures can now connect with these processes.

Utilizing new technologies to shed light on decades-old traditions is not only an educational opportunity, it is also an opportunity to honour the democratic principles the Legislative Assembly of Alberta promises to uphold: equality, transparency, accessibility, and civic engagement. Speaker Cooper embraces these principles as he uses new communications tools and platforms to lift the curtain on what can sometimes be a mysterious process and introduces everyday citizens to the foundations of their democratic system in a fun and accessible way.

Notes

- 1 Jennifer Crosby, "New Alberta Speaker sheds light on rarely-seen corners of legislature." *Global News*, June 26, 2019. URL: <https://globalnews.ca/news/5433747/alberta-speaker-social-media-legislature-politics-cooper/>

The Politics of Seat Reductions in Canadian Legislative Assemblies

How do Canadian parliaments determine the correct number of representatives required for their assemblies? There is really no objective answer. In this article, the author explains common reasoning used to promote or oppose proposals to reduce the number of seats in a legislature. He concludes that whether a person believes a legislative assembly warrants more or fewer private members, what matters is whether those members have a meaningful role. This article synthesizes information presented in “Fewer politicians and smaller assemblies: how party elites rationalize reducing the number of seats in a legislature – lessons from Canada,” an article the author published in a recent issue of the *Journal of Legislative Studies*.

Alex Marland

Perhaps the most subjective aspect of any legislative assembly is the number of representatives. Periodically, members of Canadian legislatures and electoral boundaries commissions work towards a new representation order. The redistribution of electoral districts to reflect population changes sometimes broadens to discussing adjusting the total number of seats. Occasionally, the discussion turns on reducing the seat count.

It is easy to form an opinion about whether there are too many politicians. Debates get heated as democratic theorists and practitioners take entrenched positions. Marginalized communities lobby for special treatment to ensure ample representation while taxpayer groups criticize government largesse. Throughout, public opinion polls show enthusiasm for a smaller legislature, but there can be public empathy for ensuring that women and minorities are appropriately represented. The polarization reveals plenty of reasons why more representatives is better for democracy and just as many reasons why a smaller assembly is desirable.

This article looks at the political motivations behind diminishing the number of members in provincial legislative assemblies; all Canadian provinces have

done so at least once (Table 1). A wave of reductions occurred during the Great Depression in the 1930s, then after the 1990s economic recession and again following the late 2000s Great Recession. Accordingly, as will be shown, the main reason that premiers want to reduce the number of politicians is to assist the government with pursuing austerity. It is unlikely that a proposal to eliminate seats will proceed in the absence of dire economic circumstances, or that a leader will be interested unless it is a precursor for a more ambitious agenda.

Reasons for More Politicians

A democratic appeal for more politicians reflects a belief that better government will result. Members of a legislative assembly hold the cabinet to account. But the principle of responsible government can be shaky when many elected representatives are either ministers or ensconced into quasi-government appointments, such as parliamentary secretaries. This is common in Canadian provinces where membership in assemblies ranges from a low of 27 in Prince Edward Island to a high of 124 in Ontario. The reduced autonomy that comes with “executive creep” contributes to centralized power in the premier’s office.¹ Executive creep is especially dire in small provinces where the cabinet outnumbered the opposition. Critics are tasked with monitoring multiple ministers and the smooth function of legislative committees is compromised. Conversely in a large legislature more business can be referred to committees for study. Organized interests have more difficulty exerting influence and legislation is less likely to rush through.

Alex Marland is a Professor of Political Science at Memorial University of Newfoundland.

Table 1: Seat Reduction Events in Canada Provincial Legislative Assemblies

Province	Party in Power at Time of Proposal	Year in Effect	Provincial Population*	Seats Before	Seats After	Seats Reduced
Manitoba	Conservative	1915	461,000	49	47	2 (4.1%)
Alberta	United Farmers	1926	588,000	61	60	1 (1.6%)
British Columbia	Conservative	1933	694,000	48	47	1 (2.1%)
Nova Scotia	Conservative	1933	513,000	43	30	13 (30.2%)
Ontario	Conservative	1934	3,432,000	112	90	22 (19.6%)
Saskatchewan	Conservative	1934	922,000	63	55	12 (12.7%)
Saskatchewan	Liberal	1938	922,000	55	52	3 (5.5%)
Quebec	Union Nationale	1939	2,875,000	90	86	4 (4.4%)
Alberta	Social Credit	1940	732,000	63	57	6 (9.5%)
Alberta	Social Credit	1963	1,332,000	65	63	2 (3.1%)
New Brunswick	Liberal	1995	746,000	58	55	3 (5.2%)
Saskatchewan	New Democratic	1995	1,003,000	66	58	8 (12.1%)
Newfoundland	Liberal	1996	580,000	52	48	4 (7.7%)
Prince Edward Island	Liberal	1996	130,000	32	27	5 (15.6%)
Ontario	Progressive Conservative	1999	11,083,000	130	103	27 (20.8%)
Nova Scotia	New Democratic	2013	944,000	52	51	1 (1.9%)
New Brunswick	Progressive Conservative	2014	756,000	55	49	6 (10.9%)
Newfoundland	Progressive Conservative	2015	525,000	48	40	8 (16.7%)

*Census data immediately prior to election year that seat reduction came into effect. Rounded figures.

Source: Modified from Table 1 in Marland (2019), p.154.

A compelling reason for more seats is diverse representation. Electoral districts with a high concentration of Indigenous or ethnic populations can warrant their own representatives. The reduced competition to win a party nomination makes it easier for a larger array of people to run as a party candidate and potentially be elected. The result is an assembly whose composition features a greater variety of socio-demographic characteristics and political parties. Diversity persists in government because a first minister has more choice when assembling a cabinet. If there are more politicians, there is a greater opportunity to appoint women and members of minority populations to decision-making roles.

A further reason for a higher number of elected representatives is spreading out the workload. A lower constituent to representative ratio enables more individualized attention for constituents. Personal contact can be especially important in rural areas with large travel distances, limited municipal representation and a culture of political intimacy.

Reasons for Fewer Politicians

Electors routinely complain that there are too many legislators; they never suggest a need for more. A populist appeal for fewer politicians taps into public disgruntlement with out-of-touch elites and frustration with government mismanagement.

The prevailing argument in favour of reducing seat counts is cost savings. The obvious economies are a politician's direct costs (e.g., salary, benefits, pension), as well as travel expenses, support staff, office space and election costs. Less obvious is that smaller legislatures contribute to smaller government because there are fewer members to lobby for more money and they can better withstand localized pressures for funds. Whether private members deliver value for money is the crux of the argument. With the expansion of government, backbenchers have evolved from lawmakers to case workers, and the vibrancy of message scripting creates a public impression that most of them are little more than party mouthpieces. The number of sitting days has been declining in most legislatures² and some backbenchers can be underworked even when they meet. Politicians themselves observe that some of their peers are superfluous. Regimented party discipline can cause the most active members to question their own purpose.

An associated rationale is that higher quality representation can result from more intense

competition in party nomination contests and elections. It is easier for political parties to recruit quality candidates and to run a full slate in elections. Parachuted candidates who do not canvass are less common. Once elected, a smaller number of parliamentarians have a more pronounced role. Industrious members gain greater opportunity to hold the leader to account and the uninitiated have more difficulty shirking their duties. They can collectively make decisions more quickly. Productivity is improved because there is less haranguing. The business of the legislature improves with better decorum, tamer partisanship and increased individual accountability.

The Cube Root Formula

There is no consistent formula for setting the number of members of a legislative assembly. Canada's federal and provincial electoral boundaries commissions are guided by census data that inform seat changes every 10 years. In academic studies, a guideline for the ideal size of a legislative assembly is to calculate the cube root of the population.³ The formula works well with the House of Commons. Canada's population is approximately 37.6 million. The cube root of 335 aligns with the 338 Members of Parliament. But the calculation is misaligned with Canadian provinces or municipalities which have much smaller populations. The number of members of provincial assemblies would double if the cube root rule were followed.

The legal obligation to redistribute electoral boundaries to reflect fluctuations in population counts can propel conversations about over-representation. Almost all elected representatives experience tumult during redistribution as they gain and/or lose electors and communities. Setting a representation formula that lowers the number of seats usually requires that an electoral boundaries commission receive a mandate from the government and members of the assembly. Invariably there are complaints about the commission and the process. Concern about the adverse effects on certain communities (e.g., northern, rural, Indigenous, ethnic) is countered with information about how communications technology is changing and how variances from a standard quotient would compromise the one person, one vote principle. The prospect of a court case about excessive population variance between heavily populated and sparsely populated districts always looms, as do court challenges to protect communities of interest. The politicking simultaneously lays bare the harms and virtues of mathematical equations.

Why Provincial Governments Cut Seats in Legislative Assemblies

To reveal the political motivations behind seat reductions, 18 politicians were interviewed who were involved with the impromptu reductions that took effect with the provincial elections of 1995 in Saskatchewan (-8 MLAs), PEI in 1996 (-5 MLAs), New Brunswick in 1995 and 2014 (-3 and -6 MLAs, respectively), Newfoundland and Labrador in 1996 and 2015 (-4 and -8 MHAs, respectively), and Nova Scotia in 2013 (-1 MLA). Participants included former premiers, chiefs of staff, ministers of finance and justice, house leaders, vocal backbenchers and others.⁴ Ontario was excluded because it is the only instance where plans to shrink the assembly membership (-27 MPPs in 1999) were specified in the governing party's campaign platform. That province appears to be the only case where a party that went on to form government openly pledged to prune the number of parliamentarians.⁵

Reducing the number of politicians appears to be most contentious when the policy is abruptly announced without public notice. For example, the Ontario government's decision to reduce the size of Toronto city council less than one month after taking office in 2018 was met with significant criticism from some political observers who noted the issue was not mentioned in the recent general election. An action which disputes the constitutionality of this legislation is currently before the Ontario courts.⁶ Although not equivalent to proposing changes in the number of seats within a parliamentary assembly, the idea of making changes to democratic representation without extensive public consultation was controversial.

The circumstances surrounding seat reductions are typically a public appetite for cost savings in an unstable economic environment. In the early 1990s, election platforms warned of the need for financial restraint; in the 2000s, platforms talked of a need for efficiencies. Public discussion about government downsizing, controlling the budget deficit and debt, dealing with a lower credit rating by bond agencies and the overall economic reputation of the province are pre-conditions for austerity agendas. A static or shrinking population may be a factor. There is an echo effect as the idea of seat reductions catches on in other provinces that are similarly grappling with financial exigency. An opposition party that wins an election or a new premier seeking to put a fresh stamp on a tired government are particularly willing to tackle problems.

Political deliberations travel many routes. There is no consistent order as discussions pass back and forth between cabinet, the caucus, the assembly, electoral boundaries commissions, lobbying by interest groups and public consultations. Anti-politician rhetoric that plays well on the campaign trail is gradually replaced by policy analysis. Concerns about variances in the sizes of electoral districts and the constitutional obligation to respect the principle of one person, one vote are evoked. Overrepresentation compared with other provinces is identified. Above all, the decision is spun as a democratic response to public sentiments that government is too large and promoted as modernization of outdated institutions.

The nexus is a premier's determination. The resolve to pursue fewer seats is usually rooted in a personal conviction that for quite some time the province has had too many politicians. It is a view that has been percolating with colleagues who have heard public complaints and arrived at similar opinions. It might come up in a caucus retreat or perhaps the political will was lacking when the previous electoral boundaries commission broached the idea. It can be a response to media stories about political bloat. Just as cutting politicians' salaries or pensions has symbolic value, or a slimmer cabinet sends a message of efficiency and aversion to political perquisites, a premier recognizes that a smaller assembly can demonstrate a commitment to financial belt-tightening. Taking a figurative axe to the legislature conveys a sense of fairness and sacrifice by showing that everyone is sharing the burden.

A nervous cabinet can spot the political capital to be gained by making an initial foray into contracting the size of government. Selling government assets, announcing tax increases and imposing public sector wage reductions and layoffs are all under active consideration. A health minister expecting to close hospitals, or an education minister planning to amalgamate school boards, recognizes that setting a budgetary example is necessary to ease the way for difficult decisions. Reducing seats can be positioned as saving money to help minimize the impact on government services. It shows that the government is serious about leaner administration.

The justice or finance minister is normally the one who promotes the policy. The unequivocal backing of the premier is essential in order to persuade nervous colleagues. As with many policy proposals, a critical mass of private members must get on board, but here there is particular potential for caucus disgruntlement.

A unified public stance is difficult when politicians are worried about losing their jobs. The normal levers to encourage a caucus to internalize its frustrations wither away as details emerge that a parliamentarian's seat is being eliminated and incumbents will need to face off in a nomination battle. Further, the executive members of an electoral district association stand to lose their status positions and can pressure their member to oppose the change. Certain members are forced to weigh caucus unity versus self-preservation whilst other colleagues face no such dilemma.

An inquisitive member can point to the minimal cost savings and raise alarm about negative implications for representation. Reasonable suggestions can be vocalized about maintaining the same number of representatives or even contemplating an increase. A free vote may be necessary in order to avoid negative media stories about the government's anti-democratic behaviour. Faced with pushback from the cabinet, caucus and/or public, a premier who is keen to truncate seat counts may compromise with a smaller sacrifice or may forego the issue altogether.

Ultimately the political symbolism of final numbers triumphs over other numerical reasoning. Ontario sought to replicate the number of MPs in the provincial assembly. The New Brunswick premier's office focused on a 10 percent reduction and getting the number down to below 50, settling on 49 as of 2014. The Newfoundland and Labrador government initially proposed a reduction of 10 members to 38 for the 2015 election, but ultimately settled with the official opposition on the round number of 40 seats. Those advancing the cutback are likely motivated to achieve political impact that mathematical formulas cannot offer.

Proposing to minimize the number of elected officials has further political value because it is a wedge issue. Opponents get boxed in to supporting the government's position or else will be labelled as out of touch spendthrifts. Opposition caucuses experience similar internal divisions. Additional political opportunism can involve redistricting that confounds a well-organized opponent who already held candidate nomination contests. Furthermore, seat reductions can be a tool for the premier to delay requesting an election so that an electoral boundaries

commission may carry out its work. In this light, the formula for the government pursuing seat reductions is one part economic straits and one part political advantage.

Conclusion

There is no correct answer about whether a legislative assembly warrants more or fewer private members. What matters is whether those members have a meaningful role. On whatever side one falls on this debate, it must be conceded that politicians who harness public anger towards the political class expose serious problems with the parliamentary system of democracy. A government that pursues fewer seats without discussing the topic during an election campaign or subjecting the idea to a referendum opens itself up to criticism that it has demonstrated disregard for democratic principles. More ominously, the underlying reason why an agenda of fewer politicians can be pursued is their perceived lack of value.

Notes

- 1 Paul E.J. Thomas and J.P. Lewis, "Executive creep in Canadian provincial legislatures." *Canadian Journal of Political Science* 52, no. 2 (2019): 363-383.
- 2 Jeff Gray and Tom Cardoso, "Provincial and territorial legislatures spend fewer days in session than a decade ago, Globe analysis finds." *Globe and Mail*, July 4 (2019). URL: <https://www.theglobeandmail.com/canada/article-provincial-and-territorial-legislatures-spend-fewer-days-in-session/>
- 3 Kristof Jacobs and Simon Otjes, "Explaining the size of assemblies: A longitudinal analysis of the design and reform of assembly sizes in democracies around the world." *Electoral Studies* 40 (2015): 280-292.
- 4 This article synthesizes information presented in Alex Marland, "Fewer politicians and smaller assemblies: how party elites rationalize reducing the number of seats in a legislature – lessons from Canada." *The Journal of Legislative Studies* 25, no. 2 (2019): 149-168.
- 5 For more about Ontario's seat reductions, see David Pond, "Imposing a neo-liberal theory of representation on the Westminster model: A Canadian case." *The Journal of Legislative Studies* 11, no. 2 (2005): 170-193.
- 6 Jeff Gray, "Ford's court win sets off fresh battles in Toronto civic election." *Globe and Mail*, September 19 (2018). URL: <https://www.theglobeandmail.com/canada/toronto/article-ontario-court-of-appeal-sides-with-premier-ford/>

Reducing Seats in a Legislature Must Be Looked at in Context

In this article, the author explains why people may not be better served by having fewer elected representatives. She outlines the multifaceted dimensions of constituency work and explains how geography – particularly in rural or northern areas – can challenge a politician’s ability to effectively reach constituents and hear their concerns. She notes that while technological innovations can help build connections with constituents, not all areas have adequate communications networks. The author notes that potential cost savings of having fewer politicians is not as straightforward as it may seem, that backbenchers are not all as underworked as people may believe, and having fewer seats in a legislature won’t necessarily make it easier for parties to run a full slate of candidates. She concludes by contending that changes to the system itself should be where efforts are directed and proposals to reduce or increase the number of representatives in the system should be examined in context.

Lorraine Michael

An elected representative does a lot of work that the public doesn’t see. There is so much more than what occurs in the chamber of the legislative assembly. The public may not be aware of the multifaceted dimensions of constituency work. When someone proposes to reduce the number of seats, the public picture is that there will be fewer politicians. What they miss is the harm that it does for our democracy.

If you lessen the number of parliamentarians, the same amount of work becomes spread among fewer people. Upping their workload is problematic. Members of a legislative committee conduct a lot of background work.

In a small province like Newfoundland and Labrador, private members may not have enough resources to support their advocacy for constituents or to research issues being discussed in the legislature. MHAs have one constituency assistant. There is some



Lorraine Michael

Lorraine Michael was Member of the House of Assembly (MHA) for the Signal Hill-Quidi Vidi area from 2006 to 2019. For much of that time she was the leader of the New Democratic Party of Newfoundland and Labrador.

research support available through the caucus, but that is not available to Independents, and there are times that members have to conduct the research themselves due to a lack of support staff. It is a very different situation in Ottawa where Members of Parliament have many supports.

If a parliamentarian has to represent a larger constituency, the number of people contacting your office increases, and members can become overloaded. It is a problem for the democratic system if constituents complain that their phone calls are not getting returned. The more that citizens feel disconnected from the people who represent them the more they become detached from the system itself. Having fewer representatives ultimately hurts the democratic process.

Larger electoral districts are a serious problem in a country with as much geography as Canada. Some rural ridings span huge distances and include remote areas. As an MHA whose electoral district was five minutes away from the legislature, I often felt badly for colleagues who had to fly home and then drive more than two hours to get to an event. The difference of the needs at one end of a rural district can be quite different than another. One end of a district can have public transit and health care access whereas the other end does not. How can an elected representative figure out what issues to emphasize? The potential lack of district cohesion complicates representation and advocacy. These sorts of variances do not happen in a city. One size does not fit all when it comes to looking at electoral districts.

The argument that representation has improved with changes in communications technology ignores that constituents want personal contact. In some rural and remote areas across Canada, including areas of Newfoundland and Labrador, adequate communications services still do not exist. You cannot travel around Labrador and expect to connect with someone using Wi-Fi on your laptop. There are lots of places across the province where cellphone coverage is spotty. You might have to stop partway up a hill at a specific point so that you can use your phone.

It is true that communications technology has made a big difference. But assumptions about accessibility in a city may not apply to rural and remote areas. Improved communications options mean that you can be better engaged. It shouldn't mean cutting the number of representatives and reducing the quality of engagement with constituents.

Another way that technology has improved the work of parliamentarians is on all-party committees. It can be difficult to get all members to attend a meeting when some of them are in their electoral districts. The meeting can proceed with teleconferencing. That technology doesn't mean that committees should function with fewer members. Rather, it allows for greater inclusion.

Cost savings should not be the basis for a decision about the number of members of a legislative assembly. The bottom line has to be the needs of the people. Parliamentarians are there to ensure that people's needs are being taken care of. They bring that voice

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into ministries and to the legislature. The proposed savings are rarely straightforward. For instance, the large size of a district might determine that there needs to be an additional constituency office. The idea that fewer electoral districts makes it easier to run a full slate of candidates overlooks several factors. We need to do a better job at educating younger people about our political system, such as requiring civic education courses in high school. Young people need

to learn about governance and visualize themselves as citizens who could participate for the good of their community. There are barriers to participation for some people, such as women who require childcare support or lack the financial resources to ensure there is a level playing field among candidates. If party A is promising more than party B, a prospective candidate will run with the better funded party even though it isn't the party they have supported. There are all kinds of systemic aspects that impede people from running in an election. In Ottawa, at least, there is some semblance of trying to ensure that all political parties have greater equality with election finances. Another issue is that fixed date election legislation is not always followed. Snap elections can catch opposition parties off guard; this also has implications for candidate recruitment.

The perception that backbenchers are underworked is more applicable to those on the government side of the House. It is a criticism of how the government is governing rather than an issue of how many politicians there are. The government could convene

the legislature more often to provide members with greater opportunity to examine bills and debate issues. Backbenchers would become more engaged. When we have people just reading from speaking notes prepared by a staff person, rather than having time to study an issue and participate in a real debate, the problem is with the system itself. Changing the system would lead to the media paying more attention to witnesses and committee reports. More informed backbenchers would be less likely to be silent in caucus. In a small opposition caucus you don't know what it is like to have free time. That can be true for anyone in opposition. You aren't sitting around twiddling your thumbs.

The bottom line is that a discussion about the number of members in a legislature should be turned into a discussion about how to better engage all elected members especially those on the government back benches. You cannot make a general statement about numbers. There are various things that would have to be considered. Everything has to be looked at in context.

