



Canadian Parliamentary review



Volume 45, No. 1

*The inner workings
of parliaments*

Parliamentary Relatives: Spouses

Municipally, provincially, and federally, governing bodies across Canada have seen numerous political families. Parents and children, grandparents and grandchildren, brothers, sisters, in-laws—direct and extended-family dynasties are scattered throughout the nation's political history.

Entrenched among these narratives are those of parliamentarians linked by love rather than blood. Of known couples, partners have often served in the House of Commons sequentially rather than simultaneously. Notably, many widows ran in subsequent elections after the deaths of their husbands.

This article, however, looks at Members of Parliament who worked concurrently as colleagues and spouses.



Jack Layton and Olivia Chow

The New Democratic Party (NDP) also had a power couple in recent years: Jack Layton and Olivia Chow. Layton was first elected as a Toronto councillor in 1982 and during the 1985 Metropolitan Toronto Council elections, he began dating school board trustee candidate Olivia Chow. They were married in 1988. Chow was elected to the Metro Toronto Council in 1991. In 2003, Layton became leader of the NDP and was elected to the House of Commons for Toronto—Danforth in 2004. After two attempts in 1997 and 2004, Chow was successful in winning the federal seat of Trinity—Spadina in 2006. The two followed the Grewals as the second simultaneously serving legally married couple in parliamentary history. Less than four months after Layton led the NDP to its most successful election result in 2011, he passed away as Leader of the Opposition. In 2014, Chow resigned her seat to run for mayor of Toronto.



Nina and Gurmant Grewal

Nina and Gurmant Grewal were the first legally married couple to serve as Members of Parliament at the same time. Their road to Ottawa began on the other side of the world. Gurmant, born in India, and Nina, born in Japan, lived in Liberia together before immigrating to Canada. Gurmant was elected to the House of Commons in 1997 for the riding of Surrey Central in British Columbia winning re-election in 2000. From 2004-2006, he represented Newton—North Delta. He did not seek re-election for the Conservative Party of Canada in January 2006. Nina Grewal sat in the House of Commons through four Parliaments from 2004 to 2015 for the riding of Fleetwood—Port Kells, advocating as a member of the Conservative Party of Canada for legislation against identity theft, among other issues.



Rahim Jaffer and Helena Guergis

First elected in Edmonton-Strathcona in 1997 for the Reform Party of Canada (later for the Conservative Party of Canada), Rahim Jaffer held several positions,

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The *Canadian Parliamentary Review* was founded in 1978 to inform Canadian legislators about activities of the federal, provincial and territorial branches of the Canadian Region of the Commonwealth Parliamentary Association and to promote the study of and interest in Canadian parliamentary institutions. Contributions from legislators, former members, staff and all other persons interested in the objectives of the Review are welcome.

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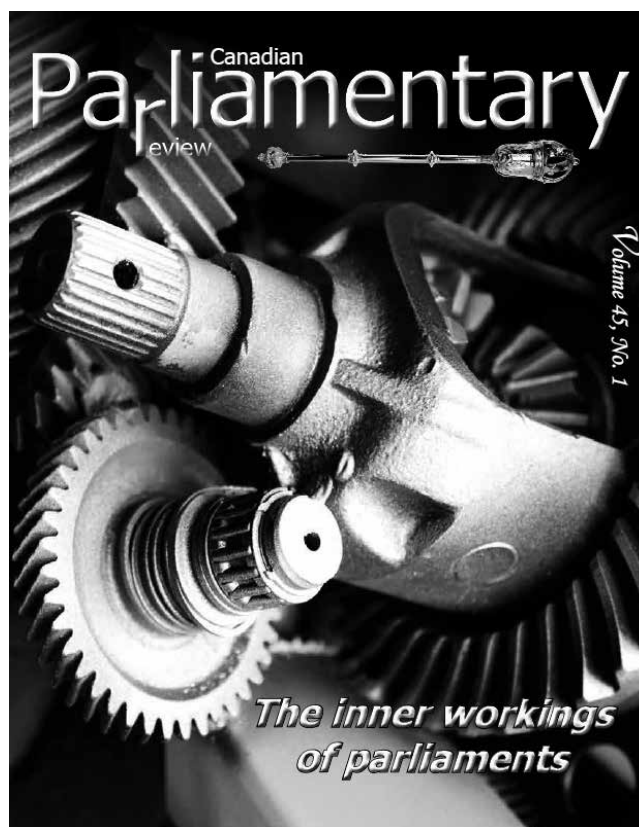
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A Focus on Parliamentary Administration

Many Canadians have never seen their federal, provincial or territorial parliaments in person. As a result, when asked to picture what goes on in these buildings, the image that may come to mind is most likely what they may have seen on television or the Internet: a fiery Question Period exchange, a recorded vote on contentious legislation, or perhaps scenes from a budget address or Speech from the Throne.

People who work in these buildings know there is much more happening than what short televised clips would suggest, and it takes a finely tuned administrative system to keep all the moving parts working smoothly.

In this edition of the Canadian Parliamentary Review, we've collected articles exploring the inner workings of Canadian parliaments: the programs, processes and people that keep the cogs in the parliamentary machine turning.

Jennifer Ruff and Kim Hawley George offer insights into the auditing process at the House of Commons and Newfoundland and Labrador's House of Assembly, respectively. Ms. Ruff describes how "audit" need not be a scary word and outlines ways internal audits with buy-in from stakeholders can help organizations refine their operations. Ms. Hawley George recounts Newfoundland and Labrador's experience with a spending scandal that transformed the way the House of Assembly manages its internal finances to provide better protection and transparency.

Artour Sogomonian writes about the Legislative Assembly of British Columbia's first-of-its-kind governance framework for a parliamentary institution. He explains why the framework was established, details the principles informing it, and outlines its general structure. He notes that when parliaments are proactive in establishing and maintaining good governance internally, they help create and sustain public confidence in these institutions.



Returning to the House of Commons, Ismail Albaidhani and Guillaume LaPerrière-Marcoux illuminate the Members of Parliament Capability Development Framework (MP-CDF). This framework is designed to offer an agile and adaptable approach to support MPs' continuing development as individuals and as organizations to meet their evolving objectives as legislators, employers, and representatives of their constituents.

Rachel Nauta and Ontario Speaker Ted Arnott contribute a gripping account of how the Ontario Assembly's Legislative Protective Service Unit handles incidents arising in or near parliament buildings. The authors describe how the LPS functions within the broader management of the Assembly and outline recent changes to how the service is constituted and operates.

Finally, in a roundtable discussion, we gather six former participants of McGill University's two parliamentary professional development programs. One is tailored toward staff (the professional development certificate in Parliamentary Management) and the other focuses on newly elected MPs (the professional development certificate in Parliamentary Governance). The participants describe how the programs help them build or advance existing knowledge of parliamentary administration and governance.

If you would like to see a future theme issue on a subject we have not covered recently, please feel free to contact me at wstos@ola.org with comments or suggestions.

Will Stos, Editor

...continued from inside cover

including critic for foreign affairs and trade and caucus Chair. Helena Guergis, also a member of the Conservative Party, was elected for Simcoe-Grey in 2004. Guergis occupied several positions including Secretary of State and remained a Member of Parliament until 2011. The morning after Jaffer's 2008 election loss, the two decided to advance their wedding plans and were reportedly married later that day by former MP Ian McClelland.



Ève-Mary Thai Thi Lac and Claude Guimond

Ève-Mary Thai Thi Lac and Claude Guimond met at the Bloc Québécois caucus in January 2008. Thi Lac became the first Canadian of Vietnamese origin elected to the House of Commons only a few months prior through a by-election in 2007. Guimond won his seat for Rimouski-Neigette—Témiscouata—Les Basques in the fall of 2008. The two were married in September 2010. In an article discussing their relationship and respective electoral defeats in 2011, Thi Lac expressed that political involvement requires

a person to set aside other meaningful things in life. Yet, it was their shared passion for politics that strengthened their bond.



Marilène Gill and Xavier Barsalou-Duval

Marilène Gill (Manicouagan) and Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères) currently sit in the House of Commons as members of the Bloc Québécois caucus. The two have been in their respective offices since the 2015 general election. An article discussing their relationship noted that, while they had met during the election campaign of 2015, it was carpooling from their ridings to Ottawa that brought them closer. In 2017, they became the first pair of sitting MPs to become parents.

While romantic couples are not often found to share the House of Commons as a workplace, it is unlikely that federal politics has seen its last pair of parliamentary partners.

Nellie Winters

Table Research Branch, House of Commons

Sources

- Thériault, Carl, "Ève-Mary Thai Thi Lac et Claude Guimond unis dans la défaite," [Le soleil](#), 6 May 2011.
- Parlinfo, Parliamentarians. [Library of Parliament](#), accessed January 2022.
- OurCommons, Members of Parliament. [House of Commons of Canada](#), accessed January 2022.
- CBC Archives, "Jack Layton and Olivia Chow, a political love story," [CBC](#), 23 August 2011.
- Lapointe, Diane, "Le député Barsalou Duval rencontre l'amour... sur la route d'Ottawa," [La Relève](#), 14 February 2018.
- Wright Allen, Samatha, "And baby makes history: Bloc couple first pair of sitting MPs to become parents," [The Hill Times](#), 8 November 2017.

Internal Audit – Finding a better way

Audit does not need to be a scary word. Auditors have dual functions – providing process-driven assurance and offering consultation or an advisory role on elements of a corporation. In this article, the author explains how internal audits work within Parliament’s unique context and why the advisory function opens the door to collaborative efforts to improve this institution for Members of Parliament, staff and the public-at-large.

Jennifer Ruff

First impressions

Odds are when you hear the word audit, you cringe. At home, it definitely does not conjure up a positive image and can cause an instant headache. Similarly, in the workplace, the mention of an internal audit can cause suspicion, anxiety or concern. As a function, internal audit is often viewed as a policing activity that looks to find fault or wrongdoing, creating a sense of intrusion with little or no value for those involved. Clients of audit engagements can be left with a sense of being investigated or put under the microscope, and some even feel as if their jobs are on the line.

The discipline of internal audit has struggled with this image for years and efforts have been made to better describe and define its activities and outcomes by putting a focus on results and relevance. In the process, auditors have become trusted advisors for management in the quest for effectiveness and efficiency. But, as there is often a focus on compliance, negative feelings associated with judgment and investigation have proven difficult to overcome and they often overshadow the valuable work done under the umbrella of audit.

The audit challenge

To better understand the challenge in successfully delivering the audit function it is first important to highlight that internal audit consists of two types of activities, assurance activities and advisory activities. Assurance activities are those engagements that

examine controls and processes to look for compliance with a standard or expected result in order to give assurance to management, or other stakeholders, that those controls are functioning as expected. Generally, controls exist to protect the organization from fraud or mistakes that could have a negative financial, operational or reputational impact on the organization.

Assurance activities are those for which internal audit is better known. They are the more traditional, process-driven, formal engagements that result in mandatory reporting to senior management, Boards of Directors and often outside stakeholders. These types of engagements also require that a formal action plan be developed by management to address the findings of internal audit and follow-up is conducted by audit to ensure that these action plans are implemented.

The second, and lesser recognized, set of activities that audit undertakes are consulting, or advisory, activities. These engagements are much less formal and typically only involve responding directly to the client involved. Advisory activities can include many different types of support or guidance and can range from quite informal to more standardized examinations. Advisory work can include things such as process mapping, benchmarking, risk assessments, gaps analyses, lessons learned exercises, and professional advice. Advisory work can address activities and processes other than just risk and internal controls and, in essence, can be leveraged to examine any element of the organization. The nature of these advisory activities allows us to take a more service or client-driven perspective.

While examining compliance and controls through assurance activities is important and has its place in sound management of any organization, it does not have to be the sole focus. The challenge facing our audit function is to find the best balance of assurance

Jennifer Ruff is the Chief Audit Executive in the House of Commons Administration.

and advisory activities to effectively support the House of Commons Administration, but also to increase trust and impact. As we look to address this challenge and improve the delivery of our services, I feel that it is the advisory side of internal audit that offers the best value for our organization. Progress has already been made to increase the visibility and inclusion of the audit function into many organizational initiatives by embracing and focusing efforts on more advisory type activities.

Our context

The House of Commons has a context that sets it apart from other organizations, both public and private. This is due to the limited legislative framework that applies to the work and functioning of the House.

Most organizations have outside stakeholders who require or insist on assurance activities being completed. Often, certifications or verifications of specific internal controls or processes are required by law or governing bodies. In the case of the House of Commons, very few obligations for this type of validation exist, so the drive to undertake compliance comes only from an internal need to assess controls and report to senior management.

Therefore, if not driven by a need for reporting to external stakeholders or to satisfying statutory obligations, what are we really trying to achieve by having an internal audit function? For me, the purpose of the function, including assurance activities, is to continually improve: improve our controls, improve our governance and improve our risk management, and also to improve our day-to-day activities and services to the Members of Parliament whom we support. In the end, we want to use a formalized, standard, repeatable process to provide meaningful insight and analysis of what can be adjusted or changed to create a culture of continuous improvement within the organization.

Assurance engagements undertaken at the House are typically comparisons of expected activity of controls with actual practice. While this comparison is valuable, as it enhances accountability and provides insight into gaps and areas needing improvement, it can sometimes create distrust if there is a perception of looking for wrongdoing and seemingly being focused on verification or validation. Internal audit is often met with resistance and defensiveness, rather than being viewed as a tool to enable the organization to keep pace with change.

Overcoming this resistance is difficult and that is unfortunate because a strong internal audit function can demonstrate a commitment to transparency and improvement. In fact, in dealing with change, the internal audit function is well placed to enable the organization to objectively examine its activities and ensure that it is able to offer the best services to Members of Parliament.

At the House, an assurance engagement requires mandatory reporting to senior management and the development of an action plan to address the findings of the report. Raising observations and findings through an assurance audit in our context, because there is low risk of violating outside or regulatory requirements, can sometimes be perceived as overemphasizing simple issues.

The truth is, we can often arrive at the same recommendations and achieve the same impact as an assurance engagement with an advisory engagement. In an advisory engagement we can use the same elements of analysis and standardized process without creating unnecessary stress by managing the engagement in a more collaborative manner. When mandatory reporting to senior management is taken off the table, it is possible to gain better acceptance of findings and work towards solutions for improvement. In many cases, reporting to senior management collaboratively and voluntarily, as a means to gain support for possible improvements, can be much more productive and acceptable.

Our philosophy

Within our environment and context, a better way for us to have success within internal audit is to shift focus from compliance activities and emphasize and expand the advisory role, moving from process-driven examinations to service-driven or client view perspectives. This simple shift in focus has the potential to reduce distrust and eliminate the adversarial relationship between audit staff and our clients.

In emphasizing advisory work, we rely strongly on collaboration and cooperation and this is demonstrated through several key elements. These elements are instrumental in our strategy to truly become partners with management and to provide value-added lines of defence in improving controls, risk management, governance, as well as improving our internal processes and services with the goal to increase the organization's relevance, effectiveness, efficiency, impact and overall sustainability.

Continuous improvement

The first element that has set the audit division up for success is the recent addition of a business line devoted to the provision of a specific set of advisory activities designed to offer support in the continuous improvement of services and processes. This business line is guided by, but not limited to, the key principles of the Lean philosophy. Lean is a client-centred method that focuses on providing value-added products and services as defined by the client. The objective is to improve processes by removing non-value-added activities and reducing the flow time between a client request and the delivery of the product or service. All of this is underscored by the notion that incremental changes to a process sustained over a period of time will lead to significant improvements in performance. Lean looks at processes from beginning to end from the client's perspective, from the time a request for a product or service comes in until the time it is delivered.

Using Lean, and other client focused improvement methods, the continuous improvement team leads operational work teams in complex business process improvement projects. The team provides a central coordination point and fulfills a facilitation role in assisting business process owners in examining and, ultimately, improving their processes.

A distinctive element of these improvement engagements is that they are driven by the process owners. Managers recognize a need for improvement in their area and solicit the support and expertise of the continuous improvement team to facilitate a process review. A significant benefit to this situation, where the client is the driver, is that our involvement is viewed as an expertise to be leveraged and the assistance is welcomed and appreciated. This service offering has been quite successful within the Administration, and there has been a growth in interest and an increase in requests.

Planning engagements that are supported

Another element that is improving our success in audit is our approach to planning and implementing formal engagements. As mentioned, the philosophy of Lean is very much to be process owner driven and respond to requests from clients who recognize a need or have a desire to streamline or improve their activities. This ensures a higher level of commitment and contributes to the success and ease of the engagements. Similarly, for Internal Audit, managers within the Administration will come forward looking

for advice or guidance on challenges such as policy development, designing effective controls or simply how to ensure their processes meet requirements for a sufficient audit trail. Again, these types of client-requested projects, garner an acceptance that welcomes the advice or guidance of the team.

Given that we see a shift in acceptance towards engagements based on how they are proposed, we have decided to apply this principle to defining our more formal engagements.

Traditionally, Internal Audit functions often propose projects based on an independent analysis of the environment, current activities, and risks facing the organization. This is typically done through a planning process carried out mostly within the audit function. While these processes are risk-based, and integrate information from around the organization, the emphasis can tend to be on remaining independent and free of undue influence in determining what projects would be best for the organization. But this emphasis tends to give the appearance that audit unilaterally deduces which projects are of priority. As a result audit is often met with a reluctance to participate. The process tends to create an adversarial relationship right from the outset.

To address this challenge and to reduce any defensiveness, we strive to emphasize collaboration in defining priority areas with the ultimate goal to become a trusted advisor for senior management. The most effective way to build this kind of trust is to encourage open conversations and discussions, and also to foster mutual agreement on what areas would be important to examine.

