



# Speaker's Ruling

## Statement by Speaker John Bosley, February 24, 1986, House of Commons.

**Background:** New Speakers tend to go through difficult periods where they are tested by members of all parties to see how far the rules may be stretched. Now that proceedings are televised, every mistake comes under the most intense scrutiny not only by members but by the media and the public at large. One year after becoming Speaker and in the face of mounting criticism about the way he was handling question period, the present Speaker outlined for the guidance of members what he considered to be some fundamental principles of question period.

**Statement (John Bosley):** Eleven years have elapsed since Speaker Jerome made the last statement on oral question period and at that time the House was not televised. Television has had a marked impact on parliamentary behaviour, on the public's perception of parliamentarians, and on our practices.

The traditional guidelines regarding questions, written and oral, are to be found in Citations 356 to 371 of Beauchesne's Fifth Edition. They are also summarized on pages 25-26 of the *Précis of Procedure* recently prepared by the Table Research Branch and distributed to all Members. While some of them remain valid, others have fallen into disuse as a result of the development of our practices. The House is the master of its own procedure and the Chair cannot enforce guidelines unless they conform to the will of the House.

For Question Period to function well — and for it to be seen to be meaningful — it must have some form. There must be some rules. As Members can imagine, several representations have been made to the Chair as to what those rules should be.

At one extreme is the view that the "old" rules should be brought back in their entirety, even those that have not

been enforced for many years. At the other extreme is the view that the Chair should be concerned only with length and language, that in all other respects Members should be allowed to use the time as they see fit and that the public would judge appropriately.

A few even carried this argument to its logical conclusion, that Members should be allowed to use the time to make statements, if they wished, instead of questions, and to use whatever language they wanted, whether unparliamentary or not. If their voters did not like it, they would act.

In my view it would be practically impossible to go completely backwards to the rules which, for example, made it out of order to question a Minister about matters reported in the media, out of order to ask Ministers about statements made outside the House, out of order to ask certain kinds of questions regarding government policy, nor would it make sense to do so, no matter what certain columnists might think.

On the other hand, while length and language are very real concerns they cannot be all that concerns the Chair. Question Period belongs to the whole House and, today, to a larger audience. While there may be political consequences, surely the House must be collectively concerned for the image and reputation and perceived relevancy of Parliament itself. If Question Period were to depart even more from its origins, to become only free-time partisan political theatre, surely that is not in our collective interests.

It seems to me, therefore, that the appropriate rules for Question Period should recognize the following principles:

One, the time is scarce and should be used as profitably as possible by as many as possible.

Two, the public in large numbers do watch. The House, recognizing that

Question Period is often an intense time, should be on its best possible behaviour.

Three, while there may be other purposes and ambitions involved in Question Period, its primary purpose must be the seeking of information from the Government and calling the Government to account for its actions.

Four, Members should be given the greatest possible freedom in the putting of questions that is consistent with the other principles, or our practices should seek, in the words of Mr. Speaker Jerome: "To reduce to an absolute minimum the negative disqualifications that may limit or restrict a Member's right" to ask questions.

Mr. Speaker Jerome, in his statement 11 years ago, put his view with regard to the first principle of brevity so well that I would merely quote it: "There can be no doubt that the greatest enemy of the Question Period is the Member who offends this most important principle. In putting the original question on any subject a Member may require an explanatory remark but there is no reason for such a preamble to exceed one carefully drawn sentence.

It is my proposal to ask all Hon. Members to pay close attention to this admonition and to bring them to order if they fail to do so. It bears repeating that the long preamble or long question takes an unfair share of the time, and invariably, in provoking the same kind of response, only compounds the difficulty."

I agree with these comments and would add that such comments obviously also apply to answers by Ministers. I would also endorse Mr. Speaker Jerome's view that supplementary questions should need no preambles; they should flow from the Minister's response and be put in precise and direct terms without any prior statement or argument. It is the Chair's view that it equally follows

from the first principle, that time is scarce, that Members should seek to avoid merely repeating questions that have already been asked. I do not mean that other questions on the same subject should not be asked — as apparently I have been interpreted — just that subsequent questions should be other than ones already asked.

For similar reasons it has always been a fundamental rule of questioning Ministers that the subject matter of the question must fall within the collective responsibility of the Government or the individual responsibility of one of its Ministers. This is the only basis upon which Ministers can be expected to answer questions.

Beyond these few restrictions, there are a few other traditional restraints that flow from the principles above. Questions should relate to matters of some urgency and not be purely hypothetical. They should not seek a legal opinion or inquire as to what legal advice a Minister has received. They should not normally anticipate Orders of the Day. However, I hasten to add that there is a normal exemption to that with regard to the budget process which I fully intend to honour. Members should be very careful with regard to questions or matters that are *sub judice*. Ministers should be questioned only in relation to their current portfolios and not in relation to any previously held responsibilities or party responsibilities.

Finally, I would remind all Hon. Members of the citations in Beauchesne and in our rule book regarding language and decorum. It seems to the Chair and, judging by the mail I receive, it also seems to many of our constituents that our language and decorum do not match those quite sensible citations and that we are not projecting the image of honourable men and women that is expected of us. Heckling and political quips are part of our tradition; barracking and personal insults must not be.

I intend to be as tough as I can in cutting off Members or Ministers in this regard, but there is little the Chair can do with regard to barracking from the benches on both sides except to appeal to all Members to realize that such behaviour reflects very badly on Parliament itself, and to ask again that we remember where we are. It is possible however, that excessive noise may blur the vision of the Chair and make it difficult to see Members rising.

As always, I seek the co-operation of the House in all these matters.