Instead of Increasing Seats, Provide More Resources to Members of Parliament

In this article, the author contends that Canadians need better supported parliamentarians, not more of them. While noting that there is no universal formula for determining the size of an assembly, many jurisdictions around the world function well with a higher per capita ratio of representatives who are adequately staffed and given the resources to be effective representatives. Suggesting that Canadians should ask whether their representatives are providing value for the taxes spent on their salaries and pensions, the author states that quality of services offered by parliamentarians should be privileged over the quantity of representatives. Using the intense research and labour required to draft legislation as an example, she notes that having enough staff to dedicate individuals to daily operations and special projects would likely offer a better return to Canadians than spreading these resources over more elected politicians whose limited resources cause them to rely on talking points from party offices.

Dr. K. Kellie Leitch

Many people are rightly concerned about ways to improve democratic representation in Canada. I believe that those who advocate for more elected people are on the wrong track. Increasing the number of members in the House of Commons, or a provincial legislature, will not improve democratic representation. We can improve our democracy without more politicians. There are other ways to provide better service, more grassroots contact and increased accountability to Canadians.

There is no universal formula to determine the size of a legislative assembly. I believe that the focus should be on the quality of the service that members provide, not the quantity of members. Any legislature should be fair and equitable, giving some flexibility to regional and per capita differences across Canada. But we must also be cognizant of the value a legislature provides for the tax dollars it uses. Having many MPs sitting on backbenches who later collect pensions helps no one except the MPs.



Kellie Leitch

Kellie Leitch served two terms as Member of Parliament for the Ontario riding of Simcoe—Grey, from 2011 to 2019. From 2013 to 2015, the Conservative MP was Minister of Labour and Minister responsible for the Status of Women.

I think Canadians are over-governed. We don't need more representation. If we are truly concerned about representation, then what we need are representatives to have a stronger voice for their constituents, and the resources to do their jobs in a way that is meaningful and independent of their respective leaders' offices. We need better supported Members of Parliament, not more of them.

Many other democracies operate with fewer politicians per capita in their national assemblies. By way of example, the population of the United States is roughly ten times the size of Canada's. Yet the American House of Representatives has 435 seats. In comparison, Canada's House of Commons has 338 Members of Parliament for just over 37 million people.

I believe we could reduce the number of representatives, provided it is done in a fair and equitable manner. But more important is that Members of Parliament are provided with the appropriate resources to support their work. The public assumes that MPs have unlimited resources. This is simply not the case.

Here in Canada, each MP usually has one or two staff in Ottawa and two or three in their riding. On Parliament Hill, staff work on committee business, meeting stakeholders, writing speeches and correspondences, scheduling, organizing events and a plethora of other day-to-day duties. In addition, they are expected to be substantive researchers and legislative draftsmen. In the riding, there is more casework for citizens, and events to organize. The work load is similar in both locations - busy - with it being impossible to ever get ahead.

US Representatives are limited to 18 full-time and 4 part-time staff to support their work. Often, they are able to have specialized sections in their offices, with staff focusing on research, some on day-to-day legislative matters, some handling communications and others working on organization. Contrast that with Canada, where MPs have a small team of overworked staff. This means that MPs are not conducting in depth research or taking a detailed look at policy issues. It often means using sound bites and relying on the leaders' office instead of your own research.

I am not advocating that each MP have 18-22 staff. That seems excessive, but an ideal number may be somewhere between the current support level and

the large number of staff we see in other jurisdictions. Even one person dedicated to scheduling, one person focused on communications, one research assistant and one person to develop legislation would help tremendously.

Having additional resources will allow Members of Parliament to have a stronger voice. MPs have several opportunities to have an impact. Crafting a Private Member's Bill is one of them. While they do not get passed often, these Bills can spark debate and influence government legislation if done well. But conducting the research and consultation needed to design a Bill is a huge undertaking. I spent over a year on consultation alone for C-450, my Private Member's Bill to modernize the Canada Health Act. My team was continually weighing the balance of supporting constituent issues versus developing legislation for debate.

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There are few opportunities to have your Bill brought forward and only so many speaking slots on any given legislation in the House of Commons. More MPs will not improve the debate or magically improve our democratic governance. MPs who are better supported and who are more independent will have an impact by developing well-researched Private Member's Bills.

When I was first elected in 2011, there were 308 MPs. The number was more than sufficient. We now have 338 MPs. I have not seen an improvement in democratic representation. Nor is there an improvement in debate. What we have are 30 more people sitting behind their leader hoping to have an impact. It would have been better to invest in the MPs we had already and help them have a stronger voice for their constituents.

I realize there is a need for regional balance and equity among Canadians. The components are the per capita numbers, the absolute population number, geographic variances, and what is the value for money proposition. Ontario's large population makes for a very different scenario compared with less populated provinces. Using Ontario's formula, it would result in 1 MP and 1 MLA in Prince Edward Island. Clearly you cannot have a legislature comprised of one person. There must be a degree of reason. It depends on what you think is a reasonable weighting of representation to taxpayer expense.

I must note that whatever the number of seats, the people who often tend to lose out are those living in the

far North and rural areas. That is where representatives noticeably lack substantive additional supports. For example, the electoral district of Kenora covers an enormous area. At over 321,000 km², this Northern Ontario riding encompasses a landmass larger than the combined size of New Brunswick, Nova Scotia, PEI and the island portion of Newfoundland. There is only a minimal supplement for the Kenora MP to ensure adequate representation. Geographic considerations and equity are significant considerations when one MP can easily drive, or even walk, around their electoral district and another MP cannot.

I encourage academics and others who advocate strongly against seat reductions to get involved in the political process. They should see how it functions before assuming that having more politicians is the solution. I believe we need to extend more resources to fewer MPs instead of diluting the voice of those currently elected. Let's make the job of a MP more effective by supporting them properly. A smaller number of effective and independent MPs will be better for Canadian democracy than more backbenchers collecting a pension while reiterating talking points.

Insights into Being the Minister of Education

Education is a significant portfolio in any provincial or territorial cabinet. The Education Minister makes decisions and works with others to accomplish specific functions that affect individual students and society as a whole. They are widely seen to have a key role in shaping the future, and as such the pressure on them to perform well and succeed is immense. Surprisingly, for such an important position, new appointees often find they are unprepared for all that is expected of them. In this article, the author, a former territorial Education Minister, summarizes his doctoral research into education leadership. Employing interviews with other former education ministers from across the country and the political spectrum, he endeavoured to develop an interpretive understanding of the position through the lens of identity. Four common themes were developed from the stories of the former ministers: changing identity, voicing identity, educating identity, and trusting identity. He concludes by expressing hope that his analysis and research will help us do a better job of preparing people who assume these positions to understand their roles and responsibilities.

Patrick Rouble

When I made the decision to retire from office, I decided to return to school, as a student, to continue my education. Having been Yukon's Minister of Education, I thought that it would be fitting to study education leadership.

In conversations with students and faculty alike, I was surprised at how little understanding there was of the role of Minister of Education. Perhaps they had as little understanding of the role as new ministers have of education? Attempting to address this situation would form the basis of my doctoral dissertation.

Creating a better understanding of the experience of being a Minister of Education proved to be a thought-provoking academic project. The position is complex and multifaceted. It involves being a politician, a representative, a decision-maker, and a leader. And, it involves operating in the contentious, emotional field of education. Revisiting the experience through a researcher's lens was interesting, frustrating, and

rewarding. It was an opportunity to study various philosophical perspectives, examine political science theories (something I had not done before entering politics), and carefully consider how others had experienced the position. This article briefly summarizes my doctoral research, findings and insights. The full dissertation, *Anxiety, Authority, and Accountability: The Experience of Being a Minister Responsible for Education*, can be found online.

I began my study with an examination of what was known about being a Minister of Education, including the legislated duties, the mechanics of the position, and the conventions of the office. There were varied perspectives on what it means to be a politician, a member of the legislative assembly, and a cabinet minister, and current thinking on leadership in education. Even though I had been in the position for five years, this research activity was a bit of a revelation. When I took office, I had next to no training or orientation for what I was about to experience. Other than an afternoon with the Clerk, a day with a communications specialist, and a stack of briefing books, there was very little preparation for the position. It seems that many of my colleagues found themselves in similar positions. As several researchers have noted, including Loat and MacMillan, newly elected officials, cabinet ministers included, tend to have a poor understanding of the role that they are about to undertake.

Patrick Rouble served as the MLA for Southern Lakes in the Yukon Legislative Assembly from 2002 to 2011. He was the territory's Minister of Education for five years. He is currently Principal Consultant at Transom Frame Consulting.

Comparing and contrasting provincial Education Acts, researching the concepts of ministerial responsibility and cabinet solidarity, and examining leadership theories provided a theoretical understanding of the position. However, I was interested in trying to explain how people actually lived the experience of being the Minister of Education. To this end, I used a hermeneutic phenomenological methodological approach – in plain language, I interviewed other former Ministers of Education from across the country, analyzed their comments, and presented a nuanced thematic understanding of the experience.

Some interesting statistics emerged when I examined who had been a provincial Education Minister. About 81 different individuals had been provincial Education Ministers between 2000 and 2016. The average time holding that office was just under two years. Only 34 people (42 per cent) had held the position for more than two years. The breakdown by gender was 62 per cent male and 38 per cent female. And, 52 per cent of the ministers had a substantial background in education (either having been employed in the field or having received postsecondary education in the field). This finding is inconsistent with the typical practice of premiers of not putting a subject matter expert in charge of a portfolio.

In order to hear from a fairly broad spectrum of people and to gather good stories, I interviewed five former Ministers of Education. The participants included men and women; former representatives from five different provinces in the West, the Prairies, Central Canada, and the Maritimes; members of Conservative, Liberal, and New Democratic Parties; and people from a variety of professions (including former educators). I kept the names of the participants in the study confidential. In addition to this being a condition of the university's ethics review board, I believe that keeping the identity of the participants confidential encouraged frank and open discussion.

The participants in the study were generous with their time and forthright with their comments. I conducted two interviews with each participant. Some of the topics I set out to discuss included: the process involved in transitioning from being a concerned citizen to becoming the Minister of Education, the duties and actions of the office, the constraints that the Minister of Education is under, the role and influence of stakeholders, and the impacts of being a public figure. Thankfully, the methodology allowed for some deviation from my prescribed path; as one

participant commented, we ultimately had some cathartic conversations. I believe that when we are in office, we are often too focussed on the important issues and crises that we face daily to reflect on the experience holistically. These interviews were an opportunity for some of the participants to revisit situations that they had not thought about for some time and to reflect upon them. I appreciated hearing their stories, lessons learned, and insights.

Some of the stories were reminiscent of the ones shared in the lounge following a Council of Ministers of Education Canada meeting. Many of the comments and stories could have been the basis for dissertations on their own. Some conversations were wide ranging. The participants and I discussed topics such as: how the minister is not omnipotent and cannot change everything all of the time; the challenge of making decisions when one is not an expert in the field; the challenge of finding trustworthy advice; and how politics often trumps evidence. We also discussed some personal issues such as how staying true to everything, including oneself, can be challenging; how ministers have to play by the rules whereas other stakeholders do not always seem to have to; and how people seem to treat the person who is now a minister differently than they did prior to the appointment. The analysis of conversations with these former Education Ministers proved to be fascinating. I focused on developing a more interpretive understanding of the position. I tried to make explicit some of the ideas that insiders take for granted, and in other cases I needed to delve deeper to extrapolate a point.

I found that the concept of identity was an important one. Identity, and the politics around identity, has recently become a hot topic. It is not my intention to fuel this fire. Nevertheless, being the Minister of Education is a human experience. It involves someone—not some impersonal edifice—making decisions; a real person with his or her own experiences, beliefs, values, and frailties; a person with a unique identity.

Identity can be defined as the fact of being who or what a person is. Some academics suggest that our understanding of who we are and how others perceive us is strongly influenced by people's experiences, social interactions, and group memberships and that identity is not fixed. When someone gets involved in politics, gets elected, and becomes a minister, that person certainly has significant experiences and interactions, and belongs to new groups. I suggest that the person is changed by the experience.

The role of identity was further considered as I developed four common themes from the stories of the former ministers: changing identity, voicing identity, educating identity, and trusting identity. I then examined the experience of being a Minister of Education, not by how the participants had experienced the activities of the office—the plot—but through the important points—the themes—that had emerged. My methodological approach also required that I look at these issues from various perspectives: from the micro to the macro, from the near to the far, and from the present and the past. Yes, this approach was a stretch for this middle-aged, white, conservative man with an MBA, but that is what going to school is all about, and the conclusions that I ultimately presented were different from what I expected to find.

The first theme, changing identity, came through in several different perspectives. There is the micro changing identity of the individual in the position and the macro intention of changing the identity of people in the province. The former involves the transition from concerned citizen to Minister of Education. This process involves several steps and influences what the individual can say, do, and act upon. Ministers often start out as concerned citizens who demonstrate some sort of capacity in their community and who join a political party that aligns with their personal views and values. When they join a party, they accept the party's philosophical perspectives, positions, and platforms—even though they might not agree with everything. When they are selected as candidates, they are responsible for carrying this platform forward and explaining why they, their party, and their leader are best suited for the job of governing. As elected representatives, they become responsible for carrying the voice of their constituents into discussions and debates. Again, this is not always a consistent, homogeneous voice.

When these concerned citizens become ministers, affected by the Oaths of Office, ministerial responsibility, and cabinet solidarity, they become the voice of the government. No longer can they muse about what the government should do. What they say is now taken to be the position of the government. Additional changes occur; for example, often moving to a new city, being in a new organization, wearing a new wardrobe suitable for the position, and becoming accustomed to being addressed as Minister, rather than by their given name. My small sample also suggested that becoming the minister also includes changing habits. Almost all said that while in office, they took less personal care. Most said they gained

weight and got out of shape. And some, unfortunately, said they became more cynical and insular.

Changing identity also relates to macro considerations of why people become involved in politics in the first place. The purpose of my study was not to determine why people become politicians, but it became apparent from my discussions that the participants got involved in politics to make changes and to “change the direction the province was going in.” In other words, they wanted to change the identity of the province. By changing legislation, policy, and budget expenditures, governments affect the people in the province, and these changes influence opinions, behaviours, and cultures. Beliefs that were once common evolve over time. Political leaders, including Ministers of Education, are often arbitrators and instigators of such change, both following and leading the views of the public.

Education Ministers are also expected to represent the voices of numerous different perspectives or identities. Briefly stated, the minister is expected to be the voice of the people to the department and the voice of the department to the people. But the position is much more complex than this summary suggests. Ministers carry their own voice, based on their own education, experiences, and beliefs; they also carry the voice of their party, and they are the elected voice of their constituency. They are expected to stand behind the platform and implement it. They are often expected to be the voice of people dissatisfied by the system: “I just got this letter. What can we do to fix their problem?” appears to be a common refrain. In cabinet, budget, and policy meetings, they are expected to be the voice of the department and to strongly present the department's needs and perspectives. In departmental meetings, they are often the voice of the government explaining the final government position—one that may be different from the one the department suggested the government take. And, in the legislative assembly and in the media, they are often a synthesis of the voice of the department; they must explain or defend why the department did certain things while reconciling this stance with the positions and actions of the government.

The Minister of Education is expected to voice a complex identity and perform a complex role. Before ministers speak, they must consider the position of the government, the capacity and position of their department, the philosophy of their political party, the platform they committed to implementing, the opinions of people in the province, and their own

personal knowledge and beliefs. Being trusted by others to be their voice is a profound responsibility that significantly influences the minister. When I asked participants whether they were often presented with speeches to deliver that had been written by others, some commented that they never delivered a speech exactly as written: the information in the prepared speech was often incorporated into what they said, but, ultimately, they decided what to say and how to say it. I found this to be an important concept. The Minister of Education is often expected to be an interpreter, or a bridge, between various groups.

Being the Minister of Education involves being selected by others to make decisions and then working with others to accomplish specific functions that affect students and society. Trust is an important consideration in this position. The minister needs to be trusted and needs to trust others. Trust has a variety of definitions and interpretations. In some cases, someone who is trusted is expected to act in the best interests of the other; in others, trust involves believing or accepting something without seeking verification or evidence for it.

Education Ministers are involved in a diverse array of relationships that involve trust—relationships in which they are expected to take another’s perspective into account when making decisions. They are trusted by party members, constituents, and the premier in the process of becoming the Minister of Education. They have relationships with cabinet colleagues that are influenced by the concept of cabinet solidarity. As appointed leaders, they have relationships with their department and other people involved in education, including subject matter experts, administrators, and teachers. As participants in the provincial budget process, they have a relationship with taxpayers. As the person ultimately responsible for the education system, they also have a relationship with students. And, they have relationships with staff, the media, and other stakeholders.

The issue of whether an MLA is a trustee or a delegate—one who votes as constituents direct or one who exercises his or her own judgement—was discussed with some of the participants. Several said that even though they felt that it was vital to represent their constituents, they often found themselves in complex situations that required situational and contextual consideration. They had time and resources to study issues in more depth than most constituents could, and they had the responsibility to

look at an issue from multiple perspectives. But, at the end of the day, they had to make a decision that they could personally live with.

In addition to trusting the premier and other cabinet ministers, the Minister of Education must also trust the staff of the department. When asked about this situation, one participant said that when she first started in the position, she questioned who these people were, who they held allegiances to, and if they were aligned with another political party. However, she soon realized the professionalism of the public servants that she worked with and trusted them. Conversely, another participant shared a story of how a person in his department who had been at the centre of an embarrassing issue for the government later campaigned for an opposition party. It seems that the minister is required to trust the department for information, and except for the most exceptional circumstances, that trust is well placed.

This is not to say that ministers do not test or question the advice that they receive. One participant made a point of asking specific questions about briefing materials to test the quality of the information presented. Another participant suggested that although it was important to trust the system, it was also important to test the system. She put forward the position that people needed to have solid evidence so that they could have trust in the system.

Participants shared stories of overturning decisions made by others, including: decisions of teachers, principals, school boards, department staff, and former governments. Even though others in the system were trusted to make decisions, these Education Ministers involved themselves in situations and directed different courses of action. Reasons for overturning decisions included: the belief that the decision was not consistent with the good of the public; the belief that the decision was inconsistent with legislation; strong public opinion against the decision; strong personal beliefs that the decision was wrong; and to satisfy other stakeholders in the system. In our hierarchical governance system, it seems that leaders often trust others to make decisions that they will agree with.

In education systems, duties are frequently delegated to others. Additionally, the concept of academic independence comes into play in the field of education. Nevertheless, in our system of governance, the minister is still held accountable for the outcomes of decisions delegated to others and for the actions of those in the department. Participants shared stories of

situations where others in the system did something that certain citizens did not agree with. In some cases, the minister defended the actions of the individuals; in others, the minister overturned the decisions. People in the system were trusted to carry out their duties; but, if they did not carry them out in a manner that was satisfactory, the minister (either directly, or through subordinates) was expected—trusted—to become involved.

Some participants also shared stories related to the concept of the public losing trust in politicians. One said, “We’ve allowed, as a society, the media and the general public to paint us all [politicians] as liars and cheats. And that we are only in it for ourselves and that we can’t be trusted.” This dichotomy—being empowered by the system, but not trusted by those in the system—frustrated several participants.

The matter of how politicians experience trust—being trusted, trusting others, building trust, and recovering trust—is a large issue. The theme of trusting identities is an important one in understanding the experience of being a Minister of Education. Ministers need to trust themselves and have confidence in their abilities. They need to be aware that they must be trusted by others and take steps to build that trust. They need to be able to trust the roles and systems that they interact with. And they need to intervene when others have a lack of trust or a feeling that their interests are not being served. I think that this broad concept of trust and how it is experienced is worth examining further.

After examining the experiences of several former Education Ministers, I considered how this position is different from leading other portfolios. These points are captured in the title of my paper: *Anxiety, Authority, and Accountability: The Experience of Being a Minister Responsible for Education*. These characteristics—*anxiety, authority, and accountability*—have an impact on education. I appreciate that they may be contentious topics, especially coming from a former Minister of Education who researched the experiences of other former Ministers of Education, but these points are important to consider.

Our collective anxiety about the future is often held in education. People see the public education system as the answer for preparing people for whatever is to come. The belief that more education is the answer for addressing problems suggests, ironically, that our current education system is to blame for our current situation. Education is often seen as a scapegoat for

ongoing problems in society. As the one responsible for education, the Minister of Education is therefore responsible for the problems of today and for solving them for the future. Education Ministers are expected to prepare people for the future and to put in place education programs to ensure that everyone will behave as they should so that individual and societal problems are remedied. With such lofty expectations, it is no wonder that few people want to be in the position and that most in the position last fewer than two years.

The Minister of Education is expected to be an authority on education and to make decisions affecting the provincial education system. The minister has the authority to establish courses of study, approve curriculum, set funding priorities, and exercise other considerable powers. However, expert knowledge of education is not a requirement for being the Minister of Education. Ministers are appointed to the position for multiple reasons. They may therefore face situations in which they lack specific subject matter knowledge to make informed decisions. They rely on the advice of others, consider the other previously discussed forces that influence decision-making, and often “trust their gut.”

Education is a contested space with multiple perspectives, beliefs, and positions. It is strongly influenced by personal experience. Education is also political. Elected decision-makers—politicians—at multiple levels, including school councils, school boards, associations, and provincial assemblies, are entrusted with the power to make decisions. Although they use research (often in the form of recommendations from others), they are also influenced by other factors, such as personal experience, public perceptions, and political positioning.