As the Chief Audit Executive, it is my role to make the connections and build trust relationships with the senior managers of the organization. To do so, I meet regularly with senior managers to better understand their service areas, their challenges, their concerns and where they would like to see improvement. By bringing experience from past engagements, and situational awareness derived from our independent perspective, we discuss what engagements could be of value and how they could assist in addressing areas of concern.

These open, honest conversations result in the pinpointing of areas of concern for senior management. They also allow me to know where there is a willingness to support a full engagement and root cause analysis. By arriving at these proposals

cooperatively, the engagement sponsor is immediately onboard and significantly more supportive of the work to be undertaken.

This way of planning produces significant benefits; not only does it ease the entire process of carrying out the engagement, it also affects how the findings and results of the engagement are received and actioned. When there is support and a willingness to honestly examine the subject, there is a much higher probability of acceptance of the findings and observations, as well

“These open, honest conversations result in the pinpointing of areas of concern for senior management. They also allow me to know where there is a willingness to support a full engagement and root cause analysis. By arriving at these proposals cooperatively, the engagement sponsor is immediately onboard and significantly more supportive of the work to be undertaken.”

as a greater commitment to develop a meaningful action plan to address those findings. This planning in turn allows for adjustments and improvements to improve the services.

I genuinely think that the focus on the outcome of audit activities helps shift the perception of the function from policing, to an expertise to be leveraged for support and assistance. I also think that it demonstrates that the audit team is there to work collaboratively towards a model of continually improving as one organization, which, allows us to make required adjustments with a better level of confidence.

Small changes can have an impact

In addition to our efforts to build a more responsive and trusted audit function, other adjustments we have made in our processes also underscore the commitment to acting as a true partner in the success of our organization. In the delivery of audit and improvement projects we have begun to seek out and leverage more subject matter experts from within the organization. This has resulted in some important benefits. First and foremost, it helps improve the overall planning and implementation of the engagement; those who know the subject area can aid us in making more considered linkages. This, in turn, results in more meaningful findings and observations. Of similar importance is the contribution that these internal experts can make in adding credibility to the process within their service areas and with their management team.

We have also improved our reporting on audit engagements. Seldom have I heard that an internal audit report was a “page-turner.” Reports are often very carefully prepared, with lengthy prose that fully (and painfully) describes the situation (in detail) and context to provide observations (often somewhat obvious or self-explanatory) and recommendations to help address gaps seen through the examination. We have piloted and had some success within the Administration by striving to keep our reports to two-pages that clearly state the scope and objective, and put the main focus on the recommendations. The recommendations are presented as to tell a story by grouping elements into themes with a focus on the potential outcomes of the suggested improvements. The goal is to make it a more compelling report that clients can get through easily and quickly. Ultimately, we aim to make our reports digestible, relatable and meaningful, which can dramatically improve the chances of the recommendations being considered more thoughtfully.

To remain more agile and responsive, we have also adjusted our planning horizon. Historically, the audit function has developed a plan spanning a three-year horizon. What we noticed in this process was that often the out-year engagements were never realized. By focusing our efforts on building a strong, collaboratively derived one-year plan, we allow for the agility to introduce new engagements as the environment or risks change. This change also demonstrates a recognition that priorities can shift quickly and, as a function, we can adapt to meet the needs of the organization.

Finally, we have rebranded the function slightly. To break away from some of the traditional views and connotations associated with the “Internal Audit” label and to emphasize the true goal of the function and its activities, we have renamed our group to Audit and Improvement. By explicitly highlighting the goal of improving in our organizational name, we help clients associate the outcome of the activities with the role and puts our focus of improvement front and centre.

The emphasis on improvement, and explicit inclusion in the audit brand, demonstrates the support audit can provide as the Administration strives to be a “learning organization.” More and more, Audit takes a lead in conducting lessons learned engagements to assist the organization in improving on project and program delivery. These types of engagements can significantly contribute to organizational learning and improve overall corporate memory, another way the audit function has been able to add value and increase its impact.

The result?

The impact of the changes that we are implementing to respond more effectively to our clients has been positive. There is appreciation of taking the time to

understand the challenges for the service areas and we are seeing much better uptake of planned projects when they have been developed collaboratively. There also seems to be more willingness to undertake engagements in general. The Continuous Improvement team, for example, is being brought in at the early stages of more strategic priorities to assist managers in the development of their processes. And, it seems as if the more engagements that we are involved in and the more people learn of the benefits, the more requests roll in.

We are advancing the role of the function and having success in demonstrating the value added by Audit and Improvement services. We are becoming a true partner in working to assist the House to become the best possible Administration and to provide the best possible services to Members of Parliament. By focusing on assisting the organization in continually improving we can effectively support a modern, changing parliament and maintain a sustainable audit function that works for our organization. Our focus on collaboration and trust has improved our ability to make an impact and assist the organization in meeting its objectives without being the scary monster at the door. So, the next time that audit comes knocking, don’t be afraid, we really are here to help.

Organizational Governance Within Parliamentary Institutions: Starting with a Framework

The Legislative Assembly of British Columbia has created what is believed to be a first-of-its-kind governance framework for a parliamentary institution. This authoritative guide outlines the framework, processes and practices in support of good governance in the very unique parliamentary context. In this article, the author explains why the framework was established, details the principles informing it, and its general structure. He concludes by noting that when parliaments are proactive in establishing and maintaining good governance internally, they help create and sustain public confidence in these institutions.

Artour Sogomonian

Introduction

From time to time, parliamentary institutions undergo a period of significant reforms – sometimes procedural, sometimes administrative. The Legislative Assembly of British Columbia is no exception. Such transformations are necessary for any institution to modernize and to meet evolving needs and expectations.

In late 2018, the Legislative Assembly of British Columbia embarked on a journey of administrative reforms, one that continues to this day. This journey was triggered by events that shook public confidence in the institution. The necessity of strengthened governance processes became evident. There was a need within the organization to clearly identify roles, responsibilities, authorities, lines of accountability, and practices that would provide certainty with respect to the administrative structures within the Legislative Assembly, and also provide certainty with respect to decision-making.

A great deal of work throughout the organization culminated in the production of the *Legislative Assembly Governance Framework*. This document is believed to be the first of its kind in a parliamentary institution. It serves as an authoritative guide outlining the framework, processes, and practices in support of good governance. The *Legislative Assembly Governance Framework* was unanimously adopted by the Legislative Assembly Management Committee, the all-party statutory parliamentary governance board, on January 31, 2022.

Why is Good Governance Important?

“Good governance in the public sector encourages better informed and longer-term decision making as well as the efficient use of resources. It strengthens accountability for the stewardship of those resources. [...] Good governance can improve organizational leadership, management, and oversight, resulting in more effective interventions and, ultimately, better outcomes.”¹

These objectives apply equally within a parliamentary setting. The entity charged with governance must not only be concerned about how administrative structures support Members in the execution of their constitutional duties and better enable them to undertake these responsibilities, but also how they are positioned to sustain processes expected within a modern organization. This is particularly important when the institution is funded from the public purse.

Artour Sogomonian is Clerk Assistant, Parliamentary Services at the Legislative Assembly of British Columbia

Why a Governance Framework?

The *Legislative Assembly Governance Framework* was prepared for Members of the Legislative Assembly to serve as the authoritative guide to the governance structure under which the Legislative Assembly executes its administrative and financial responsibilities. There are several elements in a sound governance system including clarity of objectives and expectations, clear lines of accountability, and transparency in the application of and compliance with rules. In this context, as previously noted, the Governance Framework provides clarity of roles, responsibilities, and accountabilities with respect to and between the various components of the functional decision-making hierarchy within the Legislative Assembly as an entity. The Governance Framework also sets out the processes and practices that support good governance within the Legislative Assembly.

The Legislative Assembly is the heart of parliamentary democracy in the province. British Columbians look to the institution to be a model of good governance – one that sustains their trust in the institution and its operating practices. But the Legislative Assembly environment is a complex one, where several groups intersect and operate with full or partial autonomy – including caucuses, legislative offices, constituency offices, and the Legislative Assembly Administration.

The *Legislative Assembly Governance Framework* recognizes this reality at its core and aims to establish a structure that balances the realities of this environment with best practices, professional obligations, multi-faceted service delivery requirements, risk management, fiscal responsibility, and expectations for accountability and transparency. The *Legislative Assembly Governance Framework* captures the nature of our parliamentary setting but is founded on best governance practices published by reputable organizations in British Columbia, Canada, and beyond.

The Legislative Assembly: Institution vs. Organization

To understand the Legislative Assembly's governance structure, one must first understand the distinction between the Legislative Assembly as an institution and the Legislative Assembly as an organization. For clarity, there is only one constitutional entity: the Legislative Assembly of British Columbia.

The Legislative Assembly as an institution refers to the body of 87 democratically elected Members constituted under the provincial *Constitution Act* (R.S.B.C. 1996, c. 66), which derives its authority from the *Constitution Act, 1867* (30 & 31 Victoria, c. 3 (U.K.)), formerly the *British North America Act, 1867*). As an institution, the Legislative Assembly is the supreme law-making authority in and for British Columbia. It is the heart of parliamentary democracy in British Columbia, allowing its Members to undertake their responsibilities for legislating, scrutinizing the executive branch of government, and representing the interests of British Columbians. As an institution, the Legislative Assembly's proceedings are founded on the Westminster parliamentary system, and are governed by constitutional and statutory provisions and by the *Standing Orders of the Legislative Assembly of British Columbia*, the permanent rules of procedure.

The Legislative Assembly as an organization refers to the administrative structures that are in place to support the functioning of the Legislative Assembly as an institution. Any administrative structures that exist at the Legislative Assembly are part of the Legislative Assembly as an organization. There are distinct differences between these two identifiers, and organizational matters are subject to oversight by, and direction of, the Legislative Assembly Management Committee. The Legislative Assembly Management Committee does not have any authority or oversight over the conduct of parliamentary business undertaken by the Legislative Assembly or its parliamentary committees, but has a vital enabling role to ensure that Members of the Legislative Assembly are able to carry out their duties effectively by being equipped with the appropriate resources, supports, and services.

The *Legislative Assembly Governance Framework* only applies to the Legislative Assembly as an organization, though it is to be recognized that organizational matters and decisions governed by the Governance Framework may have an impact on the institution, primarily on its reputation. Therefore, the Governance Framework is relevant to the functions and work of the Legislative Assembly Management Committee and the administrative structures that the Committee oversees. The Governance Framework has no application to, or bearing on, the parliamentary business undertaken by the Legislative Assembly and its parliamentary committees.

Regulation of the Legislative Assembly's Internal Affairs

One of the parliamentary privileges that the Legislative Assembly enjoys is the right to independent regulation of its internal affairs. In order to fulfill its necessary, constitutional responsibilities, the Legislative Assembly, through the Speaker, holds and exercises exclusive jurisdiction over its proceedings, governance and decision-making, and premises. The Legislative Assembly, through statutory delegation to the Legislative Assembly Management Committee, develops and adopts, among other things, financial and administrative policies and practices that govern the organization.

As Joseph Maingot notes in *Parliamentary Immunity in Canada*, “The privilege of control over its own affairs and proceedings is one of the most significant attributes of an independent legislative institution.”² Governance structures within a parliamentary institution must be carefully cognizant of this unique reality in order to uphold the independence of the Legislative Assembly as the legislative branch of government.

Governance in a Parliamentary Institution

Much has been done to develop good corporate governance principles and practices in the public sector. However, little expertise exists on what good “corporate” or “organizational” governance looks like in the distinct nature of a parliamentary setting. General principles apply and form the heart of the contents of the *Legislative Assembly Governance Framework*, which is intended to be a living document, subject to regular review and revision. In this respect, the Legislative Assembly of British Columbia has committed itself to being a leader.

Governance in a parliamentary setting is unique for several reasons. In British Columbia, the membership of the Legislative Assembly Management Committee is set in statute and is drawn on Members appointed to a certain parliamentary role for each caucus (e.g., House Leader, Caucus Chair). Therefore, the individuals collectively tasked with oversight – i.e., Members of the Committee – take up membership on the Committee by virtue of their appointment to a parliamentary role and are not necessarily well versed, on taking up membership on the Committee, in matters that a parliamentary governance and oversight committee has to deal with. The *Legislative Assembly Governance Framework*, therefore, serves

as an important tool in equipping Members of the Committee with a better understanding of the various roles and responsibilities within the Legislative Assembly’s governance structure.

Second, governance in a parliamentary environment is unique because the Legislative Assembly Management Committee does not function like a typical governance body. The Legislative Assembly is not a corporation, nor does it operate like one. It is, fundamentally, a parliamentary institution – inherently a public one, which must strive to maintain public trust and confidence in its operations. Beyond that, there are many administrative and management decisions made on a day-to-day basis by various groups within the organization: Members of the Legislative Assembly themselves (in the context of autonomous constituency office operations and, where applicable, legislative office operations); Members of the Legislative Assembly and caucus staff (in the context of autonomous caucus operations); and the Speaker of the Legislative Assembly, the Clerk of the Legislative Assembly, and Legislative Assembly Administration leadership and management (in the context of Legislative Assembly Administration operations). These decisions are subject to parameters, policies and directives established and issued by the Committee.

Third, Members of the Legislative Assembly Management Committee are themselves often subject to the decisions made by the Committee, as individual Members of the Legislative Assembly. This stems from the inherent principle that is core to preserving the independence of the legislative branch of government: that the Legislative Assembly has the right to govern itself and determine how it functions – and this applies to the enabling administrative functions that support Members of the Legislative Assembly in the exercise of their duties. But this model may present challenges, particularly in the provision of arms-length oversight of Members’ expenditures and resources that are typically offered by a governance board. In this regard, the Legislative Assembly is not unique; nearly every parliament in the Commonwealth uses the same model. However, the Legislative Assembly firmly believes that it is possible to establish robust procedures and mechanisms to ensure that the principles of good governance are upheld in the unique parliamentary setting, which is what the *Legislative Assembly Governance Framework* does.

Fourth, governance in a parliamentary environment is also unique because the governance body, being the Legislative Assembly Management Committee, must ensure that the autonomy and independence of the Legislative Assembly, as the legislative branch of government, are upheld and protected.

Last, governance in a parliamentary institution must recognize the nature of parliamentary life and the principles that apply to it. Specifically:

- a Member of the Legislative Assembly has the constitutional rights, immunities and independence applicable to their office as a Member of the Legislative Assembly and to the carrying out of the Member's parliamentary functions free from interference and intimidation;
- political activities are an inherent and essential part of the parliamentary functions of a Member of the Legislative Assembly;
- a Member of the Legislative Assembly is to be provided with the resources and services, at a level subject to and determined by law and by the Legislative Assembly Management Committee, in order to permit the Member to effectively carry out their parliamentary functions;
- a Member of the Legislative Assembly has full discretion over and control of the work performed on their behalf by their staff in carrying out the Member's parliamentary functions, subject only to the law and to the direction of, and policies established by, the Legislative Assembly Management Committee; and
- the Legislative Assembly Management Committee has exclusive jurisdiction to determine how resources and assets of the Legislative Assembly are allocated and used, subject to its statutory authority and the law.³

The *Legislative Assembly Governance Framework* is designed with these considerations in mind. Its structure and the processes and practices outlined throughout the Governance Framework are designed to appropriately meet the Legislative Assembly's strategic and operational objectives and to facilitate effective decision-making and oversight.

Governance Principles

Good governance strengthens organizational leadership, management, and oversight. In any organization, governance is exercised at different levels, most commonly structured between management and an oversight board or committee.

Each level of a governance structure plays a complementary but distinct role, separated to promote objectivity in decision-making. Each level also has a distinct role in upholding the governance principles noted below, which are reflected throughout the *Legislative Assembly Governance Framework*.

In 2008, the Office of the Auditor General of British Columbia released a report entitled *Public Sector Governance: A Guide to the Principles of Good Practice*. The principles set out in that report are at the core of the *Legislative Assembly Governance Framework*; the Legislative Assembly has formally acknowledged and accepted that adherence to these principles is key to ensuring good governance and sustaining the success of the organization. In many respects, these principles are reflected and embedded in prescriptive requirements throughout the *Legislative Assembly Governance Framework*. As noted in the report,

Five key principles underpin good governance. An organization that practices good governance is one that always, in word and action, demonstrates: **accountability**, **strong leadership**; **integrity**; **stewardship**; and **transparency** (the A.L.I.S.T.).

Accountability is the process whereby public sector organizations, and the individuals within them, take responsibility for their decisions and actions. They are willing to submit themselves to scrutiny to ensure that the responsibilities conferred – pertaining to everything from probity and ethics to the effective and efficient implementation of programs – are answered for.

Strong leadership sets the “tone at the top” and is absolutely critical if an entire organization is to embrace good governance. Public sector leaders must not only demonstrate ethical behaviour themselves, but require ethical behaviour of all staff throughout the organization and a commitment by everyone to the practice of good governance.

Acting with **integrity** means being impartial, ethical and not misusing information or resources. An organization with integrity maintains high standards of propriety and probity in the stewardship of public funds. It does this by having an effective control framework in place, abiding by relevant legislation, regulations and policies (such as

the British Columbia Public Sector Values and Standard of Conduct) and instilling high standards of professionalism at all levels within the organization. An organization's integrity is reflected both in its decision-making procedures and in the quality of its financial and performance reporting. The British Columbia Public Service Values place integrity above all other values.

Stewardship is the act of looking after something on behalf of others to protect or improve its sustainability. In the public sector, it relates to the way public officials exercise their powers on behalf of the public they serve. The resources that public employees use are held in trust; these resources are not privately owned. A public sector organization demonstrates stewardship by maintaining or improving its capacity to serve government and the public interest over time. This applies to ensuring financial sustainability and the efficient and effective management of resources, as well as maintaining the trust placed in the organization.