Education is a subject that is widely researched, and this research influences teachers, administrators, and other education professionals. Research is also used to inform practice, assessment, policy, and other issues in education. However, the research is often inconsistent and inconclusive. Additionally, it is often ideologically or politically influenced. Unlike other fields, there is no single, universally recognized authority for education research.

This situation leads to the issue of accountability in education. The Minister of Education is accountable for government expenditures; legislation, regulation, and government policy; and the actions of those

funded by government expenditures. The minister is held to account for the performance of the department. In education, this often relates to the performance of students. There are many actors in education: students, parents, teachers, administrators, school boards, departments, and others. All are expected to perform. But from my research and experience, it appears that the minister, due to the hierarchical nature of the system and the convention of ministerial responsibility, is ultimately accountable for everyone's actions. I was once told by a parent that if his son could not read, it was my fault. Decision-making is distributed throughout the system, but accountability for decision-making frequently is not.

Having left political office, it has been an interesting, enlightening, and rewarding experience to go back and relive aspects of the position through the experiences of other former education ministers. I have had a chance to reflect on their experiences and develop insights into what it means to be the Minister of Education. There were many 'a-ha' moments and times when I wished that I had known then what I know now. Being a cabinet minister, a representative, and a politician is an important position in our society, one too important to be left up to happenstance and

political expediency. We need to do a better job, I think, of preparing new people for the positions we entrust them with.

I hope that this analysis encourages further discussion about the role and activities of the Minister of Education. I sincerely hope that it encourages ministers to think about their role and the important issues in education. Additionally, I hope that it encourages others to seek out the thoughts and perspectives of those who have been in positions of responsibility, authority, and power. By better understanding the experience, the expectations, and the underlying systems, we can, I hope, make better, more informed decisions that result in more optimal and intentional outcomes.

Notes

- 1 Patrick Rouble, *Anxiety, Authority, and Accountability: The Experience of Being a Minister Responsible for Education* (doctoral dissertation, University of Calgary, 2018), <https://doi.org/10.11575/PRISM/33215>.
- 2 Alison Loat and Michael MacMillan, *Tragedy in the Commons: Former Members of Parliament Speak Out About Canada's Failing Democracy* (Toronto, Canada: Random House of Canada, 2014)

CSPG Seminar: The #MeToo Movement and Parliament

The #MeToo movement has been a watershed moment for changes to workplace culture, particularly for women in fields traditionally dominated by men. On March 29, 2019, the Canadian Study of Parliament Group held a seminar to explore the impact of the #MeToo on parties, politics, and Parliament Hill.

Charlie Feldman

Panel One: The Experiences of Women

University of Waterloo Political Science Professor Anna Esselment chaired the first panel, which brought together Brenda O'Neill from the University of Calgary, Susan Delacourt of the *Toronto Star*, and Judy Wasylycia-Leis, former MP and member of the Legislative Assembly of Manitoba.

Brenda O'Neill began with an overview of the #MeToo movement, noting that while #MeToo is new, movements for equality in the workplace are not. She recounted how labour and feminist movements of the 1970s brought about reforms and progress, but highlighted that these movements were largely working-class focused. Indeed, those pushing for equality in the workplace did not have women parliamentarians top of mind because these women were not perceived as being those in need because they were viewed to be in power. However, we now better recognize structural and systemic barriers to women's full and equal participation in all workplaces, including in the political sphere.

O'Neill noted that #MeToo is not only an issue of equality in the workplace but one of sexual violence. Rather than turn a blind eye to inappropriate sexual advances, comments, or assaults, as had been commonplace in the past, there are now repercussions – with premiers and MPs alike losing spots in cabinet or their positions entirely owing to allegations

(or proof) of inappropriate behavior. She concluded with an overview of the social-networking peril and promise of #MeToo. While social media has allowed for the #MeToo movement to have global reach in a short amount of time, it has also created a risk of “slacktivism,” whereby those supportive of a cause merely express support online but are unprepared to take concrete steps to remedy a situation. She concluded with her hope that those concerned with these issues today continue to press for progress as did women in earlier feminist waves and not relent simply because an issue, while acknowledged, is not also actively addressed.

Judy Wasylycia-Leis began by describing the challenges women in the legislature face today, pointing to a recent incident in the British Columbia legislature in which certain female staff were told they could not have exposed arms. In her words, “Women are judged more by the clothes they wear, the hair they have, and the voices they use instead of their brains, values, and voices”. She said that #MeToo was watershed movement that exposed and made visible that which women have endured throughout the ages – violence, assault, sexism, and misogyny.

The women's movement was a formative moment in Wasylycia-Leis' life and inspired her to run for office. In 1986 she became the 17th woman elected in Manitoba. She felt pressure to do well because “so many women were watching” but faced many uphill battles owing to, as she put it, “cultural conditioning in all our institutions that you have to combat day in and day out”. She recounted her numerous experiences of sexist attacks and commentary on everything from her breastfeeding in the legislature (leading to a characterization of her as a “high-priced babysitter”) to cartoon depictions of her that were

Charlie Feldman is Secretary to the CSPG board.



Panel 1: (Left to right) Judy Wasylycia-Leis, Susan Delacourt, Brenda O'Neill, and moderator Anna Esselment.

ageist as well as sexist. In her words, we “must do more to give voice to women in all aspects of society”. Sadly, she concluded, progress is far too slow: “At the pace we’re going 2090 will be when we see women’s equality in Parliament. I don’t have time to wait around for that.”

Susan Delacourt began by recounting her first experiences as a journalist on Parliament Hill in 1988. She explained that then most bureaus had only one woman and it was “like a pet or an experiment – let’s see what’s it like just having one [woman] for now”. In the early years, she noted, women were not allowed to attend the Press Gallery dinner and, when she went, she was expected to serve cocktails to her male counterparts. Still, there was some solidarity between women MPs and women journalists in the Hill in those days as the two were roughly equal in numbers.

Delacourt recounted that, at the time, male subjects of stories would sometimes assume that an interview request was really a request for a date. In general,

she said, the experience of female parliamentary journalists reflected the experiences of women in politics: “One step forward, two steps back”. She noted, for example, in 1993 a record number of women were elected in federal politics but two women leaders saw their parties wiped off the map. In her view, the same situation exists now in the media; there are more women in the industry, but the bureau chiefs are still all men.

Panel 2: Contemporary Realities

University of Ottawa Law Professor Vanessa MacDonnell moderated the second panel, which brought together Shaheen Shariff from McGill University, Chief Human Resources Officer for the House of Commons Pierre Parent, and Teresa Wright of the Canadian Press.

Professor Shariff began by explaining her work leading the “Define the Line” project at McGill, which studies sexual violence in university settings. She noted that there are many similarities between



Panel 2: (Left to right) Moderator Vanessa MacDonnell, Shaheen Shariff, Pierre Parent, and Teresa Wright.

universities and Parliament, and suggested that the conclusion from one holds for the other – legislation and policy are simply not enough. She spoke of some of the challenges associated with addressing sexual harassment and violence in the university context – protection of victims, privacy of parties, cumbersome processes – and suggested these were also issues likely to be observed in Parliament. She noted that more public institutions are moving toward having independent investigators, whereas Parliament is a largely inward-looking institution when problems arise. Finally, she stressed the need for the momentum of the #MeToo movement to continue, with a focus on incorporating intersectionality.

Chief Human Resources Officer of the House of Commons Pierre Parent began by recounting the events of 2014 that saw #MeToo hit Parliament Hill in a significant way when two MPs reported inappropriate behaviour on the part of other Members. It can be difficult to address employment matters on Parliament Hill because parliamentarians themselves are not employees and each MP is considered a separate employer.

Parent explained that there are policies in place regarding sexual harassment both between Members of the House of Commons and between Members of the House and staff. Training is provided to both MPs and their staff, and there is reporting on the administration of the policy. MPs, for their part, must sign a document (and all have) stating that they will abide by the House of Commons' policies regarding sexual harassment. In respect of issues between MPs, there is a new Code of Conduct (Sexual Harassment)

that forms part of the Standing Orders of the House of Commons. It was recently reviewed by the Standing Committee on Procedure and House Affairs and updated in the 42nd Parliament.

Canadian Press journalist Teresa Wright began by stressing the importance of conversations about #MeToo, noting that change can only occur if we talk about what is not working and what we want to see done. She explained that in 2018, the Canadian Press conducted an informal survey of Hill staff and female MPs and found that a majority of the 226 respondents experienced sexual misconduct but did not want to report it because they were worried about their jobs and future. Thirty-five per cent expressed concern that they would not be believed if they reported their experience, while another 30 per cent said they were unsure where to report. Approximately 20 respondents reported experiencing what they would consider sexual assault in the workplace from their employer (in this case, a Senator or Member of the House of Commons). The impacts noted by respondents included trying to avoid certain people (particularly when alcohol is involved), changing the way they dressed in the workplace, and consequences for mental health, including PTSD.

As she drew to a close, Wright reminded the audience that “You can have the best policies in the world but if people don’t follow them then it doesn’t really matter”. In her words, the important thing is to make sure the conversation continues and that we take action to change the culture rather than grow complacent or assume the mere adoption of policies will suffice.

“Open Parliament”: More Than Data

A three-day global summit on open government brought a diverse group of legislators, stakeholders, activists, educators and government employees from around the world to Ottawa in May 2019. In this article, the author focuses on discussions emerging from the Parliamentary Track of the conference, explains how “open parliament” can mean different things in emerging or established democracies and notes how new technological advances are assisting parliamentarians with their duties in ways previous unimagined.

Wendy Reynolds

In late May 2019, the City of Ottawa hosted a remarkable international gathering - the Global Summit of the Open Government Partnership.¹ The three-day event attracted legislators, stakeholders, activists, educators and government employees from around the world. On the agenda were initiatives from around the world to make democracy more inclusive, transparent and, well, democratic.

May 29 was a day of learning which will be of particular interest to this audience. I attended the Parliamentary Track of the conference, which was organised by ParlAmericas (an organisation operating to improve democratic processes in the Americas).² The diversity of the participants was impressive – I met with a House of Commons Deputy Speaker, a city counsellor from Austin, Texas, a youth representative from Sweden, a Parliamentarian from Kenya, two Senators from Sri Lanka, and a parliamentary staffer from New Zealand (working in the Clerk’s Office).

For me, one of the most surprising insights was how broad the definition of “open” parliament can be. For those of us working in North America, the idea of “opening” government or parliaments is largely a technological undertaking. We focus on making data available to citizens – usually in machine-readable formats – so that they can build apps and do analyses of information in ways that we hadn’t anticipated (and may benefit from!). It’s about co-creation.

For those in new or emerging democracies, openness is more fundamental. It includes the physical safety of those wishing to participate in democratic processes – standing for election, voting, questioning public policy. It’s about fundamental issues such as:

- Attracting candidates from marginalized communities, including racialized groups, women, youth, and people with disabilities.
- Financial transparency – opening information to prevent (or reduce) corruption. Disclosure of beneficial ownership of companies doing business with governments, and preventing decision-makers from awarding work to concerns they own.
- Safety for journalists, academics and others who critique the work of parliaments and governments, including freedom of assembly, freedom of expression, internet access and control.
- Citizen participation in policy-making: e-petitions, participation in Committee deliberations, attendance of sittings, consultative processes (in person and virtual)
- Helping citizens understand what parliaments do, and what they can expect from their elected officials.

During a roundtable discussion, the parliamentarian from Kenya told our group about some initiatives that have gained traction in her parliament. They have leveraged the rapid adoption of smart phones in the country to expand their ability to collect comments and data from people in remote areas. For example, a committee considering health care issues sent out a message to their followers asking: “What is health care like in your village?”

The Ministry had provided the committee with high-level statistics. They knew how many clinics were operating in Kenya, and what the budget was to continue to offer the service. The responses from their followers gave them a completely different perspective. One village reported that they had a clinic, but no doctor. Others reported a lack of supplies or a workable space. Armed with on-the-ground information, the Committee was able to recommend improvements to the allocation of resources, matching the “official” story more accurately to the lived experience of citizens.

Wendy Reynolds is Manager of Accessibility, Records and Open Parliament at the Ontario Legislative Assembly.



Participants in the ParlAmericas Open Parliament Day session in Ottawa on May 29, 2019.

An impressive gathering, and a fantastic learning opportunity. More information is available about the Open Government Partnership at www.opengovpartnership.org.

Notes

- 1 <https://ogpsummit.org/en/summit-program/agenda/>
- 2 <http://parlAmericas.org/en.aspx>

The Canadian Region

CPA Regional Conference

Halifax played host to dozens of parliamentarians from across the country and other delegates and observers during the week-long annual Commonwealth Parliamentary Association Canadian Regional conference from July 14-19, 2019. Attendees noted the Maritimes' welcoming hospitality and the strength of the panel topics.

Commonwealth Women Parliamentarians (CWP) Meeting

Saskatchewan MLA **Laura Ross** provided the Chair's annual report, detailing a busy year in which she had the opportunity to attend numerous meetings, forums and conferences to share the CWP's goals. These events included a Nova Scotia Campaign School from May 25-27, which drew 200 participants. Ms. Ross said the campaign school included a wonderful cross section of women from diverse backgrounds and ages. Ms. Ross also mentioned the CWP's *She Should Run* publication (see our interview in this edition) and a successful outreach program held in Edmonton last year.

In a session on "Six Signature Traits of Inclusive Leadership," **Terri Cooper**, Chief Inclusion Officer for US Deloitte, and **Cathy Warner**, Marketplace Leader for Deloitte in Saskatchewan, outlined the six Cs of inclusion: commitment, courage, cognitive of bias, curiosity, cultural intelligence, and collaboration. These six Cs depend on each other and are interconnected.

The presenters said personal commitment to inclusiveness must be present within all aspects of a person's life. For example, they asked the audience if someone is speaking over a woman would they speak up and say that's not okay. "We need to be able to be ourselves and we need to model that authentic behaviour," they added.

In terms of courage, they noted that one study has demonstrated that 99 per cent of individuals believe they are allies for others, but only about 25 per cent of people will actually speak up and challenge a behaviour that discriminates against another group.

Everyone has both conscious and unconscious bias, they explained. Recognizing this fact and thinking about it will help a person be more aware of how to prevent their bias from limiting opportunities for inclusion.

Being inclusive also means being curious about a person as an individual. The presenters encouraged attendees to ask questions about each other: what makes them tick? What makes them excited? What are their hobbies?

Ms. Cooper and Ms. Warner added that developing cultural intelligence is essential to being inclusive. There are significant cultural differences between us even if we speak the same language. They encouraged attendees to embrace differences and allow space for them to benefit everyone.

Finally, they said collaboration, rather than simply providing representation must be at the heart of an inclusive environment. "Diversity is being invited to the party," they stated. "Inclusion is being asked to dance." A workshop followed the presentation in which attendees broke into six groups. Each group focused on one trait and worked on suggestions for helping future leaders.

A session on "Inclusive Workplace and Hiring Practices" brought together a panel of women who work in a variety of fields. Presenters **Mary Bluehardt**, president and vice-chancellor at Mount Saint Vincent University, **Bethany Moffatt**, vice president and head of commercial banking for the Atlantic Region at Scotiabank, **Tanya Priske**, Executive Director of the Centre for Women in Business, **Jill Provoe**, the senior advisor for educational equity at Nova Scotia Community College, **Sarah Reddington**, assistant professor of child and youth study and chair of the Pride Committee at Mount Saint Vincent University, and **Diana Whalen**, former Deputy Premier and former Minister of Justice and Attorney General of Nova Scotia all noted that inclusion is not a destination, it's a life-long process. They outlined ways various institutions have developed strategies to promote inclusion, while understanding that progress can be uneven and sometimes slow. Creating a dialogue of change among women is one way they can support each other on this journey.



Kelly Clark – Communications Nova Scotia

The Commonwealth Women Parliamentarians (CWP) meeting.

A final session titled “Ready-Set-Action: Next Practices in Inclusion,” featured presenter **Tova Sherman**, of an organization called reachability. Ms. Sherman grew up in a family of five children where all children had some form of disability – it wasn’t stigmatized within her family. But she notes that school was tough and so was the workplace. She started her own organization that is committed to sustainable employment. By finding the right fit to ensure people don’t keep having to come back, reachability is designed to give many services to the few rather than spreading resources too thinly.

Ms. Sherman said that in order to move forward in terms of being inclusive she doesn’t look for How to best practices, but next practices. She outlined five key steps from a leadership perspective to creating an inclusive work culture. 1. Leadership preparation means all levels of management have to buy in and

understand that inclusion is truly win-win-win (the client, the employer, and the community). 2. Prepare the workplace, not just architecturally but attitudinally. 3. Curiosity – A person is a person first. Don’t define them by their disability. 4. Education and Osmosis – working with someone with a disability helps remove mysteries. 5. Dignity – do the right thing and find out what they want, not what you would want in that situation.

CPA Conference

On July 16 MLA **Lisa Roberts**, the Master of Ceremonies, welcomed participants to the first session of full conference. Following a smudging ceremony by elder **Marlene Companion**, attendees watched a performance by the MacInnis Highland Dancers Remarks. Nova Scotia Speaker **Kevin Murphy** also provided welcoming remarks.

Session 1: Children in Care

Chaired by Manitoba Speaker **Myrna Driedger**, presenters **R.J. Simpson**, an MLA in the Northwest Territories, **Lisa Dempster**, a Newfoundland and Labrador MHA, and Senator **Marilou McPhedran** spoke about the challenges in protecting children in care and the uneasy history of forced family separations and colonialist attitudes which have led to a vast over-representation of Indigenous families within the system.

Mr. Simpson said this issue only seems to become a flashpoint at the time of government audits or when there is a sensational case of abuse or death of a child in care. He contended this issue is so easily forgotten because First Nations children comprise a significant portion of children in care; colonial institutions are still operating despite reconciliation efforts. Mr. Simpson noted that there are more Indigenous children in care in Canada right now than at the height of Residential Schools and that they are grossly over-represented among children in care. He told the audience that he's heard it described as the Millennial Scoop (a nod to the Sixties Scoop), because so many Indigenous families are been torn apart. Mr. Simpson said almost 1 in 10 children in NWT is involved in some way in child protection services. Although 95 per cent of these children are First Nations, only 60 per cent of youth in the territory are Indigenous. He concluded by stating that the child welfare system is a state-created crisis following centuries of racism.

Ms. Dempster, who is Minister of Children, Seniors and Social Development for Newfoundland and Labrador spoke about a substantive new Act she worked on covering children in care. She stated that all children in care need safe and supportive placements, yet there has been significant pressure on the system. Kin placements and placements with siblings are always the first line choice where possible. Foster care within the community is the next option. Removing children from the community is a last resort. Ms. Dempster spoke of the five levels of care in the system and noted that 80 per cent of children in the system are in care of kin (level one care). She also touched on talks about collaboration with Innu to establish Innu-led group home. Ms. Dempster said the new Act she worked on focuses on prevention to help parents keep kids at home.

Senator McPhedran spoke about the review of Bill C-92 (*An Act respecting First Nations, Inuit and Metis children, youth and families*) which moved rapidly through Parliament. She said the impact of this

legislation will be substantial and long term. Referring to the Sixties Scoop, she explained how child welfare system replaced residential schools as a tool of assimilation. Senator McPhedran said that Bill C-92 creates co-ordination agreements to allow Indigenous communities to exercise their inherent jurisdictions over family welfare services. While Bill C-92 is only a framework, she said it gives different communities the ability to adapt it to their needs.

Session 2: Carbon Tax/Climate Change

François Paradis, the President of Québec's National Assembly, chaired this session which addressed different ways provinces were responding to climate change. **Everett Hindley**, an MLA from Saskatchewan, spoke about the province's "Prairie Resilience Plan." He stated that this is a made-in-Saskatchewan plan for climate change and suggested that the province's opposition to the carbon tax should not be seen as a reluctance to act – rather, a disagreement of how to act. Explaining the principles of responsible development and stewardship of natural resources, the province's plan provides an analysis of cumulative impacts, wetlands management, enhancing biodiversity, etc. He concluded by explaining how emissions intensity reductions would allow the economy to grow while still reducing effects of emissions.

Sonia Furstenau, a British Columbia MLA, began by asking attendees what two things they value most. Answers from the audience included family, health, future, leaving a good earth, public safety, and food. She noted a certain divisiveness has crept into the debate over how to address climate change. Rather than concentrating on division, Ms. Furstenau encouraged attendees to start by acknowledging that we all generally agree on what we value and then look at how climate change affects these things. For example, climate change affects the family when flooding destroys family homes. Ms. Furstenau stated that we must build an economy that is good for us and our environment. "Are those things that we value most being protected by our economy?" she asked. "How can we shift to economies that are less carbon intensive?" She concluded that she believes a carbon tax is one of the tools that can help us get there because it sends a signal to the market that it's time to innovate.

Session 3: Listening to the Forest – Forestry Practices for the Twenty-first Century and Beyond

Chaired by Nova Scotia MLA **Lisa Roberts**, in this session presenter **William Lahey**, President and Vice-

Chancellor of University of King's College and a former Deputy Minister in the province's Department of Environment and Labour spoke of how forests are managed. Noting his involvement in reviewing forestry practices in Nova Scotia, he began by asking how could the province could integrate Micmac wisdom with modern scientific techniques. Mr. Lahey stated that we need to do a better job protecting and honouring biodiversity. He noted that in Nova Scotia, the majority of forests is privately owned woodlots, while the rest is crown land. On the private lots, 90 per cent of harvesting is clear cutting, while 65 per cent of forests are clearcut on crown land. In mixed forestry, select cutting is preferred to protect forest structures. But in single species forests, clearcutting is an acceptable practice. He concluded by discussing debates about how to classify forests and calling for a new paradigm in forestry – a new way to think about forestry.

Session 4: Representation: Identities, Equalities, and Pluralities

Nova Scotia MLA **Barbara Adams** introduced consultant **Douglas J. Keefe**, a former Deputy Minister Department of Justice and Deputy Attorney General in the province, to discuss his role in an electoral boundary commission tasked with ensuring effective representation of some of the province's minority communities of interest – particularly Acadians and African Nova Scotians. Mr. Keefe outlined early 1990s reforms which set up exceptional boundaries in the province for the Micmac (they opted not to take it), and for other groups. The commission he worked on to revise boundaries was set up in 2017.

In thinking about how to accomplish their mandate, commissioners asked, "How well can a person represent another person's interest if they come from different backgrounds and experiences?" Mr. Keefe contended that "mirror representation" is difficult to put into practice since identities are fluid and the context of a debate will bring some aspects for identity to the fore while others are less important. He explained that we all manage multiple identities.

Since Acadians and African Nova Scotians are dispersed throughout the province, can a geographic-based constituency work? The Supreme Court's Carter ruling has been used to draw boundaries based on social experience; however, parity can sacrificed as a result. Is this fair to other portions of the electorate? If so, how much can parity be stretched to accommodate significant communities of interest? These are

questioned that are difficult to answer. He concluded by relating the story of an African Nova Scotian man who attended a commission meeting. The man noted that Nova Scotia has only had an African Nova Scotian representative in the legislature since 1992 when exceptional ridings were introduced, and there has only been one MLA continuously since. He said we should not leave it to chance that such representation continues.

Session 5: The Notwithstanding Clause

Chaired by Saskatchewan MLA **Randy Weekes**, this panel brought together four parliamentarians to discuss how the notwithstanding clause has been used or how it is viewed in two provincial contexts.

Ontario MPP **Christine Hogarth** spoke of the province's decision to use the notwithstanding clause to alter the size of Toronto's municipal council and change some other elected positions in municipalities prior to an approaching election shortly after her party formed a government. She said although the press made it seem as though this was a significant issue for many voters – especially in the provincial capital –, as a Toronto MPP she noted she hasn't heard a peep about it since. Ms. Hogarth called the notwithstanding clause a safety valve put in place to give parliament the final say and limit the powers of the courts. Although a lower court found the government's legislation violated the Charter of Rights and Freedoms, an appeal court found the initial ruling was "dubious" and likely erred in law. Nevertheless, the notwithstanding clause was used while the government appealed to ensure the changes would be in place in time for the municipal elections. Ms. Hogarth said this was the first time the clause was used in Ontario, but certainly not the last time it will be used in the province or in Canada.

Ontario MPP **Catherine Fife** explained that the context behind the decision to use the notwithstanding clause is important. She noted that Toronto's municipal boundaries had been firmed up in 2014, there was much consultation and support for the new structure within the community, campaigns were underway and nominations were closed. In short, when the government announced its proposed changes shortly before votes were due to be cast, she said citizens felt marginalized and reacted strongly. Ms. Fife noted that the Ontario Municipal Board had upheld the new ward structure and even sitting government MPPs had voted in favour of proceeding with municipal elections using these boundaries shortly before the recent election. She stated the very clear about-face



Halifax played host to dozens of parliamentarians from across the country and other delegates and observers during the week-long annual Commonwealth Parliamentary Association Canadian Regional conference from July 14-19, 2019.

“seemed to come out of no where.” Ms. Fife added that the authors of the notwithstanding clause weighed in on its use and disagreed about whether this was an appropriate use of the clause. She concluded by stating the Charter is meant to protect against the tranny of the majority, and the notwithstanding clause requires a high threshold to use.

Québec MNA **Marilyne Picard** provided an historical look at the use of the clause in the province. She noted the possibility of using the clause exists in both the Canadian Charter and Québec’s Charter. Ms. Picard offered a number of examples of how the clause can be applied to fundamental liberties, but not to minority language rights, in the Canadian Charter. Individual civil rights can be affected in Québec’s Charter; for example, closed hearings in court to protect youth (contrary to the right to a public hearing), providing Indigenous presence or language fluency restrictions in juries, and the issue of commercial signage.

Finally, Québec MNA **Lise Thériault** provided arguments in favour of using the notwithstanding clause and arguments of limiting its use. Proponents of using the clause note that it allows Québec to protect its language rights and culture, it assures parliamentary sovereignty and reserves parliament’s right to make final decisions on question of law. People who favour limiting its use suggest that it should only be used in cases invalidated by the court in a corrective sense, that it should be used to protect recognized rights rather than to suspend them, that when used in a preventative sense it should adhere to the principles of respecting the will of the majority and avoiding long legal disputes, and that it should be reserved for only the most serious matters.

Session 6: Cannabis Legislation and Administration

Alberta Speaker **Nathan Cooper** chaired this session which examined how the country has addressed cannabis legalization and regulation. New Brunswick

Speaker **Daniel Guitard** explained how the debate in his province concerned how to protect public health and safety while regulating cannabis production and sales. The province created a Crown corporation to control distribution and suffered a fairly significant loss because less cannabis was sold than anticipated. A shortage of supply and delayed start meant less sales. However, he suggests that New Brunswick's Crown corporation was initially better equipped to meet social policy needs than business needs, and that it will work to change its business model over time.

Ontario MP **Yasmin Ratansi** provided the federal perspective on legalisation and noted that the provinces and territories determine how it is produced and sold. She provided a history of prohibition of drugs in Canada dating back to the early 20th century. Ms. Ratansi described the consultation process and how the legislation was introduced to establish a legal and regulatory framework.

Session 7: The Advent and Impact of Negative Campaigning

Chaired by British Columbia MLA **Raj Chouhan**, this session featured two presenters to define and discuss negative campaigning.

Senator **Salma Atallahjan** stated that negative campaigning involves criticizing competitors rather than promoting yourself. She said there is debate over whether it's an acceptable tactic. Some people suggest candidates aren't campaigning in a vacuum and most respond to each other. However, others say the focus on poor aspects of an opponent's qualities and platform increases cynicism among the electorate. Negative campaigning is often described as "American-style campaigning," but Senator Atallahjan said it's probably in every democratic system and not unique.

New Brunswick MLA **Megan Mitton** said distinction should be drawn between critiques over issues versus attacks on character (ie. mudslinging). She noted that negativity is more likely to appear in competitive races. Proponents of negative campaigning argue that it can provide information that is necessary for policy debates – but she wondered if it also has the potential to distort facts? She also suggested that some positive ads may not be truthful. Ms. Mitton said negative campaigning leads to a constant campaign even if the intensity varies from moment to moment, it discourages possible candidates and citizens, and causes disillusionment amongst citizens. She contended that it gives permission for people to say hateful things and even act in a problematic

way. Ms. Mitton concluded by stating that she believes politicians should lead by example and show people how to disengage. Banning negative campaigning isn't a viable option, but certain statements shouldn't go unchallenged because that suggests agreement.

Session 8: Dress Code in Parliament

Saskatchewan MLA **Nadine Wilson** chaired the conference's final session on dress code in parliament. British Columbia MLA **Janet Routledge** outlined the "right to bare arms" saga in her province. Previously, she had only heard rumours about what she could and couldn't wear and hadn't known about Standing Order 36 which requires men to wear jackets and ties and stipulates that clothing should reflect conservative standards. It was the job of the Sergeant of Arms staff to interpret the statement. The "Right to Bare Arms" controversy occurred when a staffer who was walking through Speaker's hallway wearing clothing that showed bare arms was told to put on a jacket or leave. A protest involving members of the press gallery and caucuses prompted multiple women to enter the Assembly with bare arms and numerous stories of staffers being told what to wear were reported. A review by the Acting Clerk encouraged members to exercise their own good judgment based on 14 general guidelines. Ms. Routledge concluded by stating this crisis allowed us to reassert that women could dress themselves without instruction.

Québec MP **Alexandra Mendès** stated that rules followed in House of Commons are based on Arthur Beauchesne's Parliamentary Rules and Forms of the House of Commons of Canada first published in 1916. In the 6th and final edition, it said nothing in the standing orders, but noted that it was up to the Speaker to determine what is appropriate in terms of 'conservative contemporary standards.' Ms. Mendès noted the degree of tolerance over clothing can vary over time and from Speaker to Speaker. Currently there is no dress code in the House of Commons, only tradition. However, some Speakers have ruled that in order to be recognized men must wear a tie. She explained how dress standards were relaxed when the air conditioning system was broken, however. Looking elsewhere, she noted that some territories and provinces have codified rules, while in Westminster, people used to wear wigs and top hats. Now members in the Mother of Parliaments must dress as if they were attending "a fairly formal business transaction." She concluded by noting although there is no formal dress code, men have been much more prescribed in what they must wear in the chamber than women.

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*As of September 30, 2019

Canadian Region
Commonwealth Parliamentary Association

Alberta

Office of the Clerk
3rd Floor, 9820-107 Street
Edmonton, Alberta T5K 1E7
780 427-2478 (tel)
780 427-5688 (fax)
clerk@assembly.ab.ca

Newfoundland & Labrador

Office of the Clerk
Confederation Building
P.O. Box 8700
St John's, NL A1B 4J6
709 729-3405 (tel)
709 729-4820 (fax)
sbarnes@gov.nl.ca

Ontario

Office of the Clerk
Room 104,
Legislative Bldg.
Toronto, ON M7A 1A2
416 325-7341 (tel)
416 325-7344 (fax)
clerks-office@ola.org

British Columbia

Office of the Clerk
Parliament Buildings
Room 221
Victoria, BC V8V 1X4
250 387-3785 (tel)
250 387-0942 (fax)
ClerkHouse@leg.bc.ca

Northwest Territories

Office of the Clerk
P.O. Box 1320
Yellowknife, NT X1A 2L9
867 669-2299 (tel)
867 873-0432 (fax)
tim_mercer@gov.nt.ca

Prince Edward Island

Office of the Clerk
Province House
P.O. Box 2000
Charlottetown, PE C1A 7N8
902 368-5970 (tel)
902 368-5175 (fax)
jajeffrey@assembly.pe.ca

Federal Branch

Executive Secretary
131 Queen Street, 5th Floor
House of Commons
Ottawa, ON K1A 0A6
613 992-2093 (tel)
613 995-0212 (fax)
cpa@parl.gc.ca



Québec

Direction des relations inter-
parlementaires
Assemblée nationale
Québec, QC G1A 1A3
418 643-7391 (tel)
418 643-1865 (fax)
simonb@assnat.qc.ca

Manitoba

Office of the Clerk
Legislative Building
Room 237
Winnipeg, MB R3C 0V8
204 945-3636 (tel)
204 948-2507 (fax)
patricia.chaychuk@leg.gov.mb.ca

Nova Scotia

Office of the Clerk
Province House
P.O. Box 1617
Halifax, NS B3J 2Y3
902 424-5707 (tel)
902 424-0526 (fax)
fergusnr@gov.ns.ca

Saskatchewan

Office of the Clerk
Legislative Building
Room 239
Regina, SK S4S 0B3
306 787-2377 (tel)
306 787-0408 (fax)
cpa@legassembly.sk.ca

New Brunswick

Office of the Clerk
Legislative Building
P.O. Box 6000
Fredericton, NB E3B 5H1
506 453-2506 (tel)
506 453-7154 (fax)
don.forestell@gnb.ca

Nunavut

Office of the Clerk
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU X0A 0H0
867 975-5100 (tel)
867 975-5190 (fax)

Yukon

Office of the Clerk
Legislative Building
P.O. Box 2703
Whitehorse, YT Y1A 2C6
867 667-5494 (tel)
867 393-6280 (fax)
clerk@gov.yk.ca

New and Notable Titles

A selection of recent publications relating to parliamentary studies prepared with the assistance of the Library of Parliament (June 2019 - September 2019)

“Where you sit and where you stand – Parliaments get facelifts; but it is politics that really needs one.” *Economist* 432 (9153), July 27, 2019: 51-2.

- Renovations give parliamentarians an opportunity to shore up democracy. Will they take it?

Barry, Nicholas, Miragliotta, Narelle, Nwokora, Zim. “The dynamics of constitutional conventions in Westminster democracies.” *Parliamentary Affairs* 72 (3), July 2019: 664-83.

- Constitutional conventions are fundamental to the operation of Westminster democracies. However, despite their political significance, there have been few attempts to analyse and theorise their internal dynamics.

Lagassé, Philippe. “The Crown and government formation: Conventions, practices, customs, and norms.” *Constitutional Forum constitutionnel* 28 (3), 2019: 1-17.

- The Crown’s role in government formation is poorly understood in Canada... The author begins the article with a discussion of the difference between constitutional convention, practice, custom, and norms. He then examines how the Crown’s role in government formation are guided by these four types of rules. The author concludes by recommending ways that vice-regal offices can better explain their functions and avoid confusion and controversy about their powers and personal discretion.

Martin, Shane, Whitaker, Richard. “Beyond committees: parliamentary oversight of coalition government in Britain.” *West European Politics* 42 (7), November 2019: 1464-86.

- A legislature’s ability to engage in oversight of the executive is believed to derive largely from its committee system... legislatures conventionally

considered weak due to the lack of strong committees may nevertheless play an important oversight role through other parliamentary devices, including helping to police the implementation of coalition agreements.

Marland, Alex. “Fewer politicians and smaller assemblies: How party elites rationalise reducing the number of seats in a legislature – Lessons from Canada.” *The Journal of Legislative Studies* 25 (2), June 2019: 149-68.

- Scholars are unable to rationalise the number of elected representatives in legislative assemblies. This study offers some insights into the political arithmetic by examining the rare event of reducing seats in a legislature. It is hypothesised that a policy of cutting electoral districts occurs during a search for cost efficiencies and a burst of populism. Interviews with party elites involved with seven seat reduction events in Canadian provinces establishes that the primary reason for the policy is its symbolic value. The message of fewer politicians sets an example for belt-tightening across government that will assist the executive branch with its austerity agenda. In these situations, the final number of members of a legislature matters little to a cabinet and most legislators compared with the broader symbolism of a smaller legislative branch.

McFall of Alcluith, Lord (Chair). “Review of House of Lords Investigative and Scrutiny Committees: towards a new thematic committee structure.” House of Lords Liaison Committee - 6th Report of Session 2017-19, HL Paper 398, Ordered to be printed July 8, 2019 and published July 17, 2019: 106p.

- The report recommends a move towards a more thematic structure of committee activity, addressing current scrutiny gaps including those around health, education and social affairs. It is recommended that a new Public Services Committee be created at the beginning of the next

Parliamentary session, and that the remits of some existing committees be expanded to provide more comprehensive coverage of the main areas of public policy. The report also contains measures intended to allow Lords committees to engage more widely and more creatively with external audiences, alongside provisions for greater follow-up and evaluation of previous committee activity.

Murphy, Gavin. "Whither legal professional privilege for government legal advice in the UK?" *Journal of Parliamentary and Political Law / Revue de droit parlementaire et politique* 13 (1), April/avril 2019 : 7-12.

- Amid the utter confusion surrounding negotiations for the United Kingdom's possible departure from the European Union following the 2016 Brexit referendum, one of the largely overlooked issues was parliament's vote of contempt against the Conservative government of Theresa May...

Neudorf, Lorne. "Reassessing the constitutional foundation of delegated legislation in Canada." *Dalhousie Law Journal* 41 (2), Fall 2018: 519-73.

- This article assesses the constitutional foundation by which Parliament lends its lawmaking powers to the executive, which rests upon a century-old precedent established by the Supreme Court of Canada in a constitutional challenge to wartime legislation...

Snagovsky, Feodor, Kerby, Matthew. "Political staff and the gendered division of political labour in Canada." *Parliamentary Affairs* 72 (3), July 2019: 616-37.

- While there is considerable research on elected legislators in a variety of contexts, the academic knowledge about their advisors is very limited... the authors demonstrate while close to an equal number of men and women work for MPs in a political capacity on Parliament Hill, men continue to dominate legislative roles while women continue to dominate administrative roles. Further, legislative work increases political ambition, which means more men benefit from the socialising effects of legislative work than women.

Timmins, Nicholas. "An elementary primer for politicians and potential chairs on public inquiries." *The Political Quarterly* 90 (2), April-June 2019: 238-44.

- There is relatively little central government guidance available on how to set up and run a

public inquiry. This short piece seeks to set out the very basic questions that politicians considering creating one—and potential chairs—will need to address. Including, crucially, whether a public inquiry is even the right answer. In the context of the National Health Service, on which this analysis focusses, it also argues that money may be far better spent on applying what is already known from the many previous inquiries—that is, spend it on prevention—rather than waiting to spend it on future similar inquiries that will, more than likely, produce similar findings and recommendations.

Walker, Charles (Chair). "Should there be a Commons Budget Committee?" House of Commons Procedure Committee - Tenth Report of Session 2017-19, HC 1482, July 9, 2019: 46p.

- ...the Committee recommends that the Government urgently implements significant improvement to Estimates documents to make them easier to understand, clearer and more helpful to a non-specialist audience. We expect to see more granular data, better presented, published either within or alongside the 2020-21 Main Estimates. The Government should aspire to match the detail on expenditure plans available to Parliamentarians and the public in Canada and New Zealand.

Cauchon, Hubert. "Sanction royale : un pouvoir discrétionnaire toujours exercé." *National Journal of Constitutional Law / Revue nationale de droit constitutionnel*, 39 (2), April/avril 2019 : 191-221.

- Royal assent is the exercise of a constitutional legislative function necessary to the enactment of statutes. As a matter of law, refusal of royal assent prevents any bill to become an act of parliament but the exercise of that power is meant to be completely neutralised by a constitutional convention. This article questions the existence of this convention. To do so, the author highlights the practical differences between the exercise of royal assent in the United Kingdom and Canada. Then he catalogues the limits within which royal assent may be granted. The author then demonstrates that some discretion is being exercised by the ministry every time royal assent is granted. Finally, the author argues that the discretionary power today has shifted to the governmental power to bring acts into force.



British Columbia

The spring sitting of the fourth session of the 41st Parliament adjourned on May 30, 2019. During the sitting, 33 bills received Royal Assent, including two Private Members' bills introduced by the Third Party Leader.

Legislation

The following bills were of particular note:

- Bill 8, *Employment Standards Amendment Act, 2019*, makes changes to the *Employment Standards Act* which has not been significantly updated in 15 years. The Bill received Royal Assent on May 30, 2019 and the changes include stronger child employment protections that broadly raise the age a child may work from 12 to 16 with exemptions that allow 14-year-olds and 15-year-olds to perform light work. The Bill also seeks to modernize the employment standards system with a more effective compliance and enforcement program.
- Bill 10, *Income Tax Amendment Act, 2019*, is designed to bring together the fiscal elements needed to support LNG investment. This bill repeals the *Liquefied Natural Gas Income Tax Act* and the *Liquefied Natural Gas Project Agreements Act* and amends the *Income Tax Act* to implement a natural gas tax credit. This provides a non-refundable tax credit to qualifying corporations that own natural gas as it enters the inlet meter of an LNG facility in British Columbia. An amendment proposed by a Member of the Official Opposition, **Mike de Jong**, removing the *Liquefied Natural Gas Project Agreements Act* from a list of Acts to be repealed by the Bill, was adopted when the division on the amendment resulted in a tie and the Chair, Deputy Speaker **Joan Isaacs**, a Member of the Official Opposition, cast her vote in favour of the amendment, stating her decision was a matter of conscience. The bill was reported as amended and received Royal Assent on April 11, 2019.
- Bill 30, *Labour Relations Code Amendment Act, 2019*, reflects the recommendations provided to government by a panel of special advisers who undertook a comprehensive public review of the Labour Relations Code during early 2018. Changes

introduced by this bill include protecting union certification and collective agreement rights for employees in specified sectors who are affected by contract re-tendering; and enhancing mediation and arbitration provisions to ensure timely and efficient resolution of labour relations disputes. The *Labour Relations Code Amendment Act* received Royal Assent on May 30, 2019.

On April 10, 2019, the Third Party Leader, **Andrew Weaver**, introduced Bill M209, *Business Corporations Amendment Act (No. 2)*, which received Royal Assent on May 16, 2019. This bill amends the *Business Corporations Act*, adding a new section to the act that would give companies in British Columbia who put the pursuit of social and environmental goals at the heart of their mission the ability to incorporate as benefit companies. The Leader of the Third Party also introduced Bill M206, *Residential Tenancy Amendment Act, 2019*, which amends the *Residential Tenancy Act* to provide tenants with the ability to end their fixed-term lease if staying in their rental unit is a threat to their safety or security; and broadens the family violence provisions introduced in 2015. Bill M206 received Royal Assent on May 30, 2019. Committee of the Whole proceedings on both bills was unusual. The responsible Minister in each case (**Carole James**, Minister of Finance, and **Selina Robinson**, Minister of Municipal Affairs and Housing, respectively) was present to answer questions directed to ministry staff due to a process established by government for the consideration of Private Members' Bills in Committee of the Whole that only permitted a Minister to confer with ministerial staff seated on the floor of the House. The last Private Member's Bill to receive Royal Assent in BC was Bill M 203, *Terry Fox Day Act*, on November 27, 2014, introduced by a Private Member of government caucus.