Transparency is achieved when an organization's actions are open to scrutiny. It means stakeholders, the public and employees have access to full, accurate and clear information about the organization's decisions. Good governance requires transparency so that all players can have confidence in the decision-making processes and actions of public sector organizations.⁴

Structure of the Legislative Assembly Governance Framework

The *Legislative Assembly Governance Framework* is organized in several sections, each intended to assist the reader better understand the organization's administrative structures and operations:

Introduction (sets out the matters outlined above: purpose; the Legislative Assembly as an institution vs. as an organization; regulation of the Legislative Assembly's internal affairs; governance in a parliamentary institution; and governance principles).

Statutory Framework – Legislative Assembly Management Committee (sets out the statutory governing framework; membership and chair; and relationship with the Legislative Assembly (parliamentary context)).

Organizational Structure (sets out the organizational structure, including the roles of two key officeholders, being the Speaker of the Legislative Assembly and the Clerk of the Legislative Assembly; caucuses; legislative offices of independent Members; constituency offices; Legislative Assembly Administration; and Office of the Premier and Ministers' offices).

Core Functions – Legislative Assembly Management Committee (sets out powers and duties as provided in statute; general functions; strategy functions; internal control and financial reporting functions; risk management functions; conduct and ethical behaviour functions; human resources functions; and parliamentary functions).

Roles and Responsibilities (sets out the key responsibilities of the Legislative Assembly Management Committee, including oversight and approval responsibilities; the key responsibilities of the Speaker of the Legislative Assembly, including working with Legislative Assembly Administration management, managing the Committee, and representing the Committee; the key responsibilities of the Clerk of the Legislative Assembly, specifically as the chief executive and as clerk to the Committee; key responsibilities of the Clerk's Leadership Group (the executive team); and responsibilities in relation to security within the Legislative Precinct).

Key Processes in Support of Good Governance (sets out the orientation and development opportunities for Members of the Legislative Assembly Management Committee; strategic planning; risk management; policy framework; system of internal controls; performance evaluation for the Clerk of the Legislative Assembly; Governance Framework review; and related support through the Legislative Assembly Administration).

Delegation of Authority (sets out delegation of authority to the Speaker of the Legislative Assembly; to the House Leaders; to the Clerk of the Legislative Assembly; to the Committee's advisory subcommittees; during a period of dissolution of the Legislative Assembly; during emergency situations; and financial authority).

Operating Guidelines – Legislative Assembly Management Committee (sets out expectations about acting in the best interests of the Legislative Assembly; expectations of conduct for Members of the Committee; process for handling requests for information; correspondence to and from the Committee; and the designation of the spokesperson for the Committee).

Consultation and Independent Advisors – Legislative Assembly Management Committee (sets out consultations that have and may be undertaken by the Committee; and the role of independent (external) advisors, including the Auditor General of British Columbia).

Advisory Subcommittees and Working Groups – Legislative Assembly Management Committee (sets out the differentiation between advisory subcommittees and working groups; provides an overview of the Subcommittee on Administration and Operations, the Subcommittee on Finance and Audit, and the Subcommittee on Security, and sets out the terms of reference, role in managing risk, delegation of authority, meetings, and membership for each advisory subcommittee).

Meetings – Legislative Assembly Management Committee (sets out meeting frequency and attendance; agenda setting and meeting documents; minutes; quorum; rules of deliberations; conflict of interest; membership substitution; attendance by other Members of the Legislative Assembly; public access to proceedings; *in camera* proceedings; and Committee decisions via email).

Conclusion

Good governance is key to sustaining confidence in any organization – and parliamentary institutions are no exception. In fact, they should strive to be leaders in this area and ensure that the processes that support good governance are embedded within the organization and that they are adequately funded.

Each parliamentary institution has its own unique culture and operating mechanisms that are ultimately intended to best position the institution and its Members in the effective discharge of their duties and responsibilities. These realities must be supported by processes and practices that ensure effective governance and oversight of the organization's administrative and financial operations. Documenting these realities in an authoritative manner, whether that be in a governance framework, an operating manual, or a policy suite, benefits the institution by providing certainty with respect to its administrative and financial functioning, which in turn sustains confidence in those operations.

Proactive work in this area should be pursued by every parliamentary institution – to not only document these structures, but to actively review and revise the documentation to ensure its living nature, reflecting an evolving organization. In a time when public trust in our governing institutions appears to be waning, it is one small step that can be taken to build trust and ultimately position the organization for success.

Notes

- 1 International Federation of Accountants & The Chartered Institute of Public Finance and Accountancy, *International Framework: Good Governance in the Public Sector*, July 2014, p. 6.
- 2 Joseph Maingot, *Parliamentary Immunity in Canada*, LexisNexis, Toronto, 2016, p. 166.
- 3 These principles are articulated in the *Senate Administrative Rules* (Senate of Canada), and were adopted by the Legislative Assembly of British Columbia given their applicability.
- 4 Auditor General of British Columbia, *Public Sector Governance: A Guide to the Principles of Good Practice*, December 2008, pp. 6-7.

Building Capabilities for the Future – Keeping Up with Change

Through a mixture of qualitative and quantitative research methods, this article presents the new way the House of Commons Administration in Canada is supporting MPs' professional development and continuous learning. This new approach builds on the evolving practices used to onboard MPs here as well as in comparable parliamentary systems elsewhere, and is informed by notable research that has been done in this field. The Members of Parliament Capability Development Framework (MP-CDF) is designed to offer an agile and adaptable approach to support MPs' continuing development as individuals and as organizations to meet their evolving objectives as legislators, employers, and representatives of their constituents.

Ismail Albaidhani and Guillaume LaPerrière-Marcoux

Reaching a tipping point in development¹

Parliaments in contemporary democracies are approaching a tipping point in supporting the development needs of their members. The House of Commons Administration in Canada offers continuing professional development to its MPs, starting with onboarding activities immediately following election to introduce them to their new roles and ending with offboarding services to help them transition into a post-parliamentary career.

The role of MPs is changing both in the short-term, accelerated by the ongoing COVID-19 pandemic, and the long term, driven by increasing socioeconomic transformation and its impact on the work environment.

The House of Commons Administration in Canada (House Administration) is constantly striving to support the needs of MPs, from the moment they start their parliamentary journey to the time their role as parliamentarians end.

The onboarding of new MPs is evolving. Not long ago, newly elected MPs first received a large binder containing general information about the House of Commons. Two big events were then organized by the House Administration, where new MPs were provided with high-level information about their new role as parliamentarians. While the generic group sessions were helpful, they did not respond to the specific needs of new MPs to set up their offices, hire staff, understand their financial obligations or learn how to conduct parliamentary business in the Chamber and in committees.

In preparation for the 43rd general election, the House Administration took steps to revamp and redesign its orientation activities for Members. One key focus of this effort was to better understand MPs' needs and respond to them in a timely manner. Some of the latest design principles and technological tools were used.

User-centricity refocused the information provided, placing MPs' needs at the centre of the orientation activities. The just-in-time principle was applied to provide new Members with the right information at the right time without overwhelming them.

On-demand and personalized experiences were also introduced. A new knowledge and learning management system was implemented allowing MPs and their employees to access virtual learning, online information, and news from any part of the country through a dedicated portal available to them 24/7 on their cellphones, tablets, and desktop computers.

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The pandemic also added a new dimension to the way MPs work and interact, giving rise to the development of virtual and hybrid channels. Onboarding activities following by-elections and the 44th general election were aligned with this new hybrid reality, giving MPs the option to take part in orientation activities and the swearing-in ceremony either in person or virtually.

Onboarding starts with key preboarding activities as early as the day after the election. New MPs first meet with specialists from the House Administration, who connect their technological devices to the parliamentary network, enrol them in the pay and benefits system, and create their identification and access cards.

They then participate in various group sessions, where they learn about their parliamentary duties, their office management responsibilities (which include hiring staff), and their financial budgets. MPs also receive information on the services offered by the House Administration to help them establish their offices.

After the first round of onboarding activities and before the new Parliament officially opens, MPs are sworn in by the Clerk of the House of Commons and attend a simulated sitting in the Chamber to help familiarize them with their legislative responsibilities, including voting and debating bills and motions.

Shortly after the opening of the Parliament, MPs are invited to a series of training sessions where they can learn about committee work and how to draft private Member's bills, motions, and amendments.

Given their existing knowledge, re-elected MPs take part in adjusted orientation activities that include the swearing-in ceremony and the re-signing of forms. They receive a new financial budget letter as well as updated policies and procedures.

Moreover, new House Officers (party leaders, Whips, House Leaders) have access to onboarding activities specifically geared to the new role they are taking on in addition to those of regular MPs.

MPs' newly hired employees also participate in a series of virtual onboarding activities. This includes an orientation session introducing them to the House of Commons and the services available to the MP's office, the MP's role and responsibilities, and how they, as employees, can support their MP.

At the end of their parliamentary career—regardless of whether or not they sought reelection—departing

MPs benefit from a formal transition session to help them ease out of public life. This program provides assistance for vacating their offices and relocating their residence, as well as for managing employment contracts and closing expenses. The service includes a career transition package designed to help former MPs develop skills for the next stage in their career.

Recognizing complexity²

Members of Parliament now face an increasing level of job complexity. Their role and responsibilities are shifting in the short-term, due to the COVID-19 pandemic, and in the long-term, as a result of changes driven by the evolution of today's work environment and the growing influence of technology and social media.

Notably, the pandemic has accelerated this shift. The House of Commons and its committees ramped up their use of teleconferencing and videoconferencing to hold virtual sittings and meetings. Electronic voting was introduced as a temporary measure in the 43rd Parliament to allow the House to take recorded divisions more efficiently during the pandemic.

The House Administration has worked to help parliamentarians become more technologically savvy and to connect and communicate virtually—using the latest secure technologies—with their constituents and team members working from home, on the Hill, and in their constituency offices.

Furthermore, COVID-19 and the emergence of stricter health and safety regulations has reduced MPs' travel and increased their dependence on technology.

On a larger scale, the fast-changing socioeconomic development is impacting the workplace. The democratization of information is a major driver, with the heightened expectation of the public for MPs to be fully transparent in everything they do; intensified media coverage, open data, electronic petitions, and open parliament are just a few examples of this growing trend.

MPs also have responsibilities as employers, including staffing and managing their parliamentary offices in Ottawa and in their constituencies. The quest for talent has become a major priority for them. The fierce competition they face from other economic sectors requires them to brand themselves differently to appeal to the new generation of Canadian professionals across the country.

The evolving work environment and stricter health, safety, and security regulations all add an extra layer of complexity to an already extensive list of responsibilities for MPs. This has put pressure on them to broaden their knowledge and enhance their ability to manage human and financial resources in accordance with modern leadership and management best practices.

Bill C-65—which amends the *Parliamentary Employment and Staff Relations Act* to extend the application of the health and safety requirements of Part II of the *Canada Labour Code* to parliamentary employers and employees—is one example of the resulting shift. For some, managing staff is a new responsibility. MPs need to quickly learn how to fulfil this managerial role. The scope and amount of work they face as legislators and representatives of their constituents can only be tackled with the support of employees.

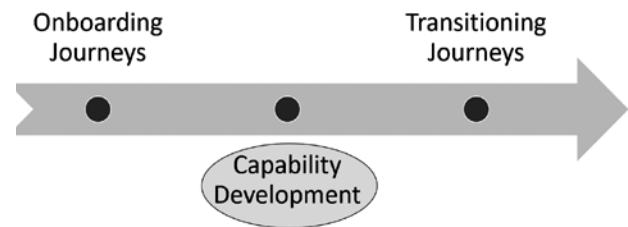
The growing impact of social media and the speed at which parliamentarians need to communicate today are other factors that have made MPs' jobs more complex and demanding. Social media has opened new channels through which the public and media can interact with parliamentarians.

In this age of constant change and turbulence, MPs are always having to shift their operating model. Their offices are becoming agile operations capable of reacting and responding to quickly evolving factors such as a rapid news cycle, viral headlines, and new regulations.

MPs' development journey, therefore, needs to evolve and extend beyond the onboarding program. They must keep abreast of the various socioeconomic driving forces and the rapidly moving landscape, which has only accelerated as a result of the pandemic. The House Administration's goal should be more ambitious and not only help MPs manage predictable factors (e.g., evolving regulations on health, safety, and security; advanced new technologies for communicating and collaborating), but also prepare them to face unpredictable elements (e.g., pandemic, crisis) with greater confidence.

New and emerging evidence coming from MPs and their teams during this pandemic reveal increased demand for and participation in continuous learning and development.

Figure 1:
MP development journey during their parliamentary career



Recently, the House of Commons' Board of Internal Economy approved a one-year pilot to increase the funds available to each Member as an employer for the professional development and training of their employees.

This raises the question of how parliamentary administrations can bridge the developmental gap for MPs, House Officers, and their employees, especially between the well-structured, sequential, and just-in-time onboarding programs and the outgoing transition services at the end of their parliamentary career.

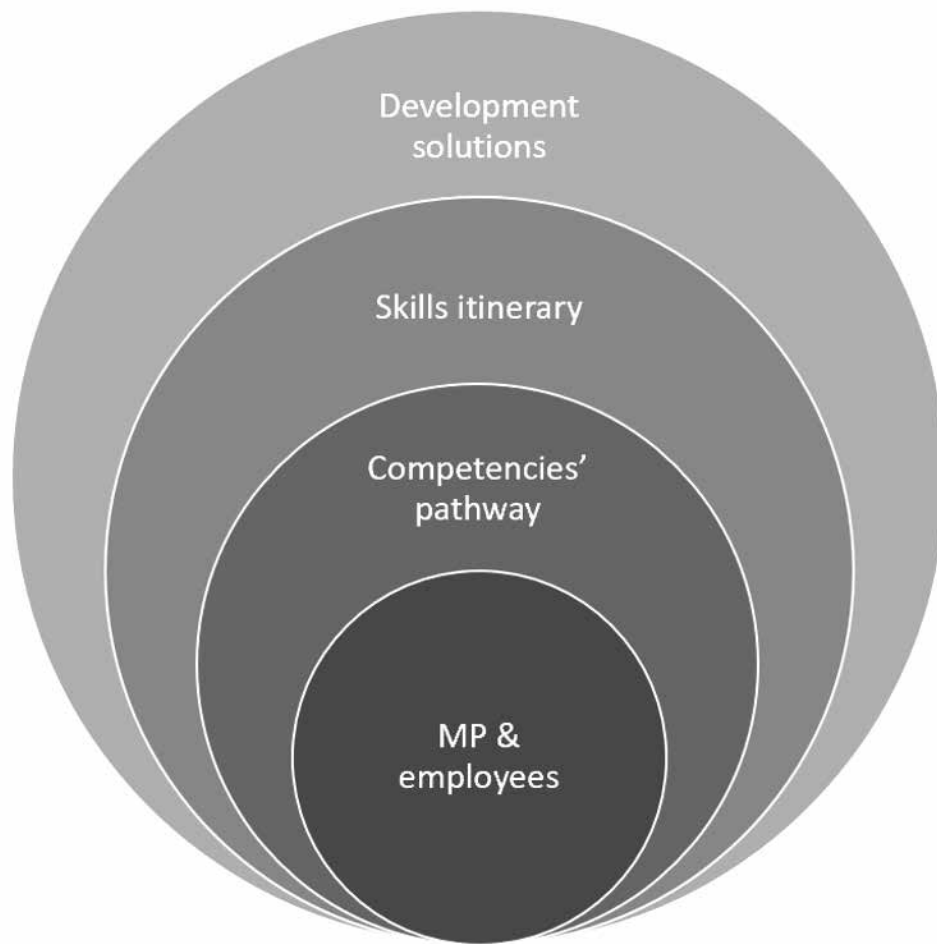
Finding a way forward³

When putting in place a new way to meet the continuing development needs of Members of Parliament and their employees, it is essential to first understand the differences between what we generally refer to as a **competency** in the traditional development framework and the new notion of **capability** development.

On the one hand, competencies generally refer to the skills required to fulfill a specific role. For example, a doctor must be competent to examine patients, a pilot must be competent to fly an aircraft, and an accountant must be competent to manage expenses. On the other hand, capability refers to a person's ability to perform a wide range of duties. For example, a CEO must be capable of running an organization but not necessarily be competent in all its activities (e.g., finance, human resources, IT); a government minister should be capable of running an administration but not necessarily be a specialist in their ministry's field.

Competency-based roles are often long-term engagements, resulting in stable careers in established professions. To use the same example as that used earlier, a medical doctor is a doctor for life. Capability-based roles, however, are often short- to mid-term

Figure 2:
MP Capability Development Framework (MP-CDF)



engagements. They're frequently rotational, higher-level, cyclical, and entail multiple responsibilities—such as in the case of a CEO or a government minister.

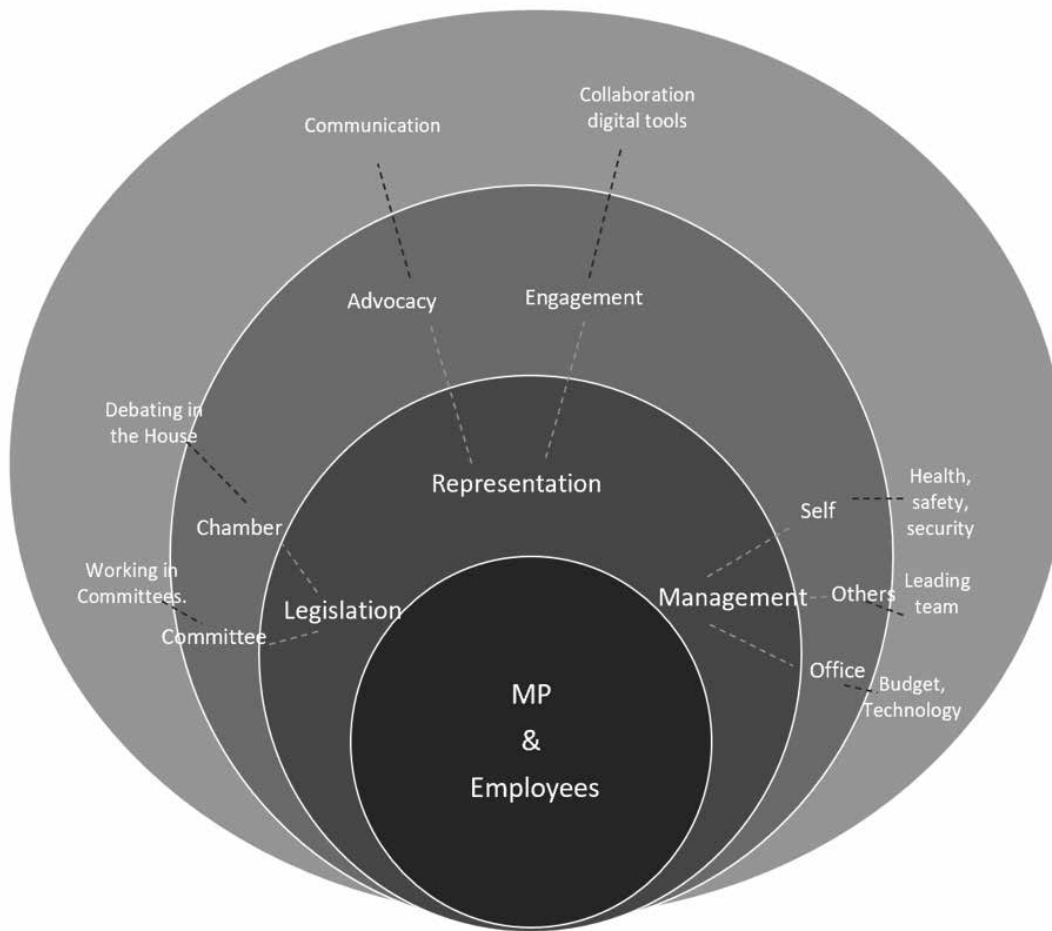
From a developmental standpoint, competencies are normally used in a direct *employer-employee* relationship; hence, many human resources professionals refer to them for their employee development to meet the organizational expectations for the role. As for capabilities, they can be used in indirect *client-service provider* relationships. Member-based organizations such as the United Nations use capability development and capacity building to enhance their members' ability to function effectively and efficiently. Universities and colleges have begun using the same framework for the professional development of graduate students, to better prepare them for various career possibilities.

Lastly, competency development often relates to a professional as an individual, while capability refers to the individual *and* the organization they operate within.

For the continuing development of Members of Parliament and their employees, it is reasonable that we deviate from traditional competency-development frameworks. In many cases, in the context of member-based organizations, these frameworks have failed. This failure is primarily a result of the complexity and variety of the developmental needs of the individuals and the organizations within which they operate.

Field and academic research has shown that parliamentary systems around the world are struggling when it comes to creating professional development programs for parliamentarians and

Figure 3:
MP-CDF simulation with skills and learning solutions



their employees. At the very best, parliamentary administrations have tried to make the traditional employer-employee competency development framework fit MPs' and their employees' reality, though this has proven to be ineffective and largely unsuccessful.

Accordingly, we designed the MP-CDF to be user-centric, simple, flexible, and adaptable. These qualities are necessary to create a successful development framework for MPs.

Parliamentary administrations should build a program around the idea of enabling MPs and their employees to effectively perform and smoothly navigate their various roles throughout their parliamentary career.

Recognizing that MPs each have their own prior professional and life experiences, we are of the opinion that the framework should not rely on a typical sequence of developmental activities as with the onboarding or offboarding journeys, but rather be more of an *à la carte* solution that would give them access to the development option they want when they need it.

In other words, the framework encompasses a range of competency pathways for MPs and their employees to select from, not just a single competency development track. Each competency pathway is linked to a skill itinerary that opens up a range of learning and development solutions offered in a variety of learning modes, from expert-led sessions to virtual live events and online self-learning modules.

To simulate the MP-CDF, during a parliament, Members of Parliament and their employees could proactively consult the House Administration's dynamic framework through a self-service MP portal dedicated to their knowledge and learning, accessible at any time from wherever they are in the country, or they could contact a client service team member.

As illustrated in Figure 3, MPs could select from the capability development framework a specific competency that they wish to develop at a particular time, either for themselves or their office. For example, if a new pandemic should hit during Parliament and MPs wanted to better understand their obligations as employers, they could choose "management" from a range of competency pathways and select the appropriate skill itinerary (managing self, others, or the office). This would lead to a number of learning solutions aimed at equipping them with the skills they need under that specific theme (health and safety training, for example).

The MP-CDF is not designed as a "one size fits all" solution like the onboarding program, which presents all MPs with the same information. An MP might already know their obligations as an employer due to prior experience as an executive or a business owner. However, that MP may wish to select another competency pathway, such as legislation, to help them understand how to vote and participate remotely in Chamber and committee proceedings during the pandemic. The MP-CDF would provide the MP with the learning solutions available to equip them and their offices with the skills and tools they need to perform their parliamentary functions.

Impact⁴

Using the dynamic MP-CDF during the COVID-19 pandemic yielded promising results. The House Administration successfully delivered more learning solutions (courses and training sessions) since the start of the pandemic to help MPs and their employees keep up with the various challenges they faced during the crisis.

Virtual learning sessions were organized early on in the pandemic to help MPs understand the nature of the COVID-19 crisis and how best to respond to the situation as employers. This was followed by several sessions on health and safety regulations, mental health best practices for MPs and their staff, and digital collaboration tools to help teams collaborate and communicate in the new virtual environment.

Training sessions on finances and expenses were also offered to MPs to help them manage their operating budgets during the pandemic.

In order to support MPs' evolving legislative duties, several training and orientation activities were launched to introduce them to new videoconferencing tools (e.g., Zoom) for taking part in virtual Chamber proceedings, as well as to the new electronic voting application developed by the House Administration to enable effective and efficient recorded divisions conducted in the hybrid setting.

The feedback received from MPs and their employees on the training sessions delivered was very positive, with satisfaction ratings ranging between four (meeting all MPs' needs) and five (exceeding MPs' expectations) out of five on the evaluation scale.

To help MPs be better prepared in increasingly uncertain and complex times, it could be useful to combine well-structured, sequential, and standard MP onboarding and offboarding journeys at the start and end of a parliamentary cycle with an agile, flexible, and adaptable capability development framework for Members of Parliament and their employees throughout a Parliament. It would help build their individual and organizational resilience and make them more effective in their parliamentary functions by responding proactively to their needs and constituents' expectations.

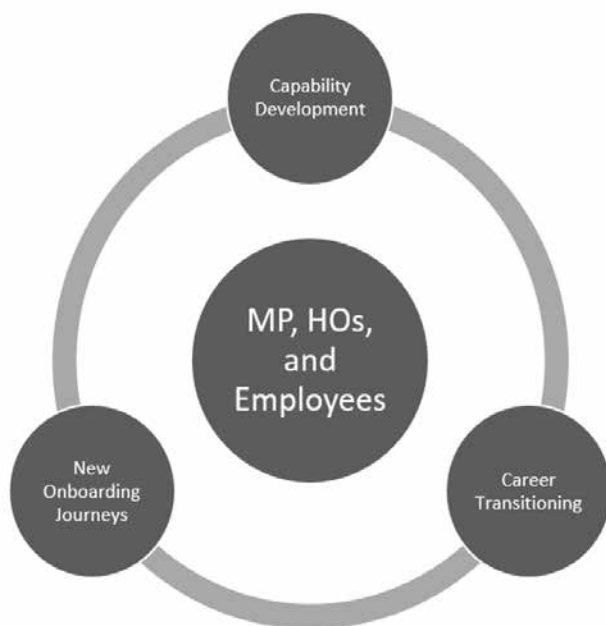
As part of its continuous improvement culture, the House Administration constantly assesses the impact of its MP-CDF integrated solution (onboarding, capability development, and transition services).

To do that, the House Administration uses two well-established theories: the theory of change, which creates a logical framework to link a cause with an effect, and the success criteria used to review the short-term output, mid-term outcome, and long-term impact.

The evaluation technique used builds on both the Kirkpatrick model, to monitor MPs' and their employees' reactions by measuring their immediate level of satisfaction with the solutions offered by the MP-CDF (collected instantly), and the OECD-DAC model, to look for mid- and long-term indicators, such as:

- relevance to the MPs' daily work (i.e., did they receive what they wanted when they needed it?);

Figure 4:
MP-CDF integrated solution



- effectiveness (were MPs able to operate their offices and manage their teams in support of their parliamentary functions?);
- efficiency of the mode of delivery (how did MPs obtain and retain knowledge using virtual vs. self-paced learning or in-person experiences?);
- impact (did the MP-CDF interventions help MPs work with constituents?); and
- sustainability (did the integrated development work—onboarding, MP-CDF, transition—help MPs at the end of their parliamentary life and their successors to ensure continued constituent support?).

The MP-CDF evaluation can be the subject of further research following the full implementation and integration of its activities.

In conclusion, if appropriately implemented, the MP-CDF would enable parliamentary administrations to establish a “learning organization” mindset. Learning becomes a lifelong journey for MPs through early and timely onboarding when they come into office, agile

and adaptable capability development throughout the life cycle of a Parliament, and effective and smooth transition support at the end of their parliamentary career to help them acquire skills for the future.

Notes

- 1 Coghill, K., P. Holland, R. Donohue, K. Rozzoli and G. Grant. “Professional development programmes for members of parliament.” *Parliamentary Affairs*, Vol. 61, No. 1, 2008, pp. 73–98; Bosc, Marc, and André Gagnon (eds.). “The Canadian Parliamentary System.” *House of Commons Procedure and Practice*, Third Edition, 2017; Purves, Grant, and Jack Stilborn. *Members of the House of Commons: Their Role*. Library of Parliament, revised June 1997; Morden, Mike. “Canadian Parliaments Respond to COVID-19.” *Canadian Parliamentary Review*, Vol. 43, No. 3, 2020; “How Pandemics Shape Society.” Johns Hopkins University, April 9, 2020.
- 2 Ziegler, K. S., D. Baranger and A. W. Bradley (eds.). *Constitutionalism and the Role of Parliaments*. Bloomsbury Publishing, 2007; Loat, A. “Member of Parliament: A Job With No Job Description.” *Canadian Parliamentary Review*, Vol. 34, No. 1, 2011, pp. 23–29; Rush, M. *The Role of the Member of Parliament Since 1868: From Gentlemen to Players*. Oxford University Press, 2001; Power, Greg. “Global Parliamentary Report 2012: The changing nature of parliamentary representation.” *Interparliamentary Union*, April 2012, p. 50.
- 3 Albaidhani, I., A. Romero-Torres and B. Meddeb. “ProdJecting the Future: New Product-Project Development: The Prod-Ject Management System.” *The Journal of Modern Project Management*, 6(2), 2018; Baldwin, Timothy T., and J. Kevin Ford. “Transfer of Training: A Review and Directions for Future Research.” *Personnel Psychology*, Vol. 41, Issue 1; Hirt, Morgean. “Competency Out, Capability In.” *TD Magazine*, Association for Talent Development; Albaidhani, I., and A. Romero. “When Project Meets Innovation: ‘PRO-INNOVA Conceptual Model’.” *The Journal of Modern Project Management*, Vol. 5, No. 3, 2018; OECD. “Women’s professional development and advancement is effectively fostered within parliaments.” *Toolkit for Mainstreaming and Implementing Gender Equality*; McKinsey & Company. “Building capabilities for performance.” URL: <https://www.mckinsey.com/business-functions/people-and-organizational-performance/our-insights/building-capabilities-for-performance>
- 4 Brest, P. “The Power of Theories of Change.” *Stanford Social Innovation Review*, spring 2010; Morris, Peter W. G., Jeff Pinto and Jonas Söderlund (eds.). *The Oxford Handbook of Project Management*. Oxford University Press, 2012; The Kirkpatrick Model. URL: <https://www.kirkpatrickpartners.com/the-kirkpatrick-model/>; OECD-DAC. Criteria for evaluating development assistance. URL: <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

Accountability, Integrity and Administration: A Rock-Solid Framework for the House of Assembly in Newfoundland and Labrador

Following a series of audits in 2006 that discovered spending irregularities and resulted in fraud charges against several MHAs, a House of Assembly employee and an external supplier, Newfoundland and Labrador's House of Assembly put into place a new framework for accountability and oversight. In this article, the author outlines this framework and other accountability mechanisms designed to restore public confidence in their legislature's operations.

Kim Hawley George

A discussion of audit practices in the Newfoundland and Labrador Legislature first requires a journey back to the (not-so-distant) past. After all, who we are today is inextricably tied to the events of yesterday.

In 2006, a series of audits and subsequent reports from the Auditor General showed poor financial controls at the House of Assembly. As a result of those audits, four Members (involving the three political parties represented in the House at the time), an employee of the Legislature and an external supplier were charged with various criminal offences including fraud over \$5000, fraud on government/influence peddling and breach of trust. Individuals were convicted and served jail time.

Subsequent to the reports of the Auditor General, Chief Justice Derek Green was appointed to conduct a review of the Legislature. In June 2007, Chief Justice Green issued a report entitled "Rebuilding Confidence: Report of the Review Commission on Constituency Allowances and Related Matters" ("Green Report").¹

The Green Report included 80 recommendations as well as a proposed Bill and subordinate legislation. The *House of Assembly Accountability, Integrity and Administration Act* ("HOAAIAA") and accompanying *Members' Resources and Allowances Rules* ("the Rules") were passed unanimously by the House and came into force in June 2007. They established a statutory framework to improve controls within the Legislature; to provide greater oversight; and to improve accountability with respect to the use of public funds by elected officials.

The Executive Summary of the Green Report concludes as follows:

Reform must include a *reform of attitude* and the creation and maintenance of an institutional culture of responsibility. Transparency and accountability are the building blocks of public confidence. There must be visible checks and balances in the system if there is to be any hope of rebuilding confidence in it. The technical implementation of specific institutional reforms will not by itself restore public confidence. Rather, that confidence will be restored by the willingness and constant dedication of our leaders to foster and maintain, by example, the standards expected of those who discharge the critically important and difficult responsibilities of public office.²

Kim Hawley George is Clerk Assistant (A) and Law Clerk of the House of Assembly in Newfoundland and Labrador. She has been appointed Queen's Counsel.

It is upon this foundation that the House of Assembly operates today. In this article, I will outline the comprehensive accountability structure recommended by the Green Report and subsequently adopted by the House of Assembly. I will also provide examples of associated structures which support and enhance the culture of transparency and accountability in the administration of the Newfoundland and Labrador Legislature.

Administration and Management Structures

The **House of Assembly Management Commission** (“the Commission”) is the group of elected officials with fiduciary responsibilities for the administration of the Legislature. It is required to act in a non-partisan manner to establish and implement financial and administrative policies for the House of Assembly Service and the Statutory Offices. The Commission is constituted at the beginning of a new General Assembly, and continues when the Assembly dissolves until the new membership is constituted. Its complete range of responsibilities is outlined in Part III of the *HOAAIAA*. Specifically, the Commission has a duty and a responsibility to:

- oversee the finances of the Legislature, including its budget, revenues, expenses, assets and liabilities;
- review and approve the administrative, financial and human resource and management policies of the House of Assembly Service and its Statutory Offices;
- implement and periodically review and update financial and management policies applicable to the House of Assembly Service and its Statutory Offices;
- give direction respecting matters that the Commission considers necessary for the efficient and effective operation of the House of Assembly Service and its Statutory Offices;
- make and keep current rules respecting the proper administration of allowances for Members and reimbursement and payment of their expenditures;
- submit an annual report to the House of Assembly respecting the Commission’s decisions and activities; and
- exercise other powers given to the Commission and perform other duties imposed on the Commission.

Audit Committee: The *HOAAIAA* requires the establishment of an Audit Committee (“the Committee”) to assist the Commission in fulfilling its financial and compliance oversight responsibilities. The Committee reviews the financial statements and

other financial information of the House to ensure the transparency and integrity of the House’s systems of internal and disclosure controls and published financial information. The Audit Committee is also charged with fostering adherence to, and encouraging continuous improvement of, the House’s policies, procedures and practices. It maintains effective working relationships with the Commission as well as internal and external auditors.

The Audit Committee is a committee of the Commission, but ultimately the Commission’s responsibilities are not delegated to it. The primary responsibility for financial and other reporting, internal control and compliance with policies, ethics and legislation still rests with the Commission. The Committee may, however, draw the Commission’s attention to any strengths and weaknesses in controls and make suggestions for how they may be addressed.

The Committee consists of two members of the Commission chosen by the Commission, at least one of whom must not be a Member of the government party; and two persons, chosen by the Chief Justice of Newfoundland and Labrador, who are not Members of the House of Assembly but who are resident in the province, and who have demonstrated knowledge and experience in financial matters and are suitable to represent the public interest.

The Committee must corporately possess an appropriate skillset to allow it to carry out its overall functions. All members of the Audit Committee must have a working familiarity with basic finance and accounting practices as well as the compliance environment in which the House operates. At least one member of the Audit Committee must have accounting or related financial management expertise.

The *HOAAIAA* contains specific duties and responsibilities of the Audit Committee. The committee must:

- provide assistance to the Commission in fulfilling its oversight responsibility to the House and the public with respect to stewardship of public money;
- make recommendations to the Commission respecting the choice of and terms of engagement and compensation of an external auditor appointed under section 43 of the *Act*;
- review the audit plans of an auditor appointed under section 43 of the *Act*, including the general approach, scope and areas subject to risk of material misstatement;



Collection of the House of Assembly – Newfoundland and Labrador

A collage of some audit and financial administration documents from Newfoundland and Labrador's House of Assembly.