Estimates

The Committee of Supply spent more than 192 hours considering the 2019-2020 ministry Estimates; 17 fewer hours than last year. Traditionally the Committee of Supply sits in two sections but, as in 2018, the Legislative Assembly authorized an additional third section (C) to assist in completing debate on both Estimates and bills. As noted in the previous issue, Bill 6, *Supply Act (Supplementary Estimates)* received Royal Assent on March 25 – the first time supplementary estimates have been authorized since 2008-2009. The Committee of Supply spent over 14 hours considering the Supplementary Estimates of nine ministries.

Speaker's Statement: Conduct of MLAs and Rules for Question Period

Between April 1 and April 9, 2019, there were frequent interruptions, interjections, and general disorder during oral question period and Speaker **Darryl Plecas** called the Members to order numerous times. On April 2, 2019, after Members immediately heckled each other at the start of question period, the Speaker stated that he was reluctant to recess the House in the middle of question period. At the beginning of oral question period on April 3, 2019, the Speaker made a further statement regarding the continuing unruly conduct during question period.

On Tuesday, April 9, 2019, the Official Opposition House Leader, **Mary Polak**, raised a point of order, seeking clarification on the Speaker's specific expectations with respect to interjections during question period. The following day, the Speaker made a statement regarding the conduct of Members and rules for question period. He referred to Standing Order 47A, which outlines the basic expectations for oral question period, and acknowledged that presiding over oral question period is always a challenging role for a Speaker. He noted that it had become virtually impossible for the Chair to hear proceedings, particularly answers to questions. With respect to questions about the role of the Chair, the Speaker provided a detailed statement to the House: that he as Speaker would interfere in debate if it appeared that either the question or the response could not be heard; that he would exercise his discretion where it's afforded to him by the rules of the House, including allowing or disallowing a supplementary question, as provided for in Standing Order 47A, subsection (c); that as Speaker, he had a fundamental duty to uphold order and decorum in the House and he would not hesitate to ask Members to come to order when such discretion is merited and at any point during a sitting, including during oral question period; and that at the end of question period, Members must be succinct in stating their question or providing a brief response, as the case may be.

Legislative Assembly Administration

As reported in the previous issue, on March 7, 2019 the House Leaders announced that former Chief Justice of Canada, **Beverley McLachlin**, had been retained as a Special Investigator to conduct an investigation into allegations of misconduct against the Clerk and Sergeant-at-Arms, and to present a

final report to House Leaders by May 3, 2019. The Special Investigator's final report was received by the House Leaders on May 2, 2019 and was tabled in the Legislative Assembly by the Government House Leader on May 16, 2019. The Special Investigator found that **Craig James**, as Clerk, engaged in misconduct with respect to four of the five allegations investigated, specifically in relation to making expense claims for improper purchases of a personal nature; directing the creation of three benefits to his personal advantage outside of established protocols; improperly removing Legislative Assembly property from the Legislative Precinct without accounting for it; and improperly using legislative property for personal purposes. The Special Investigator found that **Gary Lenz**, as Sergeant-at-Arms, did not engage in misconduct with respect to any of the five allegations investigated in the report. Mr. James retired effective May 16, 2019 and Mr. Lenz continues on administrative leave. On May 30, 2019 the Legislative Assembly appointed a Special Committee to select and unanimously recommend the appointment of a Clerk to the Legislative Assembly pursuant to statutory provisions and the Standing Orders of the Legislative Assembly.

As reported in the previous issue, on March 7, 2019 the Speaker, as Chair of the Legislative Assembly Management Committee, presented a report from the Committee in the Legislative Assembly. The report notes that the Committee instructed the Acting Clerk of the Legislative Assembly during its meeting on January 21, 2019 to develop the scope for a financial audit of Legislative Assembly departments, and to develop a framework for a workplace review. The results of the audit will be released as a number of small reports, the first of which is expected to be released in late summer 2019. A request for proposals for the workplace review is currently being drafted.

Parliamentary Committees

This spring, three parliamentary committees launched concurrent public consultations.

On February 21, 2019, the Legislative Assembly appointed a Special Committee to conduct an audit respecting the outcome or resolution of randomly selected complaints and investigations, pursuant to section 51.2 of the *Police Act* [RSBC 1996] c. 367. As part of its review of the police complaint process, the Committee launched a public consultation, including a call for written submissions, on the efficiency, effectiveness, and accessibility of the police complaint

process; aspects of the police complaint process that could be improved; and suggestions for changes to Part 11 of the *Police Act*. Sixteen written submissions were received by the June 28, 2019 deadline. The Committee also issued a Request for Proposals to engage an auditor to conduct a compliance and a performance audit of the police complaint process. The successful proponent was MNP, LLP who must present a report to the Committee by October 1, 2019.

The Select Standing Committee on Children and Youth launched a special project focused on the assessment and eligibility process for children and youth with Autism Spectrum Disorder, Fetal Alcohol Syndrome Disorder, or Developmental Delay on April 15, 2019. Public hearings took place during the weeks of May 20 and June 3 with a deadline for written submissions of June 7, 2019. The Committee heard 85 presentations and received 136 written submissions from service providers, parents, caregivers, and other people with an interest in children and youth with neuro-diverse special needs.

According to the *Budget Transparency and Accountability Act*, S.B.C. 2000, c. 23, the Minister of Finance must make public a budget consultation paper no later than September 15 each year. It is then referred to the Select Standing Committee on Finance and Government Services which must conduct consultations as it considers appropriate and make public a report on the results of those consultations no later than November 15. This year, the Committee, in conjunction with the Ministry of Finance, adjusted that timeline: the Minister of Finance released the budget consultation paper on June 3, 2019, and accordingly, the public consultation took place throughout June 2019. This change will enable the Committee to deliver a final report to the Legislative Assembly earlier in the budget process and will allow more time for government's review and consideration of the Committee's recommendations. The Parliamentary Committees Office sent over 900 emails to stakeholders to notify them of this change in addition to advertising in provincial and regional newspapers and on social media. The Committee received 492 written submissions, received 452 survey responses and heard 276 presentations in comparison to 253 written submissions, 473 survey responses, and 267 presentations last year. The Committee is also seeking feedback from the public on this change in timing. The Committee is expected to issue its report by the end of July or early August 2019.

Statutory Officers

Acting Conflict of Interest Commissioner

As reported in the previous issue, on March 29, 2019 BC's Conflict of Interest Commissioner **Paul Fraser** passed away after a short illness. On May 9, 2019, the Legislative Assembly appointed a Special Committee to select and unanimously recommend the appointment of a new Conflict of Interest Commissioner pursuant to Section 14(6) of the *Members' Conflict of Interest Act*. **Lynn Smith** was appointed as Acting Conflict of Interest Commissioner on June 17, 2019 by Order in Council. Ms. Smith received a Bachelor of Laws degree from the University of British Columbia (UBC) and an honorary Doctor of Laws degree from Simon Fraser University. She was appointed to BC's Supreme Court in 1998 and served as a Supreme Court justice until her retirement in 2012. The Special Committee to Appoint a Conflict of Interest Commissioner issued a call for applications for the position on June 21, 2019 with a deadline to apply for the five-year term appointment by August 30, 2019.

Human Rights Commissioner

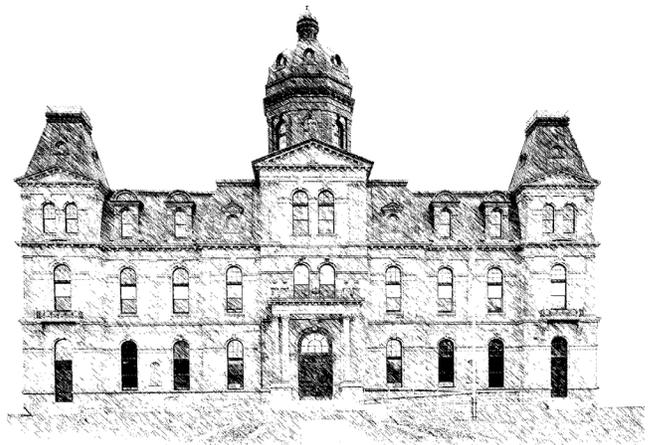
This year, the Legislative Assembly appointed its ninth Statutory Officer: a Human Rights Commissioner. This position was established following the adoption of amendments to the *Human Rights Code* on November 27, 2018. The Special Committee to Appoint a Human Rights Commissioner issued an open call for applications on February 1, 2019 and, after a series of interviews and deliberations, recommended **Kasari Govender**. The Legislative Assembly appointed her to the position on May 29, 2019. Ms. Govender has an extensive background defending human rights and working with diverse communities as well as a commitment to Indigenous reconciliation and women's rights, and will commence her role on September 3, 2019.

Retirement of Acting Sergeant-at-Arms

On May 31, 2019 **Randy Ennis**, Acting Sergeant-at-Arms, retired from the Legislative Assembly. Mr. Ennis joined the Legislative Assembly Protective Services as a Constable in 2005 and was promoted to various positions, including to Deputy Sergeant-at-Arms in 2009. Prior to working at the Legislative Assembly, Mr. Ennis served as a member of the Canadian Airborne Regiment and was appointed as a Member of the Order of Military Merit. In addition, **Ron Huck**, Staff Sergeant and Operations Commander, retired from

the Legislative Assembly on the same day. Mr. Huck joined the Legislative Assembly Protective Services as a Constable in 2006 and was promoted to Staff Sergeant and Operations Commander in 2009. He previously worked as a Police Officer with the Saanich Police Department for 11 years and worked in the BC Public Service for 22 years prior to that. The Premier paid tribute to both in the House.

Katey Stickle
Committee Researcher



New Brunswick

Sitting Days and Standings

The Second Session of the 59th Legislature adjourned on June 14 after 40 sitting days and is scheduled to resume sitting on November 19, 2019. The current standings in the House are 22 Progressive Conservatives, 21 Liberals, three Greens and three People's Alliance.

Committees

The Standing Committee on Estimates and Fiscal Policy, chaired by **Glen Savoie**, met in the Legislative Assembly Chamber for three weeks in April and May to review and approve the budgetary estimates of various government departments.

Kimberly Poffenroth, the Chief Electoral Officer, tabled a discussion paper on June 4 before members of the Standing Committee on Procedure, Privileges and Legislative Officers, chaired by **Stewart Fairgrieve**. With a goal of enhancing and modernizing voting procedures, the recommendations contained in the discussion paper entitled "*Modernizing New*

Brunswick's Electoral Legislation" include amendments to the *Elections Act*, the *Political Process Financing Act* and the *Municipal Elections Act*. Initiatives included such items as: eliminating the political appointment of the returning officers who manage provincial and municipal elections and establishing a competitive, competency-based hiring process; eliminating the restrictions on advertising on election day and the day preceding; and introducing vote-by-mail for any municipal byelection or local service district plebiscite held between general elections. Elections New Brunswick invited all interested individuals, including stakeholders with direct ties to the electoral processes administered by the organization, to review the recommendations and offer feedback before September 30. The feedback received will help to form the final recommendations that will be submitted to the government for modernizing the various pieces of legislation.

On June 11, the Standing Committees on Public Accounts and Crown Corporations, chaired by **Roger Melanson** and **Glen Savoie** respectively, met with Auditor General **Kim MacPherson**, who presented three performance audits of government programs and a special review. The performance audits were in relation to Medicare cards, outsourcing of highway maintenance and construction work, and the collection and forgiveness of overdue property taxes. The special review was in relation to the City of Saint John funding agreement and found that the \$22.8 million agreement to address the city's anticipated budget deficits created several risks and challenges for the province. According to the Auditor General, the agreement terms created an inappropriate incentive for the city to report deficits to maximize funding. As well, negotiators allowed key safeguards protecting the province to be removed. The Auditor General was also of the view the agreement circumvented the *Local Governance Act* discouraging ongoing deficits and violated the *Financial Administration Act*. The Standing Committee on Public Accounts agreed to hold further public hearings on the agreement in August to hear from various individuals involved in its development and implementation.

Legislation

As of June 14, 30 bills were introduced during the Spring session, including:

Bill 13, *An Act to Amend the Local Governance Act*, introduced by Environment and Local Government Minister **Jeff Carr**, which enables local governments

to create bylaws imposing tourism accommodation levies on guests of hotels and other accommodation providers to help fund local tourism marketing and development projects.

Bill 14, *An Act to Amend the Motor Vehicle Act*, introduced by Public Safety Minister **Carl Urquhart**, which eliminates the requirement of front licence plates on passenger and light commercial vehicles.

Bill 28, *An Act to Amend the Family Services Act*, introduced by Social Development Minister **Dorothy Shephard**. The proposed amendments to the *Family Services Act* incorporate kinship care into legislation as a care option for children and provide a new alternative to adoption known as transfer of guardianship, involving an arrangement with kin or a long-standing foster relationship. It also incorporates treatment centres into legislation as a new resource available to children, and it adds provisions related to the screening process for those working or having frequent contact with children receiving services or resources under the *Family Services Act*.

Bill 30, *An Act Respecting Certain Responsibilities of the Integrity Commissioner and the Ombud*, introduced by Minister of Justice and Attorney General **Andrea Anderson-Mason**, which transfers responsibilities for the *Right to Information and Protection of Privacy Act* and the *Personal Health Information Privacy and Access Act* to the Ombud permanently. It also expands the role of the Integrity Commissioner to grant the commissioner the authority currently provided to a designated judge under the *Conflict of Interest Act*, which includes the authority to provide advice, administer disclosures and oaths, investigate and make determinations with respect to Deputy Ministers, executive staff members, and heads of Crown corporations.

In light of a series of measles cases in the Saint John area, Education and Early Childhood Development Minister **Dominic Cardy** introduced Bill 39, *An Act Respecting Proof of Immunization*, proposing amendments to the *Education Act* and *Public Health Act* to remove the option for nonmedical exemptions from the mandatory immunization requirements for public school and licenced early learning and child care admissions. The order for second reading of the Bill was discharged and the subject matter of the Bill referred to the Standing Committee on Law Amendments for future consultations.

The first Bill introduced by the People's Alliance and their Leader, **Kris Austin**, was Bill 18, *An Act to Amend*

the *Motor Vehicle Act*, which passed third reading and awaits proclamation. The bill extends the annual certificate of inspection for vehicles to two years.

Robert McKee, a Member from the Official Opposition, introduced Bill 40, *An Act Respecting Third Party Advertising*. The purpose of the Bill is to ensure third party political advertising outside an election period is disclosed. The bill would mandate the Supervisor of Political Financing to complete a review of third party spending limits and report back with recommendations. It would also cause political parties that are found to have violated the existing ban on collusion with third parties to be deregistered as political parties.

The Speaker of the House, **Daniel Guitard**, broke a tie vote at second reading of Bill 23, *An Act to Amend the Electricity Act*, introduced by Green Party Leader **David Coon**. The Bill allows municipal and First Nations governments to create partnerships with local renewable power producers and permits publicly owned municipal distribution utilities in Saint John, Edmundston, and Perth-Andover to secure electric power from local renewable power producers outside their municipal boundaries. The Speaker voted in favour of the Bill at second reading to allow further debate in Committee of the Whole, where the Bill was eventually defeated.

Resolution

In support of nursing home workers and their fight for a new contract, the Leader of the Official Opposition, **Denis Landry**, introduced Motion 36 urging the government to work with the New Brunswick Association of Nursing Homes and provide the Association the assurances necessary for them to agree to enter into binding arbitration to resolve this dispute and enter into a collective agreement. With the support of two People's Alliance MLAs and three Greens, the motion was adopted in a 25-21 vote.

New Leader Elected

Kevin Vickers was elected Leader of the New Brunswick Liberal Party on April 24, 2019, replacing former Premier **Brian Gallant**. After serving for 29 years in the RCMP, **Kevin Vickers** was the Sergeant-at-Arms of the House of Commons from 2006 to 2015 and helped end the Parliament Hill attack in October 2014. He was awarded the Star of Courage and named Canadian Ambassador to Ireland in 2015. He retired in 2019 to pursue his political career in New Brunswick. As he does not currently have a seat in the legislature,

Denis Landry serves as the Leader of the Official Opposition in the Assembly.

Alberta Premier Addresses the Legislative Assembly

Alberta Premier **Jason Kenney** was in New Brunswick and addressed the Assembly on June 13 as part of a cross country tour to raise support for oil and gas development. In his address, he mentioned the important ties between Alberta and New Brunswick, announcing his intention to work with New Brunswick's Premier **Blaine Higgs** to strengthen national unity, to be partners in trade with the development of natural resource corridors, and to support federal policies to help peoples of both provinces enjoy prosperity.

50th Anniversary of the Official Languages Act

Fifty years ago, New Brunswick became the only officially bilingual province. A law was passed, and a movement of equality was launched. Since the enactment of the *Official Languages Act* in 1969, numerous measures have been implemented to foster the cultural, economic, educational and social development of the official linguistic communities. The anniversary is seen as an opportunity to celebrate the province's two official linguistic communities. A variety of events and initiatives will take place this year, in partnership with the Office of the Commissioner of Official Languages and several other community organizations in New Brunswick.

100th Anniversary of Women's Right to Vote in New Brunswick

The right for women to vote in provincial elections came into effect on April 15, 1919. Until 1843, women were technically allowed to vote in New Brunswick but that changed in 1843 when the *Elections Act* was amended to state that only men who owned property could vote. Women were officially excluded. Between 1885 and 1919, eight bills and four resolutions for women's suffrage were introduced in the legislature. In January 1919, most Canadian women over 21 won the right to vote in federal elections. In April of that year, New Brunswick's Attorney General introduced a bill given royal assent on April 17, allowing women to vote in provincial elections. It would take until 1934 before women were given the right to hold public office. **Brenda Robertson** became the first woman elected to the New Brunswick Legislature in 1967.

Martine Brouillette
Research Officer



Manitoba

3rd Session of the 41st Legislature – Spring Sitting

The Third Session of the 41st Legislature resumed on March 6, 2019 with the summer adjournment scheduled for June 3, 2019. During the Spring sitting, the House considered Specified Government Bills and several Private Members' Bills.

On June 3, 17 Government Bills and four Private Members' Bills received Royal Assent, including:

- Bill 7 – *The Highway Traffic Amendment Act (Immediate Roadside Prohibitions)*, allowing peace officers to impose immediate roadside prohibitions on drivers based on blood alcohol content;
- Bill 8 – *The Referendum Act*, which requires that a referendum be held before implementing a significant change to the provincial voting scheme and before the Manitoba Legislative Assembly can vote on authorizing an amendment to the Canadian Constitution;
- Bill 9 – *The Family Law Modernization Act*, creating a pilot project for a new dispute resolution process to resolve family disputes outside the traditional court system. The bill includes a simplification of the child support processes, expansion of the administrative authority of the Maintenance Enforcement Program, and improved enforceability of family arbitration awards. The pilot program will last three years;
- Bill 15 – *The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Possession Restrictions)*, which prohibits the possession of more than 30 grams of non-medical cannabis in a public place;
- Bill 21 – *The Legislative Building Centennial Restoration and Preservation Act*, allocating \$10 million annually for the next 15 years to address much needed restoration and preservation of the

Manitoba Legislative Building, the grounds and associated infrastructure;

- Bill 240 – *The Elections Amendment Act* requiring candidates to disclose offences under the *Criminal Code*, the *Controlled Drugs and Substances*, and *The Income Tax Act* or the *Income Tax Act (Canada)*, that they have pleaded guilty to or been found guilty of.

Budgetary Items

The Committee of Supply considered the Estimates of the Departmental Expenditures for one day during the Spring sitting, without therefore completing all the necessary steps for the passage of the budget by the last sitting day before the summer.

Before the House rose for the summer, the Committee of Supply considered and passed supply resolutions dealing with temporary funding for operating and capital expenditures until the main supply bills are completed. The House also dealt with passing all stages of a second Interim Supply bill for the current fiscal year. As a result, Bill 33 – *The Interim Appropriation Act, 2019 (2)* received Royal Assent on June 3, 2019.

During this past session, the Government also introduced Bill 30 – *The Interim Appropriation Act, 2020*, to authorize operating and capital expenditures for the 2020-2021 fiscal year. The bill did not go through any further than being introduced in the House, but this was a new and innovative type of Interim Supply bill. In Manitoba new budgets are usually introduced in April: therefore Interim Supply bills are necessarily introduced and passed in March to guarantee normal functioning of government. However, there has never been an Interim Supply bill introduced so early for the following fiscal year.

Standing Committees

During the Spring sitting, the Standing Committees on Social and Economic Development, Legislative Affairs, Private Bills, and Justice held a total of seven meetings hearing public presentations on legislation and completing consideration of clause-by-clause of several bills.

The May 29 meeting of the Social and Economic Development meeting is worthy of mention because the committee sat for almost six hours to hear 30 presentations on *Bill 30 - An Act concerning the Leasing of 800 Adele Avenue, Winnipeg*. The purpose of the Bill was to terminate the lease of 800 Adele

Avenue, Winnipeg, that was entered into by the First Nations Southern Manitoba Child and Family Services Authority. For the first time in the history of the Manitoba Legislature, translation services were offered in a language other than French (although in the past services have occasionally be provided for sign language interpretation). Prior to the committee, several presenters enquired about the possibility to be given the possibility to speak Punjabi language during their presentation. The Committees Branch provided a translator who was present during the meeting to translate the presentations into English. However, the Committee did not start clause-by-clause consideration of the Bill prior to the House rising for summer; therefore, the Bill will not proceed further due to an election having been called.