- review the financial statements, audit report and recommendations of the auditor and give advice about them to the Commission, including – where the Committee considers it appropriate – recommending that the Commission approve and sign the financial statements;
- review the compliance report issued and recommendations, if any, provided by the Auditor General as a result of a compliance audit conducted under subsection 43(9) of the *Act* and give advice on that report and those recommendations to the Commission;
- review internal audit reports and make recommendations to the Commission as required in respect of matters arising from those reports and generally make recommendations with respect to internal audit procedures of the House and Statutory Offices;
- review with the Clerk the effectiveness of internal control and other financial matters, as well as compliance with legal requirements respecting accountability, record-keeping, tendering and conflict of interest in the House of Assembly service and the Statutory Offices;
- review the Code of Conduct for Employees applicable to the Clerk and staff of the House of Assembly service and Statutory Offices, and make recommendations for improvements to the Commission;
- establish procedures for the receipt and treatment of complaints regarding accounting and internal controls, and the confidential submission by staff of the House of Assembly service and Statutory Offices and by members of the public service of concerns regarding questionable accounting or auditing matters;

- use reasonable efforts to satisfy itself as to the integrity of the House and Statutory Office's financial information systems and the competence of accounting personnel and senior financial management responsible for accounting and financial reporting;
- review disclosure practices of the Commission to ensure full, plain and timely disclosure of its decisions respecting financial matters;
- advise the Clerk with respect to the exercise of their responsibilities as accounting officer; and
- act on, advise and report on other matters relating to the financial affairs of the House and Statutory Offices as may be required by the Commission.

The Audit Committee is required to review its performance regularly, usually in the form of a self-assessment. The results of this assessment must be made available to the Commission. The Committee must also review its terms of reference at least once during its term.

Comprehensive Auditing Framework

The House of Assembly is subject to a comprehensive oversight and auditing framework to ensure that the Legislature remains transparent and accountable with respect to its operations and to the expenditure of public funds. The following are the core auditing structures as established in legislation further to the Green Report.

Management Certification: Section 20 of the *HOAAIAA* requires the Clerk to annually certify to the Commission that the House of Assembly and Statutory Offices have appropriate systems of internal controls in place, and that those systems are operating effectively. Consultants are engaged annually to enable the Clerk to meet these requirements. The services include a review of the design effectiveness and existence of internal controls, identification of any control gaps and recommendations for remedial action. This measure of accountability is rare for Canadian public entities and may be unique to the Legislature among public entities in the province.

Annual Financial Audit: An annual financial audit of the Legislature is also required under the *HOAAIAA*. The Auditor General has historically been appointed to perform this auditing role, but the Management Commission could appoint an external auditor further to advice by the Audit Committee. The financial information to be audited includes the Schedule of Assets and Liabilities, the Schedules of Expenditure

and Related Revenues, and gross expenditures and unexpended balances of the Legislature for that fiscal year.

Compliance Audits: In accordance with the *HOAAIAA*, the Auditor General must also complete a compliance audit once during each General Assembly. This audit evaluates the Legislature's compliance with statutory requirements for the life of that particular General Assembly. This audit is in addition to the annual financial audit conducted by the Auditor General or other appointed external auditor.

Internal Audit: The Audit Committee relies on the internal audit function to fulfill some of its required duties. The Audit Committee defines internal auditing as "an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes."³ Internal audits are performed by the Professional Services and Internal Audit Division of the Office of the Comptroller General ("the Division"). External resources may be employed to perform internal audits, but such resources must work under the direction of the Division.

The Division has no direct reporting relationship to the Committee or the Commission. Therefore, the mandate or audit plan of the Division does not require the approval of the Committee or the Commission. The Division may initiate internal audits of the House and its Statutory Offices at the discretion of the Comptroller General of Finance. As well, the Committee may request specific internal audit services from the Division. Under the *Financial Administration Act* and the *HOAAIAA*, the Comptroller General has access to all books, documents, accounts and other financial records of the House and its Statutory Offices. The role of the Committee in relation to internal audit is to advise the Commission on the assurance needs of the Commission (i.e., recommending areas to be examined by internal audit) and to review reports provided by internal audit as well as the Commission's responses to these reports. It may also provide recommendations regarding reports to the Commission.

Internal Audit Procedures: Committee members may identify an area in which an internal audit project should be completed. The Chair circulates a copy of the member's request to all Committee members and the Committee decides whether a formal request is to



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be made to the Office of the Comptroller General. The Chair then liaises with the Comptroller General on the matter.

The Comptroller General has authority to determine the priorities of the Internal Audit Division. As such, the decision to action formal requests for internal audit work from the House is at the discretion of the Comptroller General based upon available resources and other priorities. In addition, the Comptroller General has authority to proceed with an internal project they have been made aware of even if the Committee decides not to proceed with a formal request.

The Chair, on behalf of the Committee, may discuss the scope of specific internal audit projects with the Comptroller General to offer suggestions for consideration. In addition, in determining the scope of work to be performed by the Division, the Comptroller General may seek input from the Chair of the Committee through informal discussions. In order for the Comptroller General to fulfill their duties in an efficient manner, the House must respond to all requests for information from the Office of the Comptroller General in a timely manner.

Where reports identify the need for corrective action, the Clerk of the House must submit to the Committee

plans for corrective action to be taken to address all issues identified and may be required to meet with the Committee regarding the status of those plans. The Clerk of the House may also make a request for internal audit where an issue is identified. If taken up by the Comptroller General, such audit reports would subsequently be distributed to the Audit Committee for review.

Other Accountability Mechanisms

Clerk of the House of Assembly as “Accounting Officer”: The Clerk of the House of Assembly has been designated as an “accounting officer” in the UK tradition. Section 31 of the *HOAAIAA* provides that the Clerk of the House of Assembly, as an accounting officer, is directly accountable before the Public Accounts Committee (“PAC”) of the House of Assembly for the authorities and responsibilities assigned by law or delegated to the Clerk by the Commission. The Clerk appears before the PAC and answers questions from the Committee regarding:

- measures taken to organize the resources of the House of Assembly Service to deliver the programs in compliance with established policies and procedures;
- measures taken to implement appropriate financial management policies;

- measures taken to maintain effective systems of internal control;
- certifications that are made under the *Act*; and
- performance of other specific duties assigned under the *HOAAIAA* or another *Act* in relation to the administration of the House of Assembly Service and the Statutory Offices.

Code of Conduct for Members: The *HOAAIAA* requires the development of a Code of Conduct for Members and requires compliance with it. Members commit to following the Code upon being sworn or affirmed in office, and are also required to review and commit to following it on an annual basis. A process is outlined in the *Act* for non-compliance with the Code, which could result in discipline being imposed by the House of Assembly. There is also a Code of Conduct for House of Assembly Service employees and Statutory Offices. Appropriate human resource policies would be applied for non-compliance by an employee.

Pre-audit Practices: While formal audits and Management Certification ensure controls are in place, the Corporate and Members' Services Division of the House of Assembly Service ensures effective and consistent application of controls on a day-to-day basis. All transactions and expenditures are pre-audited by staff to ensure compliance with applicable legislation, Management Commission policies, directives and so forth. Pre-audit also serves to highlight the importance of financial systems and controls for Members and to emphasize the importance of Members' adherence to applicable financial standards.

Separate Whistleblower Powers, Clerk of the House of Assembly: The *HOAAIAA* provides whistleblower powers and protection to the Clerk which are distinct from other public interest disclosure provisions of the *Act*. Should the Speaker or Commission direct the Clerk to take actions which are contrary to established policies and rules, subsections 31(3) to (6) provide that the Clerk must seek guidance in writing on the matter from the Comptroller General or the Deputy Attorney General. Where guidance is provided but the matter remains unresolved, and the Speaker or Commission, in writing, requests action by the Clerk in accordance with their direction, the Clerk is required to comply with that direction but is also required to immediately notify the Auditor General, the Comptroller General and the Attorney General of the direction and their disagreement with that direction. The Clerk is also given protection under the statute from punishment or retaliation should such action be necessary.

Enforcement of duties under the *HOAAIAA*: The *HOAAIAA* gives express statutory recognition to a right of a member of the public to seek an order of the court to enforce a duty under the *Act*. A writ of *mandamus* may be issued by the court requiring the Management Commission, the members of the Commission as well as Members of the House of Assembly to fulfil a duty under the *Act* where the member of the public, acting in good faith, believes that a statutory duty has not been complied with and no other action to enforce it has been or is being contemplated.⁴ A member of the public seeking such an order is not denied standing on the ground that they are not affected by the alleged failure to perform the duty to any greater degree than any other person, and cannot have costs ordered against them for bringing such an application if acting in good faith.

Members' Review and Compensation Committee ("MCRC"): An MCRC must be appointed at least once in each General Assembly to review and make recommendations on the salaries, allowances, severance payments and pensions paid to Members. Once an MCRC has concluded its review, its report and recommendations must be presented to the Management Commission for consideration. As outlined in subsection 16(6) of the *HOAAIAA*, the Commission has the power to modify the recommendations, but does not have the authority to **exceed** the maximum amounts recommended by the MCRC.

Review of Members' Allowance Use, Speaker's Request: Under section 52 of the *HOAAIAA*, the Speaker is authorized to institute a review to determine whether a Member's use of an allowance, disbursement, payment, good, premises or service provided under the *Act* complies with the purpose for which it was provided or the purpose of the *Act*, the Rules or the directives of the Commission. A Member may appeal any findings to the Commissioner for Legislative Standards, and the Speaker may make an order, with terms and conditions, respecting a Member's use of such benefits.

Special Procedures for Rules Amendments Regarding Reimbursement or Payment of Expenses: Section 15 of the *HOAAIAA* provides for a special procedure where the Commission proposes to amend or add to the levels of or provisions respecting reimbursement or payment of expenses of Members. A draft containing the amendment must be tabled at a Commission meeting, but a notice of the tabling of the draft rule must also be given by the Speaker and

read in the House of Assembly. It is also required to be posted on the House of Assembly website, after which the draft rule can be voted on at a subsequent meeting of the Commission. This process results in increased public visibility of any such changes.

Publication Scheme: The *HOAAIAA* requires that certain types of information created, prepared, managed or under the oversight of the Commission be open and accessible in a standardized and systematic fashion. Such access allows for public scrutiny and consideration of the work of the Management Commission in its oversight role, and by extension, the expenditure of public funds. Section 49 of the Act refers.

Other Related Statutory Provisions: With exceptions respecting caucus and constituency matters and matters relating to parliamentary privilege, the *Access to Information and Protection of Privacy Act, 2015* and the *Transparency and Accountability Act* apply to the House of Assembly. The House of Assembly is also subject to a duty to document in relation to Commission matters under section 21.1 of the *HOAAIAA*.

Conclusion

The broader purposes of rejuvenation of public confidence in our political institutions, and of the institutional culture in which our politicians work, cannot be achieved solely as a result of technical implementation of specific institutional reforms, no matter how comprehensive and far-reaching; rather, they depend in the last analysis on the willingness and continual dedication of our leaders to foster and maintain, by example, the high standards expected of those who discharge the critically important and difficult responsibilities of public office.⁵

Since 2007, the House of Assembly in Newfoundland and Labrador has been subject to a prescriptive accountability regime. While this has been a source of frustration to some Members from time to time, it also protects Members and insulates the institution from

previous vulnerabilities. As noted in the excerpt from the Green Report above, continued success of these reforms is necessarily based on the willingness and dedication of Members and employees to maintain the standards which sustain confidence in our democratic institution.

Seven years after the spending scandal, the House of Assembly is a very different place. The secretive and unaccountable Internal Economy Commission is gone. It has been replaced by the House of Assembly Management Commission, which meets in sessions that are broadcast live on province-wide television. The financial staff is more significant and robust. The auditor general has full and unfettered access to MHA expense claims. Financial integrity doesn't exist simply as a rhetorical device. It exists in structure and in form. At the intersection where politicians spend money for professional use this all ensures it can't be used for personal gain. The spending scandal was an embarrassing and painful time for the legislature. But the institution has been strengthened as a result.⁶

Notes

- 1 Rebuilding Confidence: Report of Review Commission on Constituency Allowances and Related Matters, Hon. J. Derek Green, Commissioner. May, 2007 <https://www.assembly.nl.ca/business/electronicdocuments/mainreport.pdf>; Public report available at: <https://www.gov.nl.ca/publicat/greenreport/mainreport/mainreport.pdf>
- 2 *Ibid.*, Executive Summary, <https://www.assembly.nl.ca/business/electronicdocuments/execsummary.pdf>
- 3 Source: Canadian Institute Internal Auditors <https://chapters.theiia.org>
- 4 *House of Assembly Accountability, Integrity and Administration Act*, section 53
- 5 Green Report, c. 13-5 <https://www.assembly.nl.ca/business/electronicdocuments/mainreport.pdf>
- 6 David Cochrane, "Where Ottawa should look for Senate scandal remedies," CBC News, 25 May 2013. <https://www.cbc.ca/news/canada/newfoundland-labrador/cochrane-where-ottawa-should-look-for-senate-scandal-remedies-1.1313342>

Protecting our Parliament: The Legislative Protective Service at Queen's Park

The Legislative Protective Service (LPS) at the Legislative Assembly of Ontario is a key component in providing security to Members, staff, guests, and visitors at Queen's Park. In this article, the authors describe how the LPS functions within the broader management of the Assembly and outline recent changes to how the service is constituted and operates.

Rachel Nauta with Hon. Ted Arnott

The grounds of the Legislative Assembly of Ontario are often bustling with activity; tourists take in the grandeur of the Pink Palace, university students read books in the shade of the trees, friends meet up to toss a ball or have a picnic, and residents from across the province come to peacefully protest at the home of Ontario's parliamentary democracy.

One particular spring day last year—as Ontarians continued to reduce contacts to confront COVID-19—the South grounds in front of the Assembly were quieter than usual, but it would not remain that way for long.

A young man, keen to raise awareness about climate change and the desire for greater governmental action to reduce carbon emissions began to set up for his solitary protest.

He arrived on the grounds carrying a duffle bag with supplies for his demonstration. Seemingly unsure of where he should protest and looking for an ideal location, he was quickly noticed by staff of the Legislative Protective Service (LPS), who approached him and directed him to the designated area.



Hon. Ted Arnott

The man set up his sign, and commenced his demonstration. After an interval, he pulled a red long sleeve shirt from the duffle bag, placing it on the ground. He next took out a plastic reusable 1 litre water bottle and carefully poured the bottle's contents onto the shirt before putting it on.

Rachel Nauta is executive assistant to Ted Arnott, Speaker of the Legislative Assembly of Ontario. The authors would like to acknowledge the assistance of Jackie Gordon, Michael Vidoni, Todd Decker, and Trevor Day, in the preparation of this article.

While protests at the Legislature often involve some theatrics to draw attention to an issue, Constable Jenn Moore, a Peace Officer with the LPS, took notice of his particularly odd behaviour. Trained to observe all visitors and watch for unusual patterns of activity, Cst. Moore was standing at a distance from the man, but in clear sight of him.

He stood beside his sign, blankly staring at it for a moment. Then he walked over to approach two other demonstrators who were standing close by. He spoke with them briefly, but they seemed to rebuff him and he returned to his sign. He knelt on the ground and raised his hands, in what appeared to be prayer. A moment later, flames began to rise off his body; the shirt he put on had been doused in gasoline.

“Despite the fact that she wore no gloves or any kind of flame retardant clothing or equipment, Cst. Moore began to tear the burning clothes off the protester with her bare hands and used whatever nearby materials she could reach to extinguish the flame, while backup officers raced to the scene.”

Without hesitation, Cst. Moore reacted. While running towards him, she radioed the Operational Communication Centre, requesting additional assistance from available LPS officers and a dispatch of Emergency Medical Services.

Despite the fact that she wore no gloves or any kind of flame retardant clothing or equipment, Cst. Moore began to tear the burning clothes off the protester with her bare hands and used whatever nearby materials she could reach to extinguish the flame, while backup officers raced to the scene.

Within a matter of seconds, LPS Constables Justin Weese and Alex Shaw arrived on the scene. Their emergency response training kicking in, they too did not hesitate to pat down the flames on the man's upper body and instruct him to drop to the ground and roll. He did, and soon the fire was out.

Together, the three LPS staff administered first aid, placing the now-compliant man on his back, removing the remaining burnt clothing, and dressing the burns. Before long, paramedics from the City of Toronto arrived. They transported the man to nearby Mount Sinai Hospital. There, he was treated for minor burns and smoke inhalation. With the immediate and effective response of the Legislative Protective Service at the Legislative Assembly of Ontario on May 13, 2021, a tragedy was averted. An extraordinary day, with extraordinary LPS courage on display.

While the incident from last spring illustrates an exceptional occurrence, members of the LPS work diligently each day to prevent such shocking scenarios from becoming commonplace.

As with all matters in the Parliamentary Precinct, the Speaker of the Legislative Assembly bears ultimate responsibility for the safety of everyone who enters the Parliamentary Precinct, and the security of the buildings and grounds. The Speaker is involved in all discussions of the security policies, procedures and practices implemented by the LPS. While many parliamentary practices are deeply rooted in tradition, the LPS is a modern, continually changing part of the organization—which includes an historic first in the role of Sergeant-at-Arms.

The Assembly's Sergeant-at-Arms, Ms. Jackie Gordon, became the first female in Ontario's history to hold this position when she was appointed to the role in 2017. She was uniquely qualified after a distinguished 34-year career with the Halton Regional Police Service, including time spent in community policing, the court system, and as an Inspector. Ms. Gordon is the senior officer of the Legislative Protective Service, with an extraordinary team of highly trained Security Officers and Peace Officers assisting her on the frontlines, adopting new tools and technologies to keep everyone safe.

Further contributing to the LPS' ability to adapt and modernize, amendments to the *Legislative Assembly Act* passed by the House during the current Parliament



Legislative Protective Services officers stand at the location of the incident. They risked their own safety to tear burning clothing off the man. Although he was treated for minor burns and smoke inhalation, their quick actions averted a greater tragedy.

have clarified the mandate of the Legislative Protective Service, and some of the roles and responsibilities of the Speaker and the Sergeant-at-Arms.

The Speaker was empowered to appoint members of the LPS as Peace Officers for the purposes of Canada's *Criminal Code*. Their status as Peace Officers also applies while they are engaged in their duties within the Parliamentary Precinct and potentially outside of it in limited circumstances; for example, if they are in pursuit of a suspect after an incident on our grounds.

The Speaker's authority to permit the LPS Peace Officers to possess and use firearms within the Parliamentary Precinct was also confirmed by the amendments. In addition, our Peace Officers now have full policing powers enabling them to enforce legislation such as the *Highway Traffic Act*, the *Provincial Offences Act*, and the *Criminal Code of Canada*.

After a thorough review, the Speaker determined that the armed LPS Peace Officers should operate with the same transparency as policing services. As a result, the LPS are now subject to the same complaints process and the mandate of the Special Investigations Unit. The *Community Safety and Policing Act, 2019* as well as the *Special Investigations Unit Act, 2019* establish rules of conduct, guidelines for the consideration of public complaints, and procedures governing investigations of criminal conduct. All of these oversight mechanisms apply to the LPS Peace Officers as well, which underscores the high standards of training they have undergone.

The structure and size of Legislative security arrangements have grown over time, often in response to events within the Precinct, and more broadly across the Province and the world. The 1984 shooting at the National Assembly in Quebec, and more recently, the

fatal shooting on Parliament Hill in Ottawa in 2014 led to the review of security arrangements at our national Parliament and at provincial Parliaments across the country.

In 2016, Speaker Dave Levac announced the establishment of the LPS' first armed response unit after much consideration, consultation, preparation, and training. Additional security improvements at that time also included new traffic restrictions, increased security patrols around the Parliamentary Precinct, and enhancements to our visitor identification protocols.

In early 2021, a new Visitors' Centre located at the southwest side of the Assembly building was completed. Although COVID-19 has reduced the number of visitors to the Assembly, this beautiful new addition— the first exterior addition to the Assembly in a century— acts as a single, accessible point of entry for all visitors. First recommended after a security review undertaken by the Standing Committee on the Legislative Assembly in 1996, the Visitors' Centre allows LPS Officers to welcome, screen and clear guests efficiently and effectively.

At the southernmost end of the Parliamentary Precinct property, we expect to install a series of bollards for the purpose of traffic mitigation. We are also planning for improved parking controls with card-based access, enhanced CCTV coverage, duress alarms, and a new Operational Command Centre. Some of this work is expected to be completed this year as we anticipate the end of the COVID-19 pandemic and the opportunity to safely host more visitors to the Assembly once again.

Elected Members often say that our Legislative Assemblies are the People's Houses; and Members are elected to represent their communities there. Balancing public access to the building with the security of staff, visitors, and Members has been a long-standing and evolving practice in Parliamentary Protection. Finding the security balance in a parliament requires a constant review of the threats, risk and needs of the communities we serve. The key to our success to date has been the collaboration and support received by all fellow MPPs, the Board of Internal Economy and the LAO staff.

Since my election as Speaker on July 11, 2018, it has been my privilege to work closely with the Sergeant-at-Arms and members of the LPS.

Each time I arrive at the Assembly—no matter what time of day— the first staff I encounter are members of the LPS. As a direct result of my day-to-day interaction with LPS staff while they are on the job, I have come to know many of them quite well. While the normal chain of command is always understood and respected, they know the door of the Office of the Speaker is open to them; on occasion, they have also come to my aid when doors are not open and I have managed to lock myself out of my office or the Speaker's Apartment.

I am consistently impressed with their dedication, courtesy, professionalism and kindness. Each one of them is a credit to the Legislative Assembly of Ontario, and I am honoured to work so closely with them.

Parliamentary Professional Development: Participants Discuss Their Experiences

In collaboration with the Commonwealth Parliamentary Association (CPA) and other international partners, McGill University's School of Continuing Studies offers two programs for parliamentary professional development. One is tailored toward staff (the professional development certificate in Parliamentary Management) and the other focuses on newly elected MPs (the professional development certificate in Parliamentary Governance). In this modified roundtable*, the *Canadian Parliamentary Review* gathers six past attendees of these programs to discuss how it helped them to get a good or even better understanding of how Westminster parliamentary institutions work. *Due to time zone challenges, this roundtable merges discussions from multiple conference calls and email submissions. Participants were able to add to or alter their comments after reading a draft of the merged transcript.

Carina Alves, Buchere Philip Brightone, Alyson Queen, Mateo Lagimiri, Carly Maxwell, Cherie Morris-Tafatu

Canadian Parliamentary Review: How did you hear about the program and why did you decide to enroll?

Carina Alves: I was first elected in 2018. It was all very new to me. We don't have established party politics over here. I did stand with the only official party that we had on the island (some more have emerged since because we've had some electoral reforms).

Previously I was a maths teacher and I had never done a job where I didn't have some training on the job, some education or a course, or some voluntary

work in advance to help me prepare. Becoming a politician is a unique experience. I felt very insecure in my knowledge if I'm being honest. I did have the support of my party which was brilliant, and I would not have stood without them. But having only basic knowledge, I really did feel out of my depth. So, the opportunity to do a course that could equip me with some skills was the main reason I chose to do it. It enabled me to feel more comfortable in my role.

I learned about the program through the Commonwealth Parliamentary Association (CPA). The person in charge of the administrative side of our parliament, known as the Greffier, was the one who disseminated the information to all the new members and two of us signed up.

When I started the course, I had already done a year, so a lot of the elements of the course I had already learned about on the job. It would have been nice to have done the course closer to being elected. It was beneficial. But I think if I was able to do it earlier on it would have been even more beneficial.

Alyson Queen: I've worked in and around Parliament Hill for over a decade. I started this current position in 2019. I was aware of the program through various channels. I researched it on my own just to get a better sense of it.

Carina Alves is a Deputy in Jersey and Chair of the Privileges and Procedures Committee. Buchere Philip Brightone is the Head of the Senate Liaison office, in the office of the Clerk of the Senate and Secretary to the Parliamentary Service Commission (PSC) in the Republic of Kenya. He previously served as the Director Curriculum, Training and Research at the Centre for Parliamentary Studies and Training (CPST) from 2013 to 2021. Alyson Queen, is Chief of Staff for Corporate Services and the CIBA Secretariat at the Senate of Canada. Carly Maxwell is Deputy Clerk of the New South Wales Legislative Assembly. Mateo Lagimiri is a Deputy Committee Clerk for the Public Accounts Committee in the Fiji Parliament. Cherie Morris-Tafatu is the Clerk of the Niue Assembly and the Secretary of the Bills, Public Accounts and Niue Constitution Review Committees.



Carina Alves

I was really interested in expanding my parliamentary knowledge from an administrative lens. It was the right time for me to take on some additional professional development. And then the pandemic hit. I think one of the highlights for me was being able to do it online. In a way it was interesting timing because having it online meant we could continue as other things shut down. The ability to discuss what was happening in various parliaments, as the pandemic evolved, with the people in the course was invaluable.

One of the fundamentals of parliament is to be able to debate and discuss. One of the highlights for me was being able to have those side discussions with colleagues who I'm now able to keep in touch with or send a note to. These are the informal channels where you gain a greater understanding of what's happening around the world – or specifically in this case, parliaments. The course was reasonable in length as well, so I was able to accomplish my objectives for the course while balancing a very busy time at work and at home.

Mateo Lagimiri: The initiative came from the UNDP Pacific Office based in Fiji run by one of our former consultants, Dyfan Jones. He brought the McGill

course to the Pacific. This was one of its first initiative for Fiji and most of the Pacific region. In 2018 there were about 10 Pacific Islands that had registered and attended the McGill Course.

Prior to this, in Fiji, we'd have some staff who were able to travel to Montreal to attend the course and return and complete the other modules online. We have two projects for professional development: the Fiji Parliament Support Project and Pacific Parliamentary Effectiveness Initiative. In 2018, Fiji had hosted the first McGill Course Training. In 2019 it was held in Vanuatu. Unfortunately, because of the pandemic, we had to complete the last two modules online.

Carly Maxwell: I first heard about the program when one of my colleagues completed it in the cohort before I started the course. I had spoken to him about it, and he had really valued the experience. I guess you could say it was word of mouth, and also McGill University has an excellent reputation. When the email came around from the CPA again offering a potential spot or scholarship in the course, I put my name forward.

Buchere Philip Brightone: By virtue of my position as Director Curriculum Training and Research, I came across a number of colleagues who had done the McGill program, so I took further interest in the programme. I initiated a paper that led to the formal signing of a memorandum of understanding between McGill University and the Parliamentary Service Commission of Kenya. This began in 2015.

As a curriculum developer, I looked at the programme or course brochure and I quickly made the decision to do the course because I found it the most appropriate course for parliamentary officers like myself. One thing I loved about the course curriculum was its flexibility, relevance, diversity and adaptability of the programme. Equally, the course objectives were very well crafted, which persuaded me to join the course.

Cherie Morris-Tafatu: I learnt about the course through the CPA correspondences since it is channeled through the Clerk of Assembly. The information was referred to the Speaker as Chairperson of the Niue CPA Branch and expressions of interest was sought from the staff. Competing claims to the roles of our staff rendered them unable to pursue the opportunity, however. I, on the other hand, was determined. I made a calculated risk that despite my busy role and family commitments, I was going to capitalise on this opportunity and take the course. I am very glad I did.

The primary goal of my deciding to enrol was to help me in my role as Clerk of the Niue Assembly. I must proficiently discharge my constitutional duties embedded in the Constitution of Niue, Article 27. I believed the training would help equip me with the best tools, knowledge and skills in the aspects of Parliamentary management to professionally discharge my constitutional duties efficiently and effectively and at the same time fulfill my personal goal. Whether I achieve that goal or not is another matter but I was determined to have a go. This was crucial since my background is agriculture/horticulture and Human Resources. The amalgam of the skills from those professions played a big role in helping me with the course, however.

What I enjoyed most about the six courses is that they were highly participatory, well structured and fit for purpose. As Clerk of the Assembly and secretary of the key Select Committees, the course couldn't have come at a better time.

CPR: I wanted to follow up on something Carina said about being new to the job as a parliamentarian and taking this course. Was there any kind of training your parliament provides prior to starting your role as an elected member?

CA: When we first were elected, we had two weeks of what was deemed 'training.' But for me, having been a teacher, it was just being 'talked up' for two weeks. And it was exhausting. I mean, I learned a lot, but you can't take everything in when it's like that. I can't knock the Greffier's department because they were only doing what they thought was required and it did help, but it was intense.

There was a lot of assumed prior knowledge as well. But, in my experience, you should not assume prior knowledge because your lesson plan goes out the window. So, there was some training, but it wasn't the greatest and that was one of the reasons I decided to join the Privileges and Procedures Committee as the vice-chair. I wanted to learn more, and I felt we needed something better.

I think if new parliamentarians had access to this course from the get-go it would have been ideal. If we could have something similar to this course and tweak it for our jurisdiction, it would be very helpful. By the time I took this program I had about a year of experience, but there were other people there who were very new to the role. I think there's a reluctance to admit you don't know something because you



Buchere Philip Brightone

don't want to come across as if you don't know what you're doing.

CPR: For the rest of you, since you were already working in parliament prior to the course, what new information did you gain from taking the course?

CM: For me there was some new material, but also material I'd come across over the years in a variety of formats. Being in the course gave me an excellent opportunity to take some time out from my very busy job working at parliament to think about parliament. It gave me the head space to think about new ideas – about not only the way things are but also the way things could be and how things were elsewhere.

When you think about how things may work elsewhere you tend to make all sorts of assumptions based on the idea that all Westminster parliaments are quite similar. It was valuable to hear from other people in similar roles to me. It really sparked a lot of ideas of how I could make my workplace better.

ML: I have to echo what Carly said. The McGill course has really been quite remarkable. We are a small legislature. There is a struggle for autonomy and a push



Alyson Queen

and pull between the two branches of government, the executive and the legislature.

Other participants, not only from the legislative side, but also from the administrative and corporate units, had hands on experience of how to be autonomous from the executive. It gave more understanding of what parliament is all about and how the institution operates.

For example, the current trends in public administration course was of great interest to me. I didn't realize there were different types and forms of legislatures. In Fiji there was no Parliament for 8 years and that was a big challenge for us. Going through the basic module training helped us in bridging that gap. It helped parliamentary staff be more aware and more capable of doing what needs to be done under the mandates of the Standing Orders and the Constitution.

AQ: Regardless of how long you've been working in parliament, there are things to learn. The course gave me the opportunity to really think about the various concepts being presented, even if I had worked with them before. The difference was assessing these concepts – like governance and public finance – in the broader, global perspective.

BPB: As the director curriculum, training and research, I learned of the existence of courses purely designed on parliamentary issues designed by McGill University, that a rich faculty of seasoned practitioners and academics in parliamentary matters delivered the material, and that the course was progressive and with modules covering the entire range of our workings in parliament.

At the Institutional level, this provided me with the impetus to push for an engagement of the two institutions at the MOU level.

And, at a personal level, the modules on corporate governance provided new information that was relevant to my work. Also, the one on public finance management and the concepts of down and upstream budget making was very educative to me.

CM-T: I found all six courses important and relevant to my role. With that realisation came the "light bulb" effect. I decided to select key areas from which to extract little segments from each course and make recommendations to the Speaker.

I would like to highlight Select Committees where this course helped shape the history of the Niue Assembly where for the first time, a Select Committee was set up to investigate two important corporations in Niue, namely the Broadcasting Corporation of Niue (BCN) and Telecom Niue Limited. The general understanding of the Assembly was that once Committees were established by act of parliament, there can no longer be any other committees to be formed.

Two Investigation Committees were formed, consultations were made and Reports were tabled in the House in 2021. Having fulfilled the Terms of Reference of the two committees, they have since been dis-established having served the purpose it was intended.

CPR: Is there anything that stands out for you in the course that helped with your current work or projects? Were there any modules or specialization that were especially helpful?

ML: I work in Committees and we recently launched our hybrid virtual public hearings. Previously we had meetings face-to-face which was easier and more convenient. Given the pandemic, we had to use MS Teams and needed to undergo training for our chairs and members, how to behave and present themselves

virtually. When we did the Committees training in Vanuatu, we were taught about how to write scripts for the Chairperson. We learned about what was needed off the chair, the basic outline and necessary set up for the Clerk to run committees and the Parliament sittings online.

CM: After the McGill course I transitioned from a Clerk Assistant role where I was facing the chamber and running the chamber to the Deputy Clerk role which also has a strong leadership and corporate component. It really was very timely for me. It gave me the confidence to approach that role and the time and space to think about those bigger aspects of the role beyond the day-to-day business of running the chamber. The other stand out part of the course for me was on financial business and budgets in parliament. That really showed me where we might be lacking in our Assembly. We have been in a majority parliament for a while but appear to be inching toward a minority position, so I'll be dusting off those materials as I think of how to approach that role and what members might be asking, members in particular.

CA: When I did the course, it was only elected officials. We did a module that was an introduction to parliamentary governance, contemporary issues in parliamentary governance, advanced parliamentary governance, and parliamentary communications.

I think I found the information on international standards most valuable. Because of my role on the Committee, I was focussed on the CPA benchmarks for a good legislature. We did a unit of work on it and that was valuable for me because I was able to bring forward proposals that we had already been working on with more evidence and more knowledge to support what we were doing – for example, changing constituency boundaries. It had been over 100 debates and over 70 years since we had any meaningful electoral reforms in Jersey. I think that unit was very helpful, but the whole program was valuable.

And especially as others have mentioned, having the opportunity to talk with other people in similar positions was immensely helpful. Talking to others as you were doing the modules and sharing best practices is what makes this course really unique. I think it's a shame that it's only open to people who are elected within a two-year bracket. I can understand why, because there are modules that almost become too easy for people after a while. But I think it's still useful to brush up and have a reminder of these things.



Carly Maxwell

AQ: I echo the point about how valuable the exchanges were with the other people taking the parliamentary management course. That was a highlight for me. I saw and participated in talks on the side of the program with people who were new staff in parliaments or staff within jurisdictions that were trying to introduce new programs or strengthen their governance. There were a number of us who had experience or established processes already in our parliaments and could share resources. We were able to say, 'We did this a couple of years ago, and here's what we learned.' Everything from strategic planning to procedure could be discussed. There are formal channels for this communication between parliaments and they are effective. But the informal channels are so helpful as well. I still keep in touch with some of the colleagues in my cohort if I have a question.

BPB: As I said earlier, the entire course was very relevant to me and my current work. The course on corporate governance 1 and 2 have really helped me even in conceptualizing and adding value to one of our mandatory courses that we call the Legislative Corporate governance course, which is now the highest level course for the top management in the



Mateo Lagimiri

parliamentary service commission. Other modules are now coming in handy as we work on induction for the new senators after our general elections. The one on ICT is critical in helping us come up with an information hub for senators.

CM-T: I think for me it was trying to bring things into proper perspective. As a Clerk, I serve many roles as Secretary for Parliament and I am responsible for the Minutes of each meeting and for other Select Committees. I find that I need to strike a clear balance on every aspect of my job from Select Committees, to management so that I don't find it overwhelming and lose my sense of direction. The course overall helped steer me in the right direction to keep the "stuff from the fluff". This is important as too much time can be spent on the mundane and trivialities and we miss the important things that matter.

CPR: Is there anything that could be changed or improved?

CM: I was part of the first cohort that did it online. There were huge benefits to that in the sense that we had to deal with COVID-19. But it also meant that what we missed was some of the interaction that takes

place in person. The parliamentary administration portion of the course was very well set up with tutorials and group work. There were aspects of that in the other sections as well. I think if it remains online only it would be worthwhile to look at how they could strengthen that component – which was very good - even more.