In addition, the Standing Committee on Legislative Affairs completed the hiring process for a new Ombudsperson. On May 9 the Committee recommended to the President of Executive Council that **Jill Perron** be appointed as the Ombudsperson for the Province of Manitoba

42nd General Election of Manitoba

On June 19, 2019 Manitoba Premier **Brian Pallister** announced voters will go to the polls on September 10. Manitoba has fixed election date legislation and the 42nd General Election was schedule for October 6, 2020. Nevertheless, legislation does not affect the powers of the Lieutenant Governor to dissolve the Legislature at the request of the Premier. Premier Pallister is expected to drop the writ sometime in August, which will start a campaign of either 28 or 34 days. At the time this report was submitted, political parties are nominating candidates for the 57 constituencies.

Retiring Members

Several MLAs have announced that they will not run for re-election in September 2019, including some long serving Members and former ministers:

- **James Allum**; first elected in October 2011 and re-elected in 2016, Mr. Allum served twice as Minister of Education and also as Minister of Justice and Attorney General.
- **Rob Altemeyer**; served four terms starting June 2003, always representing the central constituency of Wolseley, in Winnipeg. Mr. Altemeyer has chaired many committees and was for a long time the deputy chairperson of the Committee of the Whole House.

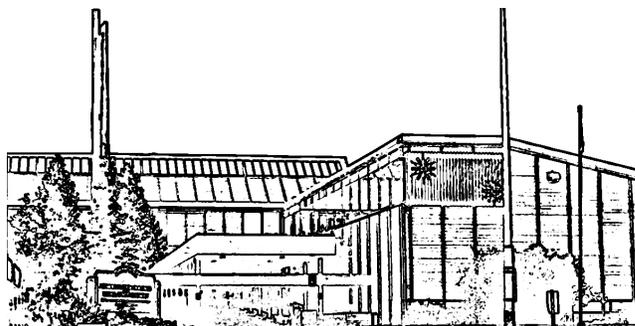
- **Nic Curry**; first elected in 2016 in the now defunct urban constituency of Kildonan, in north Winnipeg.
- **Flor Marcelino**; elected in 2007, has served three terms representing citizens living in the core area of Winnipeg. Ms. Marcelino served in Cabinet for several years first as Minister of Culture, Heritage and Tourism and later as Minister of Multiculturalism and Literacy. Ms. Marcelino was also the first female MLA of Filipino heritage to be elected in the Manitoba Legislative Assembly.
- **Andrew Swan**; first elected in a by-election in June 2004, for the last 15 years Mr. Swan has represented Winnipeg west end constituency of Minto. Mr. Swan has been member of Cabinet for a good part of his time as MLA first as Minister of Competitiveness, Training and Trade and later as Minister of Justice and Attorney General. For a year Mr. Swan also served as Government House Leader.

Current Party Standings

The party standings in the Manitoba Legislature prior to the 42nd General Election are: Progressive Conservatives 38, New Democratic Party 12, Liberal Party four with three Independent Members.

Andrea Signorelli

Clerk Assistant/Clerk of Committees



Yukon

2019 Fall Sitting

As per the provisions of Standing Order 75(10), the 2019 Fall Sitting of the Second Session of the 34th Legislative Assembly is expected to commence during the first week of October.

Bills Assented to During 2019 Spring Sitting

The 2019 Spring Sitting began on March 7 and concluded on April 30, after 30 sitting days. During the Sitting, the following government bills were assented to by Yukon Commissioner **Angélique Bernard**:

- Bill No. 29, *Miscellaneous Statute Law Amendment Act, 2019*
- Bill No. 30, *Act to Amend the Education Labour Relations Act*
- Bill No. 31, *Act to Amend the Employment Standards Act*
- Bill No. 32, *Act to Amend the Securities Act*
- Bill No. 33, *Yukon Government Carbon Price Rebate Implementation Act*
- Bill No. 208, *Third Appropriation Act 2018-19*
- Bill No. 209, *Interim Supply Appropriation Act 2019-20*; and
- Bill No. 210, *First Appropriation Act 2019-20* (the bill, providing for a record budget of nearly \$1.5 billion, was introduced by Yukon's Premier and Finance Minister, **Sandy Silver**)

No private members' bills were introduced or considered during the 2019 Spring Sitting.

Report of the Auditor General

On June 18, officials from the Office of the Auditor General of Canada (OAG) presented Speaker **Nils Clarke** with a performance audit entitled *Report of the Auditor General of Canada to the Yukon Legislative Assembly: Kindergarten Through Grade 12 Education in Yukon – Department of Education*. Later that morning, the officials provided MLAs with an in camera briefing in the Chamber on the report. In the afternoon, OAG officials met with the Standing Committee on Public Accounts.

The OAG's performance audit, which is posted on the Committee's webpage, concluded that "the Department of Education did not do enough to assess or address the long-standing gaps in student outcomes" and "did not do enough to deliver education programs that were inclusive and that fully reflected Yukon First Nations culture and languages."

New NDP Leader

Kate White, the MLA for Takhini-Kopper King, was formally acclaimed as the new Leader of Yukon's NDP at the party's May 4, 2019 leadership convention, held at the Kwanlin Dün Cultural Centre in Whitehorse.

While Ms. White was formally endorsed by the party on that date, at the close of nominations on April 18, she was the sole declared candidate.

Ms. White was first elected to the Legislative Assembly in the October 2011 general territorial election and re-elected in the November 2016 general election. Ms. White's online caucus biography notes that she is a Red Seal baker, has worked in the mining industry, and works as a life-skills coach with women at Corrections Yukon.

Ms. White assumes the leadership mantle from **Liz Hanson**, who last November announced plans to step down from the role upon the selection of a new leader. Ms. Hanson, who became NDP Leader in September 2009 and has served as Leader of the Official Opposition, and Leader of the Third Party, retains her Whitehorse Centre seat. Together, Ms. White and Ms. Hanson form the Third Party Caucus.

New Clerk of the Legislative Assembly

As anticipated in Yukon's preceding legislative report, on May 4, 2019 **Dan Cable** officially became Clerk of the Legislative Assembly. On March 5, Speaker Clarke, Chair of the Members' Services Board (an all-party committee of the Assembly) announced that the Committee had selected Mr. Cable to succeed **Floyd McCormick** as Clerk. Mr. Cable comes to the Assembly with 17 years of experience in the Yukon government's Department of Justice. For the past 13 years, he served as the department's Director of Policy and Communications. The Speaker's news release noted that Mr. Cable's responsibilities included ministerial support, as well as the Justice department's access to information and protection of privacy file. Mr. Cable has an undergraduate degree in Political Science from the University of British Columbia, and a Master's Degree in Public Administration from the University of Alaska.

In order to provide for a smoother transition, the incoming Clerk and the outgoing Clerk enjoyed a period of overlap from April 1 to May 3.

Dr. McCormick's final day as Clerk was May 3; he had served in that role since March 2007, having begun his career at the Assembly in August 2001, as Deputy Clerk. With unanimous consent, before adjourning for the summer on April 30, Speaker Clarke, Government House Leader **Tracy-Anne McPhee**, Dean of the House and Official Opposition MLA **Brad Cathers**, and Ms. Hanson, Third Party

Leader, paid tribute to the outgoing Clerk, following which Dr. McCormick was piped out of the Chamber.

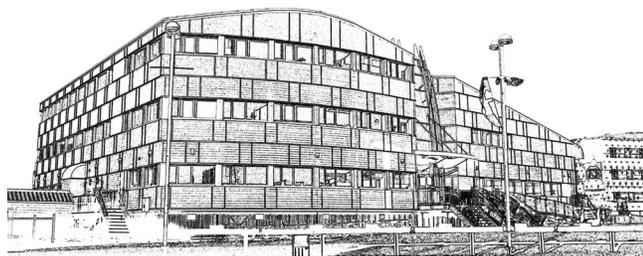
Youth Parliament

As forecasted in Yukon's preceding legislative report, a youth parliament program for high school students was delivered between April 10 and 12. The youth parliament proceedings conducted in the Chamber on April 12 formed the centerpiece of the program. Speaker Clarke presided over both the morning sitting and the afternoon sitting of the youth parliament. A youth parliament exercise had not been held in the Yukon Legislative Assembly since April 2010.

Respectful Conduct policy

A July 11 news release issued by the Yukon Legislative Assembly Office announced the creation by the Members' Services Board (an all-party Committee of the Assembly) of a respectful workplace policy for MLAs. As noted in the announcement, the policy "contains guidance for Members as well clear definitions of what constitutes disrespectful conduct and the remedies and procedures available for redress." The policy, which was approved by the Members' Services Board on June 12 and took immediate effect, is posted on the Legislative Assembly's website.

Linda Kolody
Deputy Clerk



Nunavut

House Proceedings

The Winter 2019 sitting of the 2nd Session of the 5th Legislative Assembly convened on February 19, 2019, and concluded on March 12, 2019. The proceedings of the Committee of the Whole during the Winter 2019 sitting were dominated by the consideration of the government's proposed 2019-2020 main estimates.

Eight bills received Assent during the Winter 2019 sitting:

- Bill 13, *Write-Off of Assets Act, 2017-2018*;
- Bill 15, *Appropriation (Operations and Maintenance) Act, 2019-2020*;
- Bill 16, *Supplementary Appropriation (Capital) Act, No. 3, 2018-2019*;
- Bill 17, *Supplementary Appropriation (Capital) Act, No. 1, 2019-2020*;
- Bill 18, *Supplementary Appropriation (Operations and Maintenance) Act, No. 1, 2018-2019*;
- Bill 19, *An Act to Amend the Income Tax Act*;
- Bill 20, *Interim Language of Instruction Act*; and
- Bill 21, *An Act to Amend the Revolving Funds Act*.

The Spring 2019 sitting convened on May 28, 2019, and concluded on June 6, 2019. Five bills received Assent during the Spring 2019 sitting:

- Bill 1, *Corrections Act*;
- Bill 22, *Supplementary Appropriation (Operations and Maintenance) Act, No. 1, 2019-2020*;
- Bill 23, *Supplementary Appropriation (Capital) Act, No. 2, 2019-2020*;
- Bill 24, *Write-Off of Debts Act, 2018-2019*; and
- Bill 27, *An Act to Amend the Senior Citizens Benefits Act*.

The Fall 2019 sitting is scheduled to convene on October 17, 2019.

Passing of Speaker Joe Enook

Speaker **Joe Enook** passed away on March 29, 2019, following a short illness. Flags were half-masted at the Legislative Assembly Precinct in honour of his passing, and a book of condolences was hosted in the main foyer. A formal obituary of the late Speaker was published in the Spring 2019 edition of *Canadian Parliamentary Review*.

Committee Hearings

From April 10-11, 2019, the Legislative Assembly's Standing Committee on Oversight of Government Operations and Public Accounts held televised hearings on the most recent annual reports of the Information and Privacy Commissioner and the Representative for Children and Youth, both of whom are independent officers of the Legislative Assembly. Committee Chairperson and Arviat North-Whale Cove MLA **John Main** subsequently presented reports on the televised hearings during the spring 2019 sitting of the House.

Appointment of New Speaker and Other Presiding Officers

The Nunavut Leadership Forum, which consists of all Members of the Legislative Assembly, gathered on the morning of May 28, 2019, to select a new Speaker. Four Members accepted nominations. Baker Lake MLA and Deputy Speaker **Simeon Mikkungwak** was declared elected following one round of balloting. Mr. Mikkungwak was subsequently dragged to the Chair following the passage of a formal motion of appointment when the House convened that afternoon. On June 6, 2019, the Legislative Assembly adopted a motion to appoint Hudson Bay MLA **Allan Rumbolt** as the new Deputy Speaker and Chairperson of the Committee of the Whole and Iqaluit-Niaqunnguq MLA **Pat Angnakak** as a new Deputy Chairperson of the Committee of the Whole.

Appointment of New Representative for Children and Youth

On June 6, 2019, the Legislative Assembly adopted a motion recommending that **Marilyn Jane Bates** be appointed Representative for Children and Youth. Her five-year term of office commences on July 22, 2019.

Order of Nunavut

On March 12, 2019, the Order of Nunavut Advisory Council, which is chaired by the Speaker of the Legislative Assembly, announced that the 2018 appointment to the Order would be **Zacharias Kunuk**. Mr. Kunuk is a filmmaker and co-founder of Igloolik Isuma Productions whose 2001 film, *Atanarjuat: the Fast Runner*, was honoured with the *Caméra d'Or* at the 54th Cannes Film Festival. Mr. Kunuk is an Officer of the Order of Canada, a recipient of the Queen Elizabeth II Golden and Diamond Jubilee medals and a member of the Academy of Motion Picture Arts and Sciences. Mr. Kunuk's investiture ceremony was held in the Chamber of the Legislative Assembly on June 4, 2019. The ceremony was televised across the territory and live-streamed on the Legislative Assembly's website. Commissioner of Nunavut **Nellie Kusugak** presided over the ceremony in her capacity as Chancellor of the Order.

Alex Baldwin

Office of the Legislative Assembly of Nunavut



Ontario

Toward the end of a busy spring, the House voted to sit late on two evenings to ensure the completion of certain items of business prior to adjournment. The Government also advised the Speaker that the public interest required the House to meet during adjournment, resulting in the Speaker recalling the House on the afternoon of Sunday, June 2 to debate Bill 117, *An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act*.

As has become traditional over the past several years, a Royal Assent ceremony was held in the Legislative Chamber on the last sitting day. Her Honour the Lieutenant Governor of Ontario assented to four government bills and five private bills before retiring from the Chamber.

The House adjourned on June 6, 2019 and is scheduled to return on October 28, 2019.

Cabinet Shuffle

Premier **Doug Ford** announced a major cabinet shuffle on June 20, 2019, just over a year into the government's mandate. The shuffle saw the size of cabinet change from 21 to 28 ministers, and changed the portfolios of over half the Ministers. New members of Cabinet include **Paul Calandra** (Minister without Portfolio and Government House Leader), **Doug Downey** (Attorney General), **Jill Dunlop** (Associate Minister of Children and Women's Issues), **Stephen Lecce** (Minister of Education), **Ross Romano** (Minister of Training, Colleges and Universities), **Prabmeet Sarkaria** (Associate Minister of Small Business and Red Tape Reduction), and **Kinga Surma** (Associate Minister of Transportation (GTA)).

Condolences and Passing of Former Member

The House expressed its condolences on the passing of two former Members from the electoral district of Peterborough: **Walter Pitman**, Member from October 17, 1967 to October 20, 1971 and **Peter Adams**, Member from September 10, 1987 to September 5, 1990.

Julia Munro, who served as a Member from June 8, 1995 until June 6, 2018, passed away on June 12, 2019. She held the distinction of being the longest serving female legislator in Ontario's history. The Legislative Assembly's flags were lowered to half-mast on the day of her funeral.

Parliamentary Officers

The Financial Accountability Officer, **Peter Weltman**, tabled three reports: *Ontario Health Sector: 2019 updated assessment of Ontario health spending, Economic and Budget Outlook, Spring 2019* and *Expenditure Estimates 2019-20: Ministry of Health and Long-Term Care*.

The House also received the final *Annual Reports* from **Irwin Elman**, Provincial Advocate for Children and Youth; **Diane Saxe**, Environmental Commissioner of Ontario; and **François Boileau**, French Language Services Commissioner. Under the *Restoring Trust, Transparency and Accountability Act, 2018*, the offices of these Parliamentary Officers, as well as that of the Conflict of Interest Commissioner (**Sidney B. Linden**), were wound down as stand-alone offices and amalgamated with the operations of three other Parliamentary Officers. As of April 1, 2019, the Office of the Auditor General took on duties that were carried out by the Office of the Environmental Commissioner, while responsibilities of the Provincial Advocate for Children and Youth and the French Language Services Commissioner were transferred to the Office of the Ombudsman as of May 1, 2019. The Office of the Conflict of Interest Commissioner was also merged with the Office of the Integrity Commissioner on May 1, 2019.

Ontario Budget

On April 11, 2019, Minister of Finance **Vic Fedeli** delivered his first Budget. Highlights of his Budget speech included plans for deficit reduction, alcohol retail reform, transit expansion in Toronto, a new childcare tax credit, changes to auto insurance, as well as new designs for driver's licenses and license plates.

Committee Updates

Select Committee on Financial Transparency

The Select Committee on Financial Transparency took part in seven report writing sessions spanning from December to February, continuing to meet through the winter adjournment. The Committee tabled its final report on March 26, 2019.

Standing Committee on Finance and Economic Affairs

The Standing Committee of Finance and Economic Affairs considered Bill 100, *An Act to implement Budget measures and to enact, amend and repeal various statutes* this spring. The Bill contained 61 Schedules and made amendments to a number of *Acts*, including the *Crown Liability and Proceedings Act*, and enacted *PTSD Awareness Day*. The Committee held two days of public hearings and one day of clause-by-clause consideration on the Bill. On May 14, 2019, the Bill was reported back to the House as amended and received Royal Assent on May 29, 2019.

Standing Committee on Estimates

On May 14, 2019, the Standing Committee on Estimates met to select estimates of ministries and offices for review. The 2019-2020 Estimates of seven ministries were selected: the Ministry of Health and Long-Term Care; the Ministry of Education; the Ministry of Transportation; the Ministry of Infrastructure; the Ministry of Children, Community and Social Services; the Ministry of the Environment, Conservation and Parks; and the Ministry of Agriculture, Food and Rural Affairs. On June 4, 2019, the committee commenced its consideration of the estimates of the Ministry of Health and Long-Term Care.

Standing Committee on General Government

The Standing Committee on General Government met for one day of public hearings and one day of clause-by-clause consideration on Bill 87, *An Act to amend various statutes related to energy*. The Bill was reported back to the House with certain amendments on April 30, and later received Third Reading and Royal Assent. The Bill includes changes to the Ontario Energy Board's governance structure and operations, and amends the financing of the *Fair Hydro Plan Act, 2017*.

The Committee next considered Bill 107, *An Act to amend the Highway Traffic Act and various other statutes in respect of transportation-related matters*. Among other initiatives, the Bill updates various road safety rules, and gives the province the authority to upload responsibility for new rapid transit projects or expansions in the City of Toronto. It also allows the government to upload city assets related to these types of transit projects. Following two days of public hearings and one day of clause-by-clause consideration, the Committee reported Bill 107 back to the House without amendments. It then went on to pass Third Reading and receive Royal Assent.

Standing Committee on Justice Policy

On March 19, 2019, **Nathalie Des Rosiers** (MPP for Ottawa-Vanier) filed a notice of motion pursuant to Standing Order 126. In accordance with this Standing Order, once in each session a permanent member of the Committee may propose that the Committee study and report on a matter or matters relating to the mandate, management, organization or operation of the ministries and offices assigned to the Committee. The Committee met on March 28, 2019, to debate the motion relating to the processes by which the Ministry of Committee Safety and Correctional Services selects the heads of its responsible police agencies. Pursuant to Standing Order 126, the debate was limited to 30-minutes, after which time the Committee voted down the motion.

The Committee met to consider Bill 108, *An Act to amend various statutes with respect to housing, other development and various other matters*. The Committee met on May 31, 2019 for one day of public hearings, followed by one day of clause-by-clause consideration on June 3, 2019. The Committee reported the Bill back to the House the following day, as amended. Once reported back, the bill was immediately ordered for Third Reading pursuant to an Order of the House. The Bill went on to receive Royal Assent on June 6, 2019.

Standing Committee on the Legislative Assembly

The Standing Committee on the Legislative Assembly met pursuant to its permanent mandate, to continue its consideration of the Assembly's television broadcast system and guidelines. The resulting report was tabled on April 29, 2019.

Standing Committee on Public Accounts

The Standing Committee on Public Accounts invited officials from the Ministry of Transportation, Infrastructure Ontario and Metrolinx to appear at public hearings on the Metrolinx (Section 3.07) portion of the 2018 Annual Report of the Auditor General of Ontario. The Committee also invited officials from the Treasury Board Secretariat and Communications branch of the Cabinet Office to appear at public hearings on the Review of Government Advertising (Chapter 4) portion of the same report.

The Committee held several *in camera* sessions dedicated to report writing on the following topics from the Auditor's 2017 Annual Report: Real Estate Services (Section 3.11); Public Health: Chronic Disease Prevention (Section 3.10); and Cancer Treatment Services (Section 3.02).

The committee also held *in camera* report-writing meetings related to the following topics from the Auditor's 2018 Annual Report: Public Accounts of the Province (Chapter 2); and Darlington Nuclear Generating Station Refurbishment Project, Section 3.02).

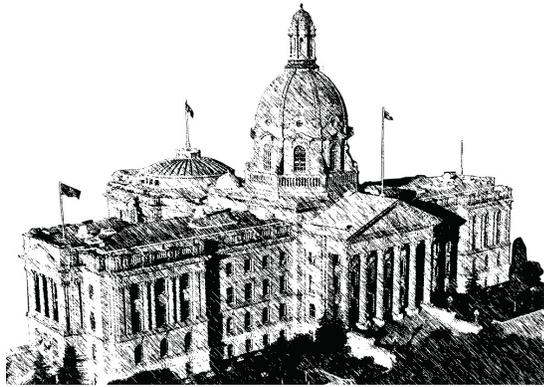
Standing Committee on Regulations and Private Bills

The Standing Committee on Regulations and Private Bills considered five private bills in the spring, which all received Royal Assent on June 6, 2019.