ML: We were participating both in person and online. Some of the jurisdictions in the Pacific had issues with connectivity and could only join towards the end. I felt bad for them because we had started the course together. Because of the connectivity issues they lost out on the ability to do the module fully. This is one of the drawbacks of holding virtual meetings in the Pacific Islands. The Internet connectivity and IT support is not really there yet. When we had the first in-person session there was a lot of discussion and group work between jurisdictions. That gave us a great idea of where there were gaps in our parliaments and how they could be addressed appropriately.

CM: I think the one other thing that might be looked at is the diversity and gender balance of the presenters. All the presenters were wonderful, and I certainly don't want to take away from any of the work they did, but pulling in other presenters to compliment them would be a good idea. (*Ed. note: The Program has added four new faculty, three women and one man, of which three are BIPOC.*)

BPB: As a curriculum developer, I must laud the McGill faculty for putting in place a rich feedback mechanism on the programme. We gave a lot of information on programme improvement and I am glad to report that having read the report on the programme, a lot of changes have been already made. Maybe in future, McGill can consider using some of the earlier participants as presenters on the impact of the programme in their work and how they have changed their institutions in a session called 'Alumni telling their change story' as a way of motivating the other participants.

CM-T: Perhaps identifying an in-country mentor for support. I found the course very engaging and the lecturers very understanding but since it was during the height of the Covid-19 pandemic, it was a big challenge trying to fit in everything from work, home and this raging pandemic causing global catastrophe.

CPR: If you had a colleague interested in this program, what would you tell them?

CM: I would tell them absolutely put your hand up to do it if the opportunity arises, but be prepared to make the time commitment. I think everyone working in the parliamentary environment has an obligation to further our professional development and participate in continuous learning. But it is a lot of work and you have to make the time to do it well.

ML: I would highly recommend it. I agree with Carly that you have to manage your time well, but it's a great opportunity to connect with so many different people and exchange contact information. It really gives you an opportunity to relate to one another about the work we do on a daily basis.

CA: I would definitely encourage colleagues to take it and would encourage them to buddy up with someone else taking the course. That really helps. As a parliamentarian, you are so busy with constituent work, with legislation and things like that. You often lose sight of deadlines. So, that's a practical tip! *(Laughs)*

Advice wise, I would just tell colleagues to be open to having discussions about how things could be changed or improved in your parliament. Also, if you don't know something, just ask. Sometimes people would be talking about something in another jurisdiction and there would be assumed prior knowledge. If you aren't sure what they are talking about, odds are someone else is unfamiliar too. So just say, 'I'm sorry, but what does that mean? What is the set-up where you are?' Because as much as we're similar in Westminster-style parliaments, we're also very different. No question is a stupid question.

AQ: It's a worthwhile investment to take this course. There's a good breadth of subject matter with fantastic case studies and opportunities to exchange with colleagues around the world. It provides such a wonderful opportunity for growth and understanding.

CA: I think you're right, it's that sharing of best practices and seeing what works and what doesn't. We're a small jurisdiction here – 49 members with a population of about 120,000. When you hear about things in other jurisdiction you might think, 'that sounds like a good idea.' But you have to factor in size and other things. But nonetheless, there are many things I've taken back to parliament and the Greffier's office and said, 'you know, we should really look at implementing this because it's working well in this place, and they're about the same size for us.'



Cherie Morris-Tafatu

BPB: For me, it has always been the business of bringing this to the attention of all parliamentary officers in the East African region and encouraging them to take the programme since I know its great value. In fact, in our MOU with McGill we have been granted six slots every year so that we have the entire top management trained in this course. I make sure to tell them the programme is rigorous and requires total commitment, discipline and focus.

CM-T: I would absolutely tell my colleagues and staff to take up this course. In fact, right now we have two applications awaiting outcome from CPA London. It would certainly add value to their work and a good reminder of what they may have already known but receiving a formal qualification is icing on the cake.

CPR: Last question, is there anything that we haven't covered yet that you'd like to add?

CA: I would love for there to be a sort of 'next level' for this type of program. Also, I'd like to say how humbled I was to be asked back as a past participant to speak with a new, incoming group about my experiences and what we had accomplished when I went back to my jurisdiction and was able to share what I had learned.

AQ: We work on these certificates and programs and it's a big accomplishment. It's a lot of work and we all have busy lives and other responsibilities. When you invest in something like this, once it's finished there is desire to keep going in some way. There's been an effort by Rick Stapenhurst, the director, to keep past participants informed and engaged about things and I really appreciate that and would encourage it to continue.

CA: We've got a WhatsApp group that was started in 2019 and it's still going strong. Some members have ended up losing their seats since that time, but it's nice to have that group chat in the background to hear about what people are going through. You often see a random message come through that says 'I'm working on this, what do you guys think?' And it's really nice to have that!

With the pandemic and lack of travel, those informal channels and relationships are really important to have now. To go back to what Carly said, you can have 100 people sitting in on a Teams Meeting or Zoom call and doing the same work, but there's an element lost when you don't have the same ability to

mill about and talk outside of the lesson and group work. I would hope they will be a way to get back to that.

BPB: Just as my colleagues have said, I propose McGill to consider designing an upper level course to this one. Probably in the form of Legislative project, that will entail research projects. Equally, the idea of using alumni to share success stories from their parliaments as a result of this great programme would be wonderful.

CM-T: The opportunity to engage in this course is a blessing. I also concur with what some of the colleagues have said about an Alumni as a platform for continuity and perhaps a Community of Practice (COP). Balancing your time with work commitments and family whilst engaged in a time sensitive time demanding course calls for a follow up at some point in time to see what other progress has the course provided for past participants. Perhaps some may have moved on to higher ranks or even the course have helped them win seats in their respective jurisdictions. Niue is having General Elections in 2023... now there is food for thought.

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New and Notable Titles

A selection of recent publications relating to parliamentary studies prepared with the assistance of the Library of Parliament (November 2021 – February 2022).

“The public squared - A fairer way to vote?”
Economist 441 (9276): CS16-CS18, December 18, 2021.

- The intellectual roots of a new democratic vision.

Carson, Lyn, Walker, Iain, Keutgen, Julia.
“An introduction to deliberative democracy for members of parliament.” Westminster Foundation for Democracy/newDemocracy Foundation 40p., September 28, 2021.

- This guide is designed to support the needs of elected representatives and their advisors—those who would like to strengthen how elected politicians engage with their voters. It is meant for those decision-makers who want to be inspired by new and innovative ways to bring citizens to the heart of the decision.

Cladi, Lorenzo. “Damned if you do and damned if you don’t: the use of Prime Ministerial discretion and the royal prerogative.” *Parliamentary Affairs* 75 (1): 2174-94, January 2022.

- ...this article analyses how the UK Government has made use of the royal prerogative in terms of deploying the armed forces, making and unmaking international treaties and proroguing Parliament [and] argues that Prime Ministers’ discretion has in fact become more meaningful as their political capital is invested in decisions concerning prerogative powers.

Erikson, Josefina, Verge, Tània. “Gender, power and privilege in the parliamentary workplace.” *Parliamentary Affairs* 75 (1): 1-19, January 2022.

- This introduction to the Special Section ‘Parliaments as workplaces: gendered approaches to the study of legislatures’ makes the case for revisiting the conditions under which male and female Members of Parliament and staff carry out their parliamentary duties...

Feldman, Charlie. “Charter of Rights statements: a new practice develops growing pains.” *The Loophole - Journal of the Commonwealth Association of Legislative Counsel* 2: 2-15, October 2021.

- Recent amendments to Canada’s *Department of Justice Act* require the Minister of Justice to table in Parliament for every government bill ‘a statement that sets out potential effects of the Bill on the rights and freedoms that are guaranteed by the Canadian Charter of Rights and Freedoms.’ This article explores the origins of these *Charter* statements and the parliamentary practices surrounding them.

Maddox, Bronwen. “It is right to update the whips’ office for modern politics.” Institute for Government blog 2p: January 21, 2022.

- UK MP William Wragg’s accusations about whipping practices reflect an important change in how MPs now see their role.

Magyar, John J. "The slow death of dogma? The prohibition of legislative history in the 20th century." *Common Law World Review* 50 (2-3): 120-54, 2021.

- It is commonly believed that the rule prohibiting reliance on legislative history as an aid to statutory interpretation was firmly in place in the United Kingdom, and indeed throughout the English-speaking common law jurisdictions of the world, long before the turn of the 20th century...as the rule lost traction...a growing accumulation of justifications for the rule has been assembled, and an ongoing debate has been taking place about the efficacy of reliance on legislative history...

Marland, Alex. "Vetting of election candidates by political parties: centralization of candidate selection in Canada." *American Review of Canadian Studies* 51 (4): 573-91, 2021.

- Election candidates resigning when confronted by moral outrage over their indiscretions is now a routine aspect of Canadian elections...

Stedman, Ian. "Distinctive or not, our Canadian model of parliamentary ethics is in need of modernization." *Canadian Public Administration / Administration publique du Canada* 1-7, 2022.

- The author argues that parliamentary ethics rules in Canada are not keeping pace with Canadians' expectations about the ethical conduct of elected officials.

Verge, Tània. "Too few, too little: Parliaments' response to sexism and sexual harassment." *Parliamentary Affairs* 75 (1): 94-112, January 2022.

- Despite the increasingly reported incidence of sexual harassment among female elected representatives and staff members around the world, many more cases may not surface due to the power asymmetries, partisan logics and male organisational culture underpinning parliaments...this article shows that most legislative chambers in Europe and the Americas lag behind the adoption of adequate preventative measures, complaint mechanisms and reparation measures.





Senate

Legislation

The opening of the Forty-fourth Parliament occurred on November 23, 2021, and Governor General Mary May Simon delivered the Speech from the Throne in the Senate Chamber. She read portions of the speech in Inuktitut.

Four government bills received Royal Assent by written declaration. Bill C-4, *An Act to amend the Criminal Code (conversion therapy)*, was ordered read a second and third time and passed unanimously. The bill received Royal Assent on December 8. Bill C-6, *An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2022*, was read a third time and passed on December 15. Bill C-2, *An Act to provide further support in response to COVID-19*, was, with leave, read a first, second and third time on December 16. Bill C-3, *An Act to amend the Criminal Code and the Canada Labour Code* was read a third time and passed on December 17. Bills C-2, C-3 and C-6 all received Royal Assent on December 17, after which the Senate adjourned until February 1, 2022.

The Senate adopted Bill S-2, *An Act to amend the Parliament of Canada Act and to make consequential and related amendments to other Acts*, at third reading on

December 7, and a message was sent to the House of Commons accordingly. The Speaker of the House of Commons made a statement inviting comments concerning the bill and the financial prerogative of the Crown and of the House on December 8, and the Bill has not been read a first time in the House of Commons.

With leave of the Senate, the order of the day for second reading of Bill S-3, *An Act to amend the Judges Act*, which contained provisions similar to those in Bill S-2, was discharged and the bill withdrawn on December 15.

Five Senate public bills were adopted at third reading and sent to the House of Commons: Bill S-202, *An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate)*, and Bill S-206, *An Act to amend the Criminal Code (disclosure of information by jurors)*, on December 8; and Bill S-214, *An Act to establish International Mother Language Day*, Bill S-216, *An Act to amend the Income Tax Act (use of resources of a registered charity)*, and Bill S-223, *An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs)*, on December 9. In all cases, the bills were similar to bills that had been introduced in previous sessions and were not referred to committee in the Senate.

Chamber, Procedure and Speaker's Rulings

On November 23, the Senate adopted a motion to fill the position of Speaker pro tempore by means of a secret ballot, using the process established by the Speaker for the election of the Speaker pro tempore in the Second Session of the Forty-third Parliament. On December 1, the Speaker made a statement at the start of the sitting announcing that senators who wished to be candidates had until December 6 to communicate their interest to the Clerk of the Senate, and that the names of the candidates would be announced at the start of the sitting after December 6. On December 7, the Speaker announced that Senators **Patricia Bovey** and **Pierrette Ringuette** had put their names forward and each made a short statement, following which senators had until 6 p.m. the following day to cast their vote. On December 9, the Speaker announced the results of the election, whereupon a motion that Senator Ringuette be named Speaker pro tempore for the remainder of the session was deemed moved, seconded and adopted.

On November 25, the Senate adopted a motion allowing for hybrid sittings of the Senate and committees until March 31, 2022. The content of the motion was similar to that of motions adopted in the previous Parliament, and included provisions relating to the technological requirements to participate in hybrid sittings or committee meetings, modifying the Senate's sitting hours, outlining the process for votes and allowing for documents to be deposited electronically with the Clerk of the Senate. After the adoption of the motion, the Speaker advised the Senate that the first hybrid sitting of the Senate would be on November 30.

On December 7, the Senate adopted a motion which will allow for a minister of the Crown to be invited at least once every second week the Senate sits to attend Question Period, which will last a maximum of 60 minutes on those days. The minister will be selected by the Government Representative in the Senate, in consultation with the Leader of the Opposition, and the leaders and facilitators of all recognized parties and recognized parliamentary groups.

On December 16, the Senate resolved itself into a Committee of the Whole to consider the subject matter of Bill C-2, *An Act to provide further support in response to COVID-19*. The Senate heard from Deputy Prime Minister and Minister of Finance **Chrystia Freeland**, accompanied by officials.

Committees

On November 25, the Senate adopted a motion allowing for three deputy chairs for the Standing Committee on Internal Economy, Budgets and Administration and two deputy chairs for the Standing Committee on Audit and Oversight, and the Standing Committee on Rules, Procedures and the Rights of Parliament. The motion also increased the number of senators serving on the Standing Senate Committee on National Security and Defence and the Standing Committee on Audit and Oversight.

On December 2, the Committee of Selection presented its first report, which contained the list of senators nominated to serve on committees. The report was adopted the same day, with leave. The second and third reports of the Committee of Selection were also presented that day, entitled *Duration of membership on committees* and *Committee Meeting Schedule*, respectively. The third report was adopted on December 7 and the second report on December 14.

Also on December 2, two motions related to committee business were adopted. The first motion authorized the Standing Senate Committee on National Finance to examine and report on the expenditures set out in the Supplementary Estimates (B) for the fiscal year ending March 31, 2022. The committee tabled its report on December 16 and it was adopted with leave later that day. The second motion authorized the Standing Senate Committee on Social Affairs, Science and Technology to examine the subject matter of Bill C-3, *An Act to amend the Criminal Code and the Canada Labour Code*, in advance of the said bill coming before the Senate, and separately authorized the Standing Senate Committee on Legal and Constitutional Affairs to examine the subject matter of clauses 1 to 5 contained in Bill C-3. The Standing Senate Committee on Social Affairs, Science and Technology tabled its second report on the subject matter of Bill C-3 on December 15, and the Standing Senate Committee on Legal and Constitutional Affairs tabled its second report on the subject matter of Bill C-3 on December 16.

The Standing Committee on Audit and Oversight presented its first report, entitled *Nomination of External Members* on December 9. The report was adopted with leave that same day. Later that day, the Senate adopted a motion appointing senators to serve on the Standing Committee on Ethics and Conflict of Interest for Senators. The motion increased the number of senators serving on the committee to six, rather than the five provided for in the Rules.

Senators

Senators **David Arnot**, **Michèle Audette**, **Bernadette Clement**, **Amina Gerba**, **Clément Gignac**, **James Quinn**, **Karen Sorensen** and **Hassan Yussuff**, who were appointed to the Senate in June and July 2021, were introduced on November 22 and took their seats in the Senate Chamber.

Senator **Josée Forest-Niesing** died on November 20. Senator Forest-Niesing was appointed to the Senate on October 11, 2018, on the advice of Prime Minister **Justin Trudeau**. She represented the province of Ontario and was from Sudbury. At the time of her appointment, she had nearly 20 years of experience practicing law and was a proud Franco-Ontarian. She served as a member or chair of numerous boards of directors, including the Art Gallery of Sudbury, the Carrefour francophone de Sudbury, and the University of Sudbury. She was also appointed to the Ontario Arts Council in January 2018.

Emily Barrette
Procedural Clerk



House of Commons

Introduction

This account covers key highlights of the period from October to the end of December 2021. The 44th Parliament convened on November 22, 2021, and re-elected **Anthony Rota** (Nipissing—Timiskaming) as Speaker of the House of Commons. On November 23, 2021, Governor General **Mary Simon** delivered the Speech from the Throne. On December 16, 2021, the House agreed by unanimous consent to adjourn until January 31, 2022.

Legislation

- C-4, *An Act to Amend the Criminal Code (Conversion Therapy)*

On November 29, 2021, the Minister of Justice and Attorney General of Canada **David Lametti** (LaSalle—Émard—Verdun) introduced Bill C-4, *An Act to amend the Criminal Code (conversion therapy)*. During the 43rd Parliament, Mr. Lametti introduced similar bills: during the first session, Bill C-8 (March 9, 2020); during the second session, Bill C-6 (October 1, 2020). On December 1, 2021, on a motion moved by **Rob Moore** (Fundy Royal), the House adopted the bill at multiple stages by unanimous consent. Bill C-4 received Royal Assent on December 8, 2021.

- C-3, *An Act to Amend the Criminal Code and the Canada Labour Code*

On November 26, 2021, Minister of Labour **Seamus O'Regan** (St. John's South—Mount Pearl) introduced Bill C-3, *An Act to Amend the Criminal Code and the Canada Labour Code*, which would classify the intimidation of health service providers or of those seeking health services as an offence. The bill would also make certain amendments surrounding paid medical leave of absence. On December 16, 2021, the House adopted Bill C-3 by unanimous consent at multiple stages. This motion included the adoption of amendments tabled by **Mark Holland** (Ajax) earlier in the sitting which incorporated provisions for bereavement leave relating to the loss of a child or an unborn child. This amendment stemmed from Bill C-307, *An Act to amend the Canada Labour Code (bereavement leave)*, a business item that was terminated upon the dissolution of the 43rd Parliament and reintroduced to the 44th Parliament as Bill C-211 by its original sponsor, **Tom Kmiec** (Calgary Shepard). Bill C-3 received Royal Assent on December 17, 2021.