Standing Committee on Social Policy

The Standing Committee on Social Policy met to consider Bill 74, *An Act concerning the provision of health care, continuing Ontario Health and making consequential and related amendments and repeals*. Following two days of public hearings and two days of clause-by-clause consideration, the Committee reported the bill back to the House with certain amendments. Once reported back, the bill was immediately ordered for Third Reading pursuant to an Order of the House. Among other objectives, the bill set the legislative framework necessary to integrate multiple existing provincial agencies into a single health agency, called "Ontario Health".

Julia Douglas
Committee Clerk



Alberta

Provincial General Election

A general election was held in Alberta on April 16, 2019. The United Conservative Party secured 63 of the 87 seats in the Assembly, while the New Democratic Party won the remaining 24 seats to form the Official Opposition. Overall voter turnout was 64 per cent, which is the highest for a provincial election in Alberta since 1982. In total, over 1.9 million Albertans voted and 36.7 per cent of these voters cast their ballot at advance polls, which is the highest advance voter turnout experienced in any Canadian jurisdiction. Of the advance voters, 31.8 per cent used the new “Vote Anywhere” option, which enabled voters to receive the ballot for their electoral division from any advance polling location in the province.

The Legislative Assembly Office (LAO) provided a two-day administrative orientation to new Members on April 24 and 25, 2019. Prior to the orientation new Members were given access to a secure online portal which permitted them to access employment forms and details regarding available information technology equipment and services. All participating Members left the first day of the orientation with a security pass, mobile devices, laptops and active information technology accounts. The orientation also featured an information fair, hosted by all branches of the LAO, and presentations from LAO management on subjects including security, benefits and remuneration, as well as other support services available to Members. A former Member and his spouse made a presentation on “Life as an MLA”, which was well received.

Less than a month later, to prepare for the beginning of the First Session, procedural orientations were offered to the new Members of each caucus. Hosted by the Table Officers, these half day sessions included

a presentation and briefing materials, and concluded with a session focused on the responsibilities and limits on Members as Notaries Public and Commissioners for Oaths under the *Notaries and Commissioners Act*.

Cabinet Business

On April 30, 2019, Premier **Jason Kenney**, MLA (Calgary-Lougheed) and the 22 other members of his cabinet were sworn in. Shortly after the ceremony, cabinet held its first meeting and proclaimed Bill 12, *Preserving Canada’s Economic Prosperity Act*, but did not utilize its provisions. This legislation, passed in the spring of 2018, empowers the Minister of Energy to require energy exporters to obtain a licence and meet a variety of terms and conditions prior to sending products such as natural gas, crude oil or refined fuel out of the province. The Attorney General of British Columbia has filed a Statement of Claim in Alberta’s Court of Queen’s Bench challenging the constitutional validity of the legislation as well as a claim in Federal Court in the event that the Attorney General of British Columbia is found not to have standing to proceed with the claim in Alberta.

Fourteenth Speaker of the Legislative Assembly

On May 21, 2019, **Nathan Cooper**, MLA (Olds-Didsbury-Three Hills), was elected by his peers to serve as the 14th Speaker of the Legislative Assembly of Alberta. First elected to the Legislative Assembly of Alberta on May 5, 2015, Mr. Cooper is serving his second term as an MLA. **Angela Pitt**, MLA (Airdrie-East), also in her second term, was elected to serve as Deputy Speaker and Chair of Committees and **Nicholas Milliken**, MLA (Calgary-Currie), a new Member, was elected as Deputy Chair of Committees. This is the first time since the addition of the position of Deputy Chair of Committees in 1979 that all of the presiding officers of the Assembly are under 40 years of age.

First Session of the 30th Legislature

On May 22, 2019, **Lois E. Mitchell**, Lieutenant Governor of the Province of Alberta delivered the Speech from the Throne presenting the Government’s plans to eliminate the provincial carbon levy, amend workers’ rights, create jobs and stimulate the economy.

Later that afternoon Bill 1, *An Act to Repeal the Carbon Tax*, received First Reading. The Bill then made its way through the legislative process, without amendment, in fewer than two weeks. It received Royal Assent on June 4, 2019.

Amendments to the Standing Orders

Significant amendments were made to the Standing Orders effective May 30, 2019. Under the amended Orders banging on desks is prohibited, Introduction of Guests is now done by the Speaker, and Members are permitted to abstain from voting.

Changes have also been made to committee business, including the requirement for all the Legislative Policy Committees, and the Standing Committee on Public Accounts, to appoint a subcommittee on committee business during the first meeting of the Legislature. In addition, the Standing Committee on Private Bills has become the Standing Committee on Private Bills and Private Members' Public Bills. All Private Members' Public Bills now stand referred to the new committee following first reading and the Committee must report back to the Assembly within eight sitting days with a recommendation of whether a Bill should proceed.

Filibusters and Time Allocation

Bill 2, *An Act to Make Alberta Open for Business* proposed changes to rules around union certification and related labour matters, reducing the rate at which time off with pay instead of overtime pay must be provided under an overtime agreement, and changing eligibility rules for holiday pay. In relation to the changes introduced by the Bill, the Government also advised that it planned to create a reduced minimum wage rate for youth. On June 5, 2019, the evening session began at 7:30 p.m. During the debate on Second Reading of Bill 2 members of the Official Opposition spoke at length and in the end, the Assembly set a new record for its longest continuous sitting after deliberating continuously for 24 hours and 13 minutes.

On June 13, 2019, Bill 9, *Public Sector Wage Arbitration Deferral Act* was introduced in the Assembly. The Bill proposed a delay of binding wage arbitration with public sector unions, regardless of contract provisions, until after October 2019. The Official Opposition objected to the Bill arguing that it was unconstitutional. A recorded vote on the Bill was requested on First Reading, which was carried. Debate on Second Reading began on the evening of June 17, 2019, at which time the Government House Leader, **Jason Nixon**, MLA (Rimbey-Rocky Mountain House-Sundre), moved the previous question, and lasted until almost 3:00 a.m. On June 19, 2019, Mr. Nixon introduced time allocation motions, which were carried, limiting the remaining debate time on the Bill

to six hours of Committee of the Whole consideration and two hours at Third Reading. Bill 9 passed Third Reading on division following an all-night sitting on June 19. A number of unions, including the United Nurses of Alberta, the Alberta Teachers' Association, and the Alberta Union of Provincial Employees, have announced they will challenge the new legislation in court.

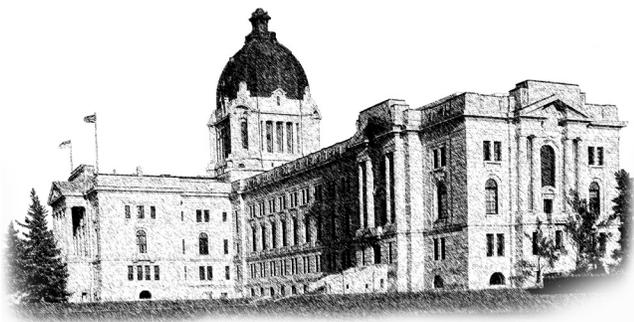
Despite the already long hours of the previous weeks, the Assembly continued to sit for long periods following the July long weekend. On July 3, 2019, the Assembly deliberated on a number of matters, including: Bill 13, *Senate Election Act*, which would provide Albertans the opportunity to select individuals whose names would then be put forward to the Prime Minister to be considered for appointment to the Senate; Bill 12, *Royalty Guarantee Act*, which proposes to provide more stability for the oil and gas sector by maintaining the legislative framework for hydrocarbon royalties; Bill 2, *An Act to make Alberta Open for Business*; and Bill 8, *Education Amendment Act, 2019*, which would make amendments to the unproclaimed *Education Act*, including amending the coming into force date to September 2019. The Official Opposition raised concerns that protections for Gay-Straight Alliance clubs in schools and the students who are involved in them that are currently in place were not carried over to the *Education Act* and would no longer exist on the repeal of the *School Act*. The evening sitting on July 3, 2019, began at 7:30 p.m. and continued until 11:50 a.m. on July 5, 2019. Having sat without interruption for a full 40 hours and 20 minutes, the Assembly significantly surpassed the previous record for longest continuous sitting which had been set just weeks earlier, on June 5, 2019.

The business for the spring session is now concluded and the Assembly is adjourned until October 22, 2019.

Ninth Clerk of the Legislative Assembly

On May 24, 2019, Speaker Cooper announced that, effective immediately, **Shannon Dean**, formerly the Law Clerk and Executive Director of House Services, had been appointed as the ninth Clerk of the Legislative Assembly of Alberta. In his announcement Speaker Cooper noted, "Ms. Dean is eminently qualified to lead the Legislative Assembly Office and I am honoured to appoint her as the first female clerk in Alberta's history."

Jody Rempel
Committee Clerk



Saskatchewan

Session Summary

The Assembly adjourned the third session of the twenty-eighth legislature on May 16, 2019 until October 23, 2019. Prior to adjournment, the Assembly considered the estimates of ministries, agencies, and Crown corporations for nearly 72 hours and passed 38 pieces of legislation in the spring sitting.

Of notable mention, the government and opposition found common cause to give quick passage to Bill No. 172, *The Saskatchewan Employment Act (Paid Interpersonal Violence and Sexual Violence Leave) Amendment Act, 2019*. The new act provides leave of five employer-paid days and five unpaid days in a 52-week period for victims of interpersonal and sexual violence.

Change in the Opposition Leadership Loles

On June 11, 2019 the Leader of the Opposition, **Ryan Meili**, announced changes to the opposition house leadership team. **Nicole Sarauer**, was appointed as the new Deputy Leader. **Cathy Sproule** replaces Ms. Sarauer as the House Leader and **Vicki Mowat** replaces **Warren McCall** as the Deputy House Leader.

Interparliamentary Relations

The Saskatchewan Branch of the Commonwealth Parliamentary Association participated in an interparliamentary exchange program with the Parliament of Western Australia. A delegation from Western Australia visited Saskatchewan from April 15 to 27, 2019. The delegation consisted of two Members of the Legislative Council, one Member of the Legislative Assembly, one Clerk from the Legislative Council, and one Clerk from the Legislative Assembly.

During the first week, the delegation observed proceedings of the Legislative Assembly and its committees. During the second week, the Western Australian members accompanied Saskatchewan MLAs into their constituencies and focused on their special interest areas while the Western Australian Clerks remained in Regina to receive briefings from the Saskatchewan Legislative Assembly Service.

National Indigenous Peoples Day Celebration and Treaty 4 Flag Raising

On June 21, 2019, National Indigenous Peoples Day, an event was held at the Saskatchewan Legislative Building. The Legislative Building, located in Regina, is situated in Treaty 4 territory the traditional territory of the Cree, Sauleaux, Nakota, Lakota, and Dakota peoples. As part of the celebration the Treaty 4 flag was raised on the ceremonial flagpole in front of the building.

The event included a pipe ceremony, the singing of the Treaty 4 Flag Song by the Starblanket Junior Drum Group, comments from many special guests, as well as keynote address by Elder **Larry Oakes**, son of the late **Gordon Oakes**, the designer of the Treaty 4 flag.

Stacey Ursulescu
Procedural Clerk



Senate

Legislation

On June 21, Governor General **Julie Payette** granted Royal Assent in a traditional ceremony that was broadcast on television for the first time from the Senate of Canada Building. There had previously been written declarations of Royal Assent on April 11, April 30 and May 27.

A total of 26 bills received Royal Assent during this quarter, including one Senate government bill, one Senate private bill, one Senate public bill, 22 House of Commons government bills and one House of Commons public bill. Full details about proceedings on bills are available through LEGISinfo at www.sencanada.ca.

The trend of increased messages between the houses concerning amendments to bills has persisted throughout this quarter; some of the messages, such as those concerning Bill C-69, *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*, have been extremely complex and lengthy. In these cases, all involving government legislation, the House of Commons either disagreed with Senate amendments, or accepted certain amendments, sometimes with changes, and disagreed with others. Ultimately, the Senate did not insist on its amendments and responded accordingly in its messages.

Chamber, Procedure and Speaker's Rulings

There were numerous points of order and questions of privilege raised during this quarter and the Speaker delivered 13 rulings. Many of the points of order dealt with unparliamentary language. The Speaker emphasized that senators should exercise caution and not impute motives to other individuals during debate.

A number of points of order and questions of privilege had to do with the use of social media. Points of order were raised to address language in social media, which was also the subject of a question of privilege. Another question of privilege addressed a leak of a political agreement on social media. When addressing the points of order, the Speaker urged senators to evaluate their tweets before posting them and consider whether they reflect poorly on the chamber. When ruling on May 2 about the posting of a political agreement on social media, the Speaker determined that a *prima facie* question of privilege was not established, since the agreement in question did not qualify as a matter that directly concerned the privileges of the Senate, any of its committees or any senator. The Speaker took the opportunity to, once again, underline the need "...for all senators to reflect on the need for prudence when using the powerful tools that social media place at our disposal... While these tools help us highlight the important work of the Senate, we should not ignore their potential pitfalls."

On two separate points of order, the receivability of certain amendments were brought into question. On

March 19, a point of order was raised by Senator **Don Plett** with respect to the receivability of an amendment moved by Senator **Peter Harder** to a motion to authorize the Standing Senate Committee on Legal and Constitutional Affairs to examine and report on allegations to pressure the former Minister of Justice and Attorney General of Canada. The Speaker ruled the amendment to be out of order on the basis that "... the amendment proposes to remove the core of the original proposal. As such, it removes the proposed path, without proposing any other action by the Senate, which is simply asked to acknowledge facts. Replacing a proposal for Senate action with a simple recognition of facts is a major change in the basic goal of the motion."

On May 15, Senator **Pierrette Ringuette** raised a point of order on the receivability of an amendment to a motion seeking to establish a Special Senate Committee on Prosecutorial Independence. The amendment, moved by Senator Plett, proposed that the study instead be conducted by the Standing Senate Committee on Legal and Constitutional Affairs. In this instance, the Speaker ruled the amendment to be in order and quoted a previous ruling on February 24, 2009 as the basis for his ruling: "[i]n situations where the analysis is ambiguous, several Senate Speakers have expressed a preference for presuming a matter to be in order, unless and until the contrary position is established. This bias in favour of allowing debate, except where a matter is clearly out of order, is fundamental to maintaining the Senate's role as a chamber of discussion and reflection."

Senators

On April 22, Senator **Ghislain Maltais** retired from the Senate. Senator Maltais was a Liberal Member of the National Assembly of Québec from 1983 to 1994, where he served as parliamentary assistant to the environment and wildlife minister, as well as the forestry minister. He was appointed to the Senate on January 6, 2012 and served on several committees during his tenure in the Upper Chamber, most notably as chair of the Standing Senate Committee on Agriculture and Forestry.

Committees

Fifty-six committee reports were tabled or presented during this period and 19 committee reports were adopted by the Senate.

Of particular note, two reports on bills were defeated, meaning that the bills proceeded to third reading without amendment. On May 7, the Senate rejected the twenty-first report of the Standing Senate Committee on National Security and Defence on Bill C-71, *An Act to*

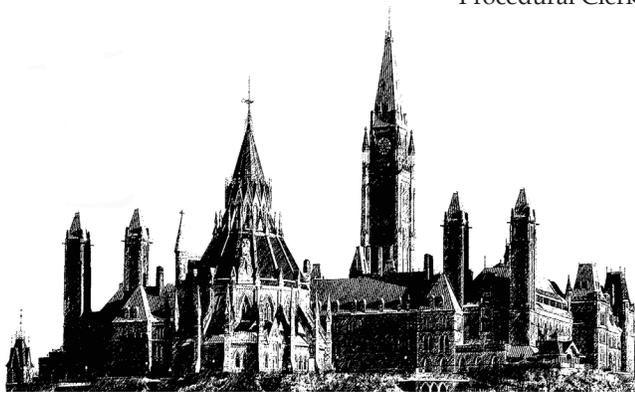
amend certain Acts and Regulations in relation to firearms, with amendments and observations, presented on April 10. On June 6, the Senate also rejected the seventeenth report of the Standing Senate Committee on Transport and Communications on Bill C-48, *An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast*, presented on June 3, which had recommended that the bill not be proceeded with.

On April 30, the fifth report of the Standing Committee on Ethics and Conflict of Interest for Senators, entitled *Consideration of an Inquiry Report from the Senate Ethics Officer*, was presented in the Senate. The report recommended the suspension of Senator **Lynn Beyak**, and was adopted on May 9. As a consequence, the senator was suspended for the duration of the current Parliament.

Officers

Philippe Hallée assumed the position of Law Clerk and Parliamentary Counsel of the Senate on April 22, 2019.

Ferda Simpson
Procedural Clerk



House of Commons

This account covers the continuing First Session of the 42nd Parliament from April through to June 2019.

Legislation

The following three bills of note received royal assent on June 21.

The House passed Bill C-91, *An Act respecting Indigenous languages*, on May 9. It will establish a Commissioner of Indigenous Languages and will make

official that “The Government of Canada recognizes that the rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982* include rights related to Indigenous languages.”

Bill C-92, *An Act respecting First Nations, Inuit and Métis children, youth and families*, having been introduced by the Minister of Indigenous Services, **Seamus O’Regan** (St. John’s South—Mount Pearl) on February 28, was deemed to have passed the House on June 3. It affirms the rights and jurisdiction of Indigenous peoples in relation to child and family services and sets out principles applicable, on a national level, to the provision of child and family services in relation to Indigenous children, such as the best interests of the child, cultural continuity and substantive equality.

The Minister of Public Safety and Emergency Preparedness, **Ralph Goodale** (Regina—Wascana) introduced Bill C-93, *An Act to provide no-cost, expedited record suspensions for simple possession of cannabis*, on March 1. It passed the House on June 9. It amends the *Criminal Records Act* to, among other things, allow persons who have been convicted under various acts of simple possession of cannabis offences committed before October 17, 2018, to apply for a record suspension without having to wait and without any fees.

On May 29, the Prime Minister, **Justin Trudeau** (Papineau), introduced Bill C-100, *An Act to implement the Agreement between Canada, the United States of America and the United Mexican States*. It is intended to:

- implement the agreement between Canada, the United States of America and the United Mexican States, done at Buenos Aires on November 30, 2018;
- set out rules of interpretation;
- provide for the payment by Canada of its share of the expenditures associated with the operation of the institutional and administrative aspects of the agreement; and
- amend acts to bring them into conformity with Canada’s obligations under the agreement.

The House referred it to the Standing Committee on International Trade on June 20.

Financial Procedures

On June 18, the eighth and final supply day in the period ending June 23, the House considered motions to concur in the Main Estimates for the fiscal year ending March 31, 2020. The government’s carbon tax policy and environmental plan was the opposition

parties' issue, and they gave notice of 382 opposed items. In the end, the opposition House leader, **Candice Bergen** (Portage—Lisgar), withdrew the notices and the House concurred in the Main Estimates and passed its accompanying supply bill.

Procedure and Privilege

Questions of Privilege

On April 4, the Speaker delivered his ruling on the question of privilege that **Peter Julian** (New Westminster—Burnaby) had raised on March 18 that alleged that the Minister of Justice and Attorney General, **David Lametti** (LaSalle—Émard—Verdun), and his parliamentary secretary, **Arif Virani** (Parkdale—High Park) had made statements intended to mislead the House about interference by the Prime Minister and his office in the work of the former Minister of Justice and Attorney General, **Jody Wilson-Raybould** (Vancouver Granville). In ruling, the Speaker listed the three conditions required to find that a member deliberately misled the House: “one, it must be proven that the statement was misleading; two, it must be established that the member making the statement knew at the time that the statement was incorrect; and three, that in making the statement, the Member intended to mislead the House”. The Speaker said he had to rely on the information available, namely the statements made in the House by Messrs. Lametti and Virani. As matters stood, the Speaker ruled that he could not find that there had been a breach of privilege.

On April 8, the Deputy Speaker ruled on question of privilege raised on March 22, 2019, by **John Nater** (Perth—Wellington) concerning an apparent violation of section 49.8 of the *Parliament of Canada Act* because of the way that **Celina Caesar-Chavannes** (Whitby) had left the caucus of the Liberal Party of Canada.

In ruling, the Deputy Speaker stressed that asking the House to deal with the possible expulsion of a member from caucus was not a proper subject for a question of privilege. If a member believes that the House needed to put in place certain practices, perhaps by way of additional Standing Orders, this should be done through a substantive motion following proper notice. The Chair had no role in the interpretation of statutes. All that was required under subsection 49.8(5) of the *Act* was that the Chair be informed of the results of any vote taken by a caucus to expel a member.

He concluded by stating that, as far as he knew, Ms. Caesar-Chavannes was not expelled, but had voluntarily withdrawn from the caucus to sit as an independent, and that, based on this understanding and these facts, there was no question of privilege.

On May 6, the Speaker ruled on a question of privilege raised on March 22 and April 4, by **Erin O'Toole** (Durham) concerning solicitor-client privilege in the context of parliamentary privilege. He alleged that the Prime Minister, Justin Trudeau (Papineau), used solicitor-client privilege inappropriately by only partially waiving the obligation of the former Minister of Justice and Attorney General, Ms. Wilson-Raybould, in respect to the SNC-Lavalin affair. Stating that there has been confirmation that parliamentary privilege is absolute and supersedes solicitor-client privilege, he contended that without that full waiver of solicitor-client privilege, his own ability to fulfill both his individual and collective functions has been impeded. Rather than asking the Chair to find a *prima facie* case of privilege, the member asked the Chair to reaffirm that parliamentary privilege, being absolute, supersedes solicitor-client privilege. He also wanted the Speaker to invite the former attorney general to speak in the House, assuring her that she would not be subject to the constraints of solicitor-client privilege.

In his ruling, the Speaker affirmed that any member participating in the deliberations of the House and its committees was protected by the privilege of free speech; as were witnesses appearing before committees. Whether this accepted principle was somehow diminished or even overturned by solicitor-client privilege, the former attorney general had decided to respect that convention. The Chair was not in a position either to question or to pass judgment on her decision. The Chair was also limited in its authority to invite members to speak on particular issues. It was not for the Speaker to invite the former attorney general to speak, as Mr. O'Toole had suggested.

Points of Order

On May 9, **Shannon Stubbs** (Lakeland) rose on a point of order related to her motion no. 167 adopted by the House on May 30, 2018, which instructed the Standing Committee on Public Safety and National Security to study rural crime in Canada and to “report its findings to the House within six months of the adoption of this motion.”

Ms. Stubbs pointed out that the committee had failed to meet the deadline that the House, that the

six-month deadline for the committee to report was a limit established by the House, and the committee had, therefore, failed to comply with an order of the House. The Speaker took the matter under advisement. The Chair of the Standing Committee on Public Safety and National Security, **John McKay** (Scarborough—Guildwood), responded that the language of the motion was not prescriptive, and stated that the Committee had been very busy, that there was significant disagreement in the committee as to the content of the report, and that events in the House had had disruptive effects on committee proceedings.

The Speaker ruled on May 16. He reminded the House that committee dynamics and challenges did not excuse a committee from its obligation to respect orders of the House and that, should difficulties arise in executing an order of the House, the committee should request an extension to a deadline it cannot meet by way of a report to the House.

As Mr. McKay had presented the report of the Committee earlier that day, the Speaker said he considered the matter closed. This was the first instance in which Standing Order 116(2), which creates an exception to the right for a Chair's decision to be appealed to a committee, had been invoked since the House adopted the Standing Order in June 2017.

Committees

At the request of the Board of Internal Economy, the Standing Committee on Procedure and House Affairs (PROC) examined “matters relating to the non-attendance of members by reason of maternity or care for a new-born or newly-adopted child,” as House by-laws made little allowance for the demands on new parents. PROC reported back with draft regulations, recommending that they be annexed to the House of Commons Members' Sessional Allowance Regulations. The House concurred in the report on June 12. Thereby, each day a pregnant member does not attend a sitting of the House for four weeks before the expected birth of a child is a day of attendance at that sitting, and each day a member does not attend a sitting of the House to care for a new-born or a newly-adopted child is reckoned as a day of attendance of the member.

Other Matters

Statements by Ministers

On April 29, during Routine Proceedings, the Minister of Foreign Affairs, **Chrystia Freeland** (University—

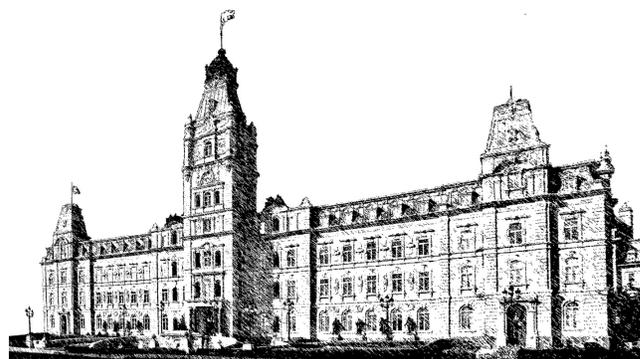
Rosedale), paid tribute to the victims of the terrorist attacks committed in Sri Lanka on Easter Sunday, April 21. The Leader of the Opposition, **Andrew Scheer** (Regina—Qu'Appelle), and the leader of the New Democratic Party, **Jagmeet Singh** (Burnaby South), responded. **Luc Thériault** (Montcalm) and **Elizabeth May** (Saanich—Gulf Islands) received unanimous consent to respond to the minister's statement. The House had observed a moment of silence earlier in the sitting before Oral Questions.

Tributes

On June 20, as the House began sitting, the House Leader of the Official Opposition, Ms. Bergen (Portage—Lisgar), rose on a point of order to inform the House that **Mark Warawa** (Langley—Aldergrove), had died. On this news, the House agreed by unanimous consent to go through Routine Proceedings and then to suspend the House until noon. On resuming its sitting, the House heard tributes from **Ed Fast** (Abbotsford), **John Aldag** (Cloverdale—Langley City), **Nathan Cullen** (Skeena—Bulkley Valley), Mr. Thériault (Montcalm) and Ms. May (Saanich—Gulf Islands). The Speaker spoke in tribute and called on the members to observe a moment of silence in honour of Mr. Warawa. The House then adjourned until September 16.

Andrew Bartholomew Chaplin

Table Research Branch



Québec

Proceedings of the National Assembly of Québec

Extraordinary Sitings

At the request of Premier **François Legault**, the Assembly met for extraordinary sittings on Saturday, June 15 and Sunday, June 16, 2019. The purpose of these

sittings was to finish examining the following two bills under closure: Bill 9, *An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration*, and Bill 21, *An Act respecting the laicity of the State*. The bills were passed, respectively, by the following margins: Yeas 62, Nays 42, Abstentions 0; and Yeas 73, Nays 35, Abstentions 0.

Budget estimates and passage of Appropriation Act No. 2, 2019-2020

On April 9, 2019, the Budget Speech came to an end once voting on the Government's budgetary policy, and on the motions stating a grievance with regard to it, had been completed. On May 7, 2019, after examination of the estimates in committee, the Assembly met in a Committee of the Whole to consider the Assembly's estimates. On May 9, 2019, the appropriations for 2019-2020 were adopted and *Appropriation Act No. 2, 2019-2020* was passed.

Bills Passed

From April to June, 2019, the Assembly passed 16 bills, of which four were private bills. Seven of the bills—the four private ones and three others—were passed unanimously. Of all the bills passed during this time, the following are noteworthy:

Bill 1, *An Act to amend the rules governing the appointment and dismissal of the Anti-Corruption Commissioner, the Director General of the Sûreté du Québec and the Director of Criminal and Penal Prosecutions*;

Bill 3, *An Act to establish a single school tax rate*;

Bill 6, *An Act to transfer responsibility for the registry of lobbyists to the Lobbyists Commissioner and to implement the Charbonneau Commission recommendation on the prescription period for bringing penal proceedings*;

Bill 7, *An Act respecting certain terms of employment applicable to officers of the health and social services network*;

Bill 10, *An Act to amend the Pay Equity Act mainly to improve the pay equity audit process*;

Bill 12, *An Act to clarify the scope of the right to free education and to allow the regulation of certain financial contributions that may be required*;

Bill 13, *An Act to amend the Taxation Act, the Act*

respecting the Québec sales tax and other legislative provisions;

Bill 19, *An Act to amend the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly following the adoption of certain fiscal measures by the Parliament of Canada*; and

Bill 26, *An Act respecting the Réseau structurant de transport en commun de la Ville de Québec*.

Ruling from the Chair

On May 29, 2019, the President issued a directive on a question raised by the Member for Chomedey as to whether parliamentary privileges applied to written questions—that is, to questions entered on the *Order Paper and Notices*. The President pointed out that it is up to the courts to determine the scope of a parliamentary privilege, though in defining a privilege they must show deference to the opinion of the Assembly's presiding officers. However, the Chair consented to examine the matter in its capacity as guardian of the rights and privileges of the Assembly and its Members.

The Chair also noted that, in a democratic society, each branch of the State must play its role independently of the others. Legislative assemblies and their members thus enjoy parliamentary privileges which guarantee their autonomy and independence in the exercise of their legislative and deliberative functions, including that of holding the Government to account for its actions. The privilege of freedom of speech finds its origins in article 9 of the British *Bill of Rights* of 1689. However, along with the fundamental principle of freedom of speech, article 9 enshrines another such principle whereby the Assembly exercises control over its parliamentary proceedings and procedure. This privilege is also provided for in section 44 of the *Act respecting the National Assembly*. Freedom of speech protects the words spoken by Members in the course of parliamentary proceedings in the Assembly and in committee and the acts done by them in carrying out their parliamentary duties. This protection covers parliamentary deliberations and decisions made by the legislative assembly, but it also covers all acts enabling Members to participate in parliamentary proceedings.

Although, to date, the courts have never ruled on the specific case of written questions entered on the *Order Paper and Notices*, the Chair considered that it would be difficult to conceive of such questions not

being protected by the privilege of freedom of speech. They are part of the procedures set out in the Standing Orders for Members to use in the exercise of their deliberative and government oversight roles.

Oral and written questions must therefore be seen as complementing each other. Questions asked during Question Period (Oral Questions and Answers) must relate to matters of urgent or topical public importance for which a minister or the Government is officially responsible. All other questions must be placed on the Order Paper. Under the Standing Orders, the rules pertaining to oral questions also apply to written questions. It was clear to the Chair that, for the Assembly and its Members to exercise the means of parliamentary oversight provided for in the Standing Orders fully and with dignity, written questions must be given the same protection as oral questions but must still comply with the rules of parliamentary debate, in particular Standing Order 35, which deals with unparliamentary language and words inadmissible in debate.

Special Events

Inauguration of the New Reception Pavilion

On May 29, 2019, the new reception pavilion was inaugurated by National Assembly President **François Paradis**. With the three-year renovation and expansion project now complete, Parliament now has modern infrastructures that meet today's needs.

As part of the official celebrations, the public was invited to visit the new pavilion beginning on June 1. Guests explored the new spaces, which feature more secure visitor reception areas that are better adapted to the growing number of visitors; a multifunctional educational room; an impressive agora for conferences and film screenings; and two new parliamentary committee rooms. Those who came also had the opportunity to take in the new visitor experience, which combines videos, exhibitions, educational content and works of art, and thus learn more about the National Assembly's role and democracy in Québec.

Tenth Anniversary of the Student Page Internship Program

On June 7, 2019, the Assembly's President underlined the 10th anniversary of the student page internship program. Members of all 10 cohorts from past years were present for the occasion. The program was created in 2009 under a partnership between Université Laval and the National Assembly. Since

then, some 140 undergraduates have taken their place on the floor of the Assembly and in parliamentary committees to assist the Members in their day-to-day parliamentary tasks. In addition to being worth six university credits, the internship gives participants an opportunity to observe first-hand the political, legislative and parliamentary process, gain rich work experience, and familiarize themselves with the workings of Parliament and with the jobs available in Québec's civil service. A number of the Assembly's current employees are former pages.

Fifth Edition of the International Parliamentary Training Program

The 5th edition of the International Parliamentary Training Program (PIFP), an initiative of Université Laval's Research Chair on Democracy and Parliamentary Institutions and the National Assembly, was held from June 10 to 21, 2019. The purpose of the sessions, which took place at both institutions, was to provide training on parliamentary administration and encourage sharing of sound administrative practices.

Committee Proceedings

Here are some of the highlights of the various mandates carried out by the parliamentary committees in April–June, 2019.

Examination of Budget Estimates

The budget estimates were examined in parliamentary committee from April 15 to May 2, 2019. This is the part of the sessional period in which parliamentary committees debate and vote on the estimates for the portfolios of the departments and bodies that fall within their areas of competence. Ten consecutive sittings, totalling a maximum of 200 hours, are set aside for this exercise.

Bills

One of the bills whose clause-by-clause consideration was completed by mid-June was Bill 1, *An Act to amend the rules governing the appointment and dismissal of the Anti-Corruption Commissioner, the Director General of the Sûreté du Québec and the Director of Criminal and Penal Prosecutions*, examined by the Committee on Institutions (CI). Bill 1 provides that the persons mentioned in its title will now be appointed by the National Assembly on a motion of the Premier and that their appointment must be approved by two-thirds of the Members of the National Assembly.

The CI also completed clause-by-clause consideration of Bill 19, *An Act to amend the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly following the adoption of certain fiscal measures by the Parliament of Canada*. Under Bill 19, the new taxable status, for federal tax purposes, of the allowance each Member receives to reimburse expenses incurred in the exercise of his or her duties is to be taken into account in determining that allowance. Note that the bill was sponsored by the House leaders of the Government, the Official Opposition and the Third Opposition Group.

Over this period, the CI held special consultations and public hearings on Bill 21, *An Act respecting the laicity of the State*, which, in particular, prohibits certain persons in positions of authority, such as prosecutors, police officers, and public elementary and secondary school teachers and principals from wearing religious symbols while exercising their functions.¹ During special consultations on the bill in May 2019, 28 individuals and organizations were heard and 92 briefs were received. Clause-by-clause consideration of the proposed legislation began on June 4, and the bill was passed under an exceptional legislative procedure on June 16, 2019. In addition, clause-by-clause consideration of Bill 9, *An Act to increase Québec's socio-economic prosperity and adequately meet labour needs through successful immigrant integration*, was completed in a committee of the whole after a little over 55 hours in the Committee on Citizen Relations and the adoption of a motion to introduce an exceptional legislative procedure on June 15, 2019.

Select Committee on the Sexual Exploitation of Minors

On June 14, 2019, the Members of the National Assembly adopted a motion to establish the Select Committee on the Sexual Exploitation of Minors in Québec. Under Standing Order 178, select committees can be appointed to study specific matters. This new committee's mandate is to create a portrait of the sexual exploitation of minors in Québec, including the consequences on the transition to adulthood and any other consideration that could inform the Committee members. The Committee must submit its report before the 2020 fall sessional period adjourns.

The Select Committee will be composed of 13 permanent members (seven Members from the parliamentary group forming the Government, one of whom is the Committee Chair; four Members from the Official Opposition, one of whom is the Committee Vice-Chair; one Member from the Second Opposition Group and one Member from the Third Opposition Group). The Committee Chair is **Ian Lafrenière**, Member for Vachon, and the Vice-Chair is **Christine St-Pierre**, Member for Acadie.

Order of Initiative

On April 9, 2019, the Committee on Transportation and the Environment (CTE) adopted an order of initiative on the issues of recycling and local recovery of glass. Note that, to initiate such proceedings, the majority of the committee members from each parliamentary group must vote in favour of the motion. Once the motion is carried, the committee organizes its work itself, which means that the time frame can vary. Public hearings to be held in August will help the CTE establish a portrait of the situation.

Two New Committee Rooms

The expansion of the Parliament Building has added two new committee rooms, the names of which were unveiled on April 16. The first is called the Marie-Claire-Kirkland Room, in honour of the first woman to be elected to the National Assembly, in 1961, and appointed minister, in 1962. The second is called the Pauline-Marois Room, in honour of the first woman to serve as Premier of Québec, in 2012. Committees began using the new committee rooms on June 4, 2019.

Notes

- 1 Press release online : <http://www.fil-information.gouv.qc.ca/Pages/Article.aspx?aiguillage=ajd&type=1&idArticle=2703287339>

Catherine Durepos

General Directorate for Parliamentary Affairs
Sittings Service

Sabine Mekki

General Directorate for Parliamentary Affairs
Committees Service

Lawrence O'Connor Doyle – Wit and Beheader of Eagles?



One of the wittiest parliamentarians to emerge from Nova Scotia, and possibly all of Canada, Lawrence O'Connor Doyle had a sharp tongue that kept his colleagues in stitches. In this article, the author relates some of the most well-remembered of his offerings, some perhaps more mythic than others.

David McDonald

Lawrence O'Connor Doyle was born in Halifax on February 27, 1804 and was a member of the Nova Scotia House of Assembly from 1832-1840 and 1843-1855. In 1848, he was appointed a member of the first responsible executive in the British Colonies. He was a strong supporter of parliamentary reform and introduced bills and resolutions that helped Nova Scotia win responsible government. Some of these measures included: opening the Legislative Council to the public; advocating for elections every four years instead of every seven years; and fighting for fishermen to have the same right to vote as farmers did. The purpose of this sketch is not to highlight his political career, but to describe some of his antics. The great orator, Joseph Howe, who was also his friend and fellow reformer, said that Doyle "was the wittiest man he had ever heard or read of." Howe's letters indicate that "ten thousand of [Doyle's] jokes are scattered about the Province."

The most often told story about Doyle in Province House is that he beheaded plaster eagles that decorate some of the window and door surrounds on the 2nd floor. I cannot, however, find any primary source material to corroborate this story. Rumour has it that he was incensed with the boundary dispute over timber between Maine and New Brunswick (Aroostook War) and lopped off the heads in disgust because he thought they were too American. According to the *Journals of the House of Assembly*, Edmund Murray Dodd was the most outspoken member over this border dispute. However, Mr. Doyle was a very witty man, so it was definitely in his character.

David McDonald is the legislative librarian at the Nova Scotia Legislative Library.

The following stories are from George Edward Fenety's *The Life and times of the Hon. Joseph Howe, the great Nova Scotian and ex-Lieut. Governor; with brief references to some of his prominent contemporaries.*

The Intoxicated Member

The hon. gentleman had the floor, but was in such an intoxicated state, that he was obliged to clutch the back of a chair in order to maintain his perpendicular. Members felt that they were in for a long (anti-*Scots Act*) speech, and there was no way of compelling silence. At length an hon. member cried out "I move that the Speaker take the chair." The Bacchanalian member, thinking it was meant that the chair that he depended on was to be taken from him, at once attempted to resume his seat, but in doing so he came with a crash to the floor—whereupon L. O'Connor Doyle remarked "the hon. gentleman has lost his seat, but he still has the floor."

Kill-Kenny

It is related that Sir Edward Kenny had a dinner party in his house at Halifax, at which Doyle was present. In taking a glass of wine the host swallowed a piece of cork, which happened to be in the glass, and it came very near choking him, whereupon after the danger was all over one of the guests remarked "you came very near going to Cork that time, Kenny." "I think," said Doyle, "it came nearer to Kill-Kenny."

The Halifax Robbing Room

Over the Barristers' door, when the Court was held in the Province Building, the words "Robbing Room," were inscribed upon a sign board. Some Wag added another letter B, so that it was made to read robbing room, which annoyed the Lawyers very much.



When Doyle came along he remarked: No wonder at the annoyance, for the sting is in the Bee.

The Rat Terrier

Another of Doyle's jokes was made on one occasion when the House was in session. An honourable member was declaiming bitterly against a fellow member who had promised him his support in a certain measure but had backed out. At this moment a terrier dog had found his way into the room and barked frantically, to the great disgust of the Speaker and Sergeant-at-Arms. "Put him out, put him out," was the universal shout—whereupon Doyle rose and said "Mr. Speaker, the dog means no harm - he only smells a rat!"

First of the Season Salmon

A wayside Inn of repute on the eastern road from Halifax to Cumberland in the forties of the last century, was Schultz'. This Inn was known far and near throughout the Province. It was situated about 18 miles from Dartmouth. These were the days of coaching before the railway and luxurious Pullman sleepers and parlour cars. A story was told of an old inhabitant of Halifax of a joke played by that noted wit

of the middle of the nineteenth century, on a very narrow clergyman at Mrs. Schultz' table. Lawrence O'Connor Doyle and some of his learned brothers at the Bar, were riding circuit, and arrived at the Inn at dinner time. Among the groups of passengers who came, among the others to taste the Schultz viands, was a gentleman of the cloth known as a no-popery advocate, and gourmand besides. On the table, as part of the menu, was a fresh salmon, the first of the season, taken the day before at Grand Lake. When the company found out that a "first of the season salmon" was to be served, they looked at the clergyman and sighed. "Larry," noticing their distress, comforted them with the remark, "leave it to me." When all were seated, Doyle usurped the clergyman's privilege saying grace before the meal. As he proceeded, he began making the sign of the cross of the fish. This so excited "no-popery" anger of the man of cloth that he got up from the table, and asked Schultz to serve him pork cabbage at a side table. This left the salmon to the other guests, who quickly disposed of it with relish and much amusement.

Over the years some of these stories have changed. There are two renditions of the missing tailor, for example:

"Did you hear," said a friend one day, "that Street the tailor has been found in Argyle Street?" "Yes," was Doyle's answer; "but did you hear how they made the discovery? An old woman got a stitch in her side, after drinking her tea, and she swore there must be a tailor in the well."

A witticism of Doyle's was as follows: A prominent tailor of Granville St. suddenly disappeared and no tidings of him could be obtained. Some months after his disappearance, the well of one of the public pumps was being pumped out for cleaning purposes, when the body of the missing tailor was found at the bottom. About the same time a number of old ladies were drinking tea together when one of them was taken suddenly with a pain in her side. When Doyle heard of it, he said it was a STITCH caused by drinking water from the pump where Street, the tailor drowned himself.

These stories clearly indicate that Doyle was well-liked and had a great sense of humour. If the story of the eagles is true, it is rather odd that it has not been recorded in print. Howe said of Doyle, "he is the only man I ever knew who has not an enemy; whose humour never flags, whose wit never wounds, who, by common consent is everywhere welcome, and who, if ubiquity and immortality could be conferred by universal suffrage, everybody would vote should enliven every scene of festivity down to the end of time." Doyle moved to New York to be near his sister. He died there on October 28, 1864.

Sources

Fenety, George Edward. *The Life and times of the Hon. Joseph Howe, the great Nova Scotian and ex-Lieut. Governor; with brief references to some of his prominent contemporaries.* St. John, NB : E.S. Carter, 1896. pp. 364-365 and 368-369.