- C-2, *An Act to Provide Further Support in Response to COVID-19*

On November 24, 2021, Deputy Prime Minister and Minister of Finance **Chrystia Freeland** (University—Rosedale) introduced Bill C-2, *An Act to Provide Further Support in Response to COVID-19*. On December 2, 2021, the House agreed by unanimous consent to proceed to a recorded division on the Bill's second reading and to organize committee business (see Committees section below). On December 16, the House agreed by unanimous consent to advance

Bill C-2; the question was then put at third reading and the motion agreed to on recorded division. The Bill received Royal Assent on December 17, 2021.

Committees

On December 2, 2021, the House agreed by unanimous consent to identify which members would serve on the Standing Committee on Finance (FINA) within 24 hours of the order's adoption and to call upon the Clerk of the House to convene a meeting within the week. The order also appointed the Standing Committee on Procedure and House Affairs (PROC) to prepare lists of members for the standing and standing joint committees of the House (tabled on December 9, 2021). Notably, the order affected the Standing Orders relating to committees for the duration of the 44th Parliament which included, among other alterations, the expansion of membership for some committees from 10 to 12 members and others from 10 to 11 members.

Questions of Privilege

Two questions of privilege that had been raised during the 43rd Parliament were raised again at the beginning of the 44th Parliament.

On November 23, 2021, **G  rard Deltell** (Louis-Saint-Laurent) raised a question of privilege regarding the government's non-compliance with the order made by the House regarding the Public Health Agency of Canada (PHAC)'s failure to produce requested unredacted documents (on June 16, 2021, the Speaker had ruled that there had been a *prima facie* breach of privilege, but the documents were not produced). On December 2, 2021, **Mark Holland** (Ajax) responded to this question of privilege and proposed an ad hoc committee with representation from all parties, supported by a panel of arbiters comprised of judges agreed upon by the committee. The proposal resembled the procedure used in 2010 for records related to the transfer of Afghan detainees from the Canadian Armed Forces to the Afghan authorities. On December 8, 2021, Mr. Deltell rejected this proposal, citing differences between the two situations. Instead, he proposed that the Law Clerk and Parliamentary Counsel review the unredacted documents with the assistance of national security specialists.

On November 23, 2021, **John Brassard** (Barrie—Innisfil) raised a question of privilege first raised by **Michael Barrett** (Leeds—Grenville—Thousand Islands and Rideau Lakes) on June 10, 2021, related

to the non-appearance of certain witnesses before the Standing Committee on Access to Information, Privacy and Ethics.

On December 9, 2021, the Speaker ruled on both questions of privilege and noted a lack of precedent for questions of privilege raised in one parliament being taken up in a subsequent parliament. He found that in the absence of new information being presented or the relevant orders being renewed, the questions of privilege related to these matters were dissolved along with the previous parliament. The Speaker therefore concluded that there was no *prima facie* breach of privilege in these cases.

On November 23, 2021, **John Brassard** (Barrie—Innisfil) rose on a question of privilege regarding allegations published in the media concerning the Clerk of the House. He indicated that alleged partisan misconduct and workplace toxicity impacted the dignity of the House. **Michelle Rempel Garner** (Calgary Nose Hill) rose in support of the question of privilege and requested that the matter be referred to the Committee on Procedure and House Affairs (PROC). On December 1, the Speaker delivered his ruling, stating that the most appropriate forum to deal with the issue is the Board of Internal Economy (BOIE), which is entitled by the *Parliament of Canada Act* to address all human resources matters. Since the BOIE is currently seized with the issue, the Speaker determined that there is no *prima facie* question of privilege.

On November 23, 2021, **Blake Richards** (Banff—Airdrie) rose on a question of privilege regarding BOIE's October 19, 2021, decision requiring that all individuals (including Members) must be fully vaccinated against COVID-19 by November 22, 2021, to gain access to the parliamentary precinct. Mr. Richards argued that the BOIE's decision constituted a violation of Members' rights to have unfettered access to the precinct. On the same day, **Claude DeBellefeuille** (Salaberry—Suro  t) raised a question of privilege on a similar matter alleging that the Conservative Party's refusal to disclose its members' vaccination status constituted a violation of the House's collective privileges. Mrs. DeBellefeuille argued that the collective privilege of the House took precedence over the parliamentary privilege of individual Members. She asked the House to order the BOIE to ensure that all Members are adequately vaccinated.

On December 2, 2021, the Speaker ruled on these questions. He indicated that the House has complete

and sole authority to regulate and administer its precinct, including controlling access to its buildings. The Speaker noted the unique context of the situation: the BOIE had made the decision to limit the spread of COVID-19 at a time when the House had not yet been called into session following a general election and therefore could not pronounce itself on the matter immediately. The Speaker also noted that the House had since adopted a motion to explicitly endorse the BOIE's decision and the conditions it imposed on Members' participation. The Speaker ruled that, while the issue of mandatory vaccinations had been settled, interplay between the rights and privileges of the House and the jurisdiction of the BOIE remained an issue. As the BOIE appeared to have exceeded its authority in a way that conflicted with the House's privileges, the Speaker was prepared to rule that a *prima facie* question of privilege existed. The final ruling was reserved until the member moved the appropriate motion. As Mr. Richards declined to move the appropriate motion, the Chair considered the matter closed. The Speaker addressed the particular concerns raised by Mrs. DeBellefeuille by assuring everyone in this House that all medical exemptions, whether for Members or for staff, are reviewed by the health and safety personnel of the House Administration and that anyone with a valid exemption must provide a recent negative COVID-19 test result in order to access the buildings in the precinct.

On December 6, 2021, **Cathay Wagantall** (Yorkton—Melville) rose on a question of privilege related to the House's decision on November 25, 2021, to require Members to be fully vaccinated against COVID-19 or have a medical exemption to enter the physical House of Commons. Mrs. Wagantall alleged that this requirement negatively impacted the House of Commons nurse's ability to independently evaluate potential medical exemptions. On December 7, 2021, the Speaker ruled that the House was within its rights to introduce the requirements related to vaccination, having adopted the motion requiring Members to be vaccinated. He further noted that medical exemptions are based on guidelines published by Ontario Health and the National Advisory Committee on Immunization, and therefore do not affect the nurse's independence.

Motion to reintroduce hybrid sittings

On November 24, 2021, **Mark Holland** (Ajax) put forward a motion to manage House proceedings until June 23, 2022. The motion, as amended by **G  rard Deltell** (Louis-Saint-Laurent), was adopted on November 25,

2021, by recorded division. The motion sets out how the House and its committees will conduct virtual and hybrid proceedings during the COVID-19 pandemic; it also dictates procedures for the tabling, studying and reporting of the Supplementary Estimates (B) for the period ending on December 10, 2021. It also includes provisions for electronic voting like those put in place during the previous parliament. On November 26, the Speaker made a statement reminding Members of the best practices for participating in proceedings remotely. In particular, he emphasized that Members participating remotely are considered to be present in the House and must respect House rules and practices, including those related to props and dress code. On December 9, the Speaker made another statement sharing information on the use of the remote voting application.

Motion for the procurement of protective equipment

On December 16, 2021, **Julie Vignola** (Beauport—Limoilou) sought unanimous consent and moved a motion relating to personal protective equipment procurement from domestic businesses. The Speaker declared the motion carried. Some Members rose to indicate there had been dissent, and that sequential motions for unanimous consent may require greater pause before being called due to simultaneous interpretation. The Speaker noted the concerns and upheld the ruling on the motion.

Financial procedures

Pursuant to Standing Order 81(10)(b), there were two allotted days for the supply period ending December 10, 2021. The allotted days took place on December 7 and December 9. On the first allotted day (December 7, 2021), the House debated a motion moved by **Erin O'Toole** (Durham) to create a Special Committee on Afghanistan (AFGH). The motion was adopted by deferred recorded division on December 8, 2021. The order intends AFGH to hold hearings on the events surrounding the fall of Afghanistan to the Taliban in 2021.

On Friday, November 26, 2021, President of the Treasury Board **Mona Fortier** (Ottawa—Vanier) tabled the Supplementary Estimates (B) for the fiscal year ending March 31, 2022. Pursuant to the motion adopted by the House on November 25, 2021, the Estimates were deemed referred to a committee of the whole. On December 7 and 8, 2021, the House resolved itself into a committee of the whole for the consideration of all votes in the Supplementary Estimates (B) for the fiscal

year ending March 31, 2022; the considered votes were deemed reported on December 8. On December 9, 2021, Ms. Fortier introduced Bill C-6, *An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2022*. The Bill was disposed of through applied votes with clause-by-clause consideration being carried on division in committee of the whole. Bill C-6 received Royal Assent on December 17, 2021.

On Monday, December 6, 2021, the House adopted a motion by unanimous consent to allow the Deputy Prime Minister and Minister of Finance, **Chrystia Freeland** (University—Rosedale) to present an economic and fiscal update on Tuesday, December 14, 2021. Accordingly, Ms. Freeland gave notice of a ways and means motion and proceeded to present the economic and fiscal update on that day. **Erin O'Toole** (Durham), **Gabriel Ste-Marie** (Joliette) and **Daniel Blaikie** (Elmwood—Transcona) made statements in response to the Minister's update. On December 15, 2021, the ways and means motion was concurred in. Pursuant to Standing Orders 83(4) and 69(1), Bill C-8, *An Act to implement certain provisions of the economic and fiscal update tabled in Parliament on December 14, 2021 and other measures*, was introduced and read for a first time.

On Tuesday, December 14, 2021, Ms. Freeland gave notice of a second ways and means motion to introduce an *Act to implement a Digital Services Tax*.

Private Members' Business

The draw to establish the list for the consideration of Private Members' Business was held on November 30, 2021. The order of precedence is anticipated on February 8, 2022.

Other

BOIE Membership

On December 1, 2021, following the usual post-election practice, the Speaker provided the list of members that had been appointed to the Board of Internal Economy for the purposes and under the provisions of the *Parliament of Canada Act*, subsection 50(2).

Emergency Debates

During this period, members made six requests for emergency debates on various subjects with the request from **Elizabeth May** (Saanich—Gulf Islands)

receiving approval. On November 24, 2021, following the ordinary hour of adjournment, the House debated the deadly flooding situation in British Columbia.

Sophia Nickel

Nellie Winters

Table Research Branch



Québec

Proceedings of the National Assembly of Québec

Membership

Since November 1, 2021, **Marie Montpetit**, Member for Maurice-Richard, has been sitting as an Independent Member. On November 13, 2021, **Catherine Fournier** resigned as Member for Marie-Victorin after becoming Mayor of Longueuil. Consequently, the National Assembly is now composed of 124 Members, including 75 Coalition avenir Québec Members, 27 Liberal Party Members, 10 Québec solidaire Members, seven Parti Québécois Members and five independent Members, one of whom is affiliated with the Parti conservateur du Québec.

On November 24, 2021, **Jean Boulet** replaced **Nadine Girault** as Minister of Immigration, Francization and Integration. He also retains his position as Minister of Labour, Employment and Social Solidarity.

On January 1, 2022, **Éric Caire**, Member for La Peltre, became Minister of Cybersecurity and Digital Technology. This new department was created with the passage of Bill 6, *An Act to enact the Act respecting the Ministère de la Cybersécurité et du Numérique, and to amend other provisions*. Mr. Caire retains his other parliamentary and ministerial duties.

Prorogation and Opening of the Second Session of the 42nd Legislature

On October 13, 2021, at 4:00 p.m., the Lieutenant Governor prorogued the Assembly, ending the First Session of the 42nd Legislature. The Assembly was summoned to start a new session on October 19, 2021, at 2:00 p.m.

The first sitting of the Second Session opened with the Lieutenant Governor's address, followed by the opening speech delivered by Premier **François Legault**. At the end of his speech, the Premier moved, "That the Assembly approve Government's general policy." The next day, debate on the Premier's opening speech and motion began with speeches delivered by the opposition parliamentary groups.

During the first sitting of the new session, the Assembly also passed a motion to keep in effect the special order establishing the changes to the terms and conditions applicable to Assembly sittings during the pandemic, which had been adopted when the session resumed on September 14.

Legislative agenda

In October 2021, before the end of the First Session of the Legislature, the Assembly passed one government bill:

- Bill 100, *Tourist Accommodation Act*.

From the prorogation to the end of the sessional period on December 10, 2021, the Assembly passed 12 bills, including eight government bills and four private bills:

- Bill 3, *An Act to amend various legislative provisions mainly with respect to the financial sector*;
- Bill 5, *An Act to give effect to fiscal measures announced in the Budget Speech delivered on 25 March 2021 and to certain other measures*;
- Bill 6, *An Act to enact the Act respecting the Ministère de la Cybersécurité et du Numérique and to amend other provisions*;
- Bill 7, *An Act to amend the Election Act (modified title)*;
- Bill 8, *An Act to postpone the coming into force of certain provisions of the 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 49, *An Act to amend the Act respecting elections and referendums in municipalities, the Municipal Ethics and Good Conduct Act and various legislative provisions*;
- Bill 92, *An Act to create a court specialized in sexual violence and domestic violence (modified title)*;
- Bill 103, *An Act to amend various legislative provisions mainly for the purpose of reducing red tape*;
- Bill 200, *An Act respecting Ville de Montréal*;
- Bill 201, *An Act to extend the time limit specified in section 137 of the Charter of Ville de Gatineau*;
- Bill 202, *An Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption of, La Mutuelle des municipalités du Québec*; and
- Bill 219, *An Act respecting an immovable located on Rue University in Montréal (on the Royal Victoria Hospital site) (modified title)*.

Other events

Report from the Committee on Citizen Relations

On October 20, 2021, **François Paradis**, President of the National Assembly, tabled in the Assembly the Report from the Committee on Citizen Relations, which includes 90 recommendations to improve mechanisms for public participation in the National Assembly. The recommendations were developed through consultations with 44 Quebecers who took part in virtual discussions on various topics relating to public participation in the National Assembly. The members of the round table were selected from among 330 eligible applicants by a random draw that ensured the group was sociodemographically and geographically representative of Québec.

Official opening of the Le Parlementaire restaurant

On November 3, 2021, Mr. Paradis, the President of the National Assembly, officially inaugurated the *Le Parlementaire* restaurant, located in the Parliament Building. The restaurant celebrated its 100th anniversary in 2017. After closing for two years for major renovations and then because of the pandemic, *Le Parlementaire* has reopened to offer a fine dining experience with local Québec ingredients.

Release of the fourth edition of Parliamentary Procedure in Québec

On December 9, 2021, the fourth edition of the French version of *Parliamentary Procedure in Québec* became available on the National Assembly's website. This book is an invaluable reference work, as much for those with a deep understanding of parliamentary law as for those who want a crash course on parliamentary procedure. The print version will be available in February 2022.

Committee Proceedings

Here are some highlights of the parliamentary committee proceedings held between October and December 2021.

Prorogation

The First Session of the 42nd Legislature was prorogued on October 13, 2021, bringing an end to all select committees established, all orders not fully executed, all proceedings pending and all bills not passed. Note that all proceedings ended by a prorogation can be resumed in the following session. Accordingly, the Assembly reinstated bills at the stage of committee consideration they had reached at the end of the First Session. Committees were also able to restore the mandates they had set for themselves that were incomplete at prorogation.

Legislation

Some 12 public bills were examined by the standing committees between October and December, at both the special consultation and clause-by-clause consideration stages.

The Committee on Planning and the Public Domain concluded clause-by-clause consideration of Bill 49, *An Act to amend the Act respecting elections and referendums in municipalities, the Municipal Ethics and Good Conduct Act and various legislative provisions*. The purpose of the bill is to strengthen municipal democracy and tighten some of the rules in the code of ethics and conduct for municipal council members. Clause-by-clause consideration lasted for more than 90 hours of sittings, ending on October 6, 2021. The committee also considered three private bills late in the sessional period. In less than four hours of sittings, the committee considered Bill 200, *An Act respecting Ville de Montréal*; Bill 201, *An Act to extend the time limit specified in section 137 of the Charter of Ville de Gatineau*; and Bill 202, *An Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption*

of, La Mutuelle des municipalités du Québec.

The Committee on Institutions had a very busy autumn with special consultations on three bills and clause-by-clause consideration of two of the three. The committee concluded its special consultations on and clause-by-clause consideration of Bill 92, *An Act to create a court specialized in sexual violence and domestic violence*. Some 20 individuals and organizations were heard during the two consultation hearings on the bill. Clause-by-clause consideration lasted for slightly more than 25 hours and ended on November 11, 2021. The committee also held special consultations on Bill 2, *An Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status*, during which it heard from around 30 witnesses over four sittings.

The Committee on Transportation and the Environment was mandated to hear 11 groups over three hearings on Bill 102, *An Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles*. The bill would improve and standardize measures enabling the enforcement of legislation under the responsibility of the Minister of the Environment and the Fight Against Climate Change. The bill would also bolster the *Pesticides Act* and adjust the *Dam Safety Act* framework. The committee then began clause-by-clause consideration of the bill's 162 provisions in early December. To date, more than 15 hours have been devoted to this work.

Lastly, the Committee on Culture and Education began clause-by-clause consideration of Bill 96, *An Act respecting French, the official and common language of Québec*. The purpose of the bill is to affirm that French is the only official language of Québec and that it is the common language of the Québec nation. The bill would introduce new fundamental language rights and various measures to strengthen French. More than 50 witnesses were heard earlier in the fall during the special consultations on the bill, which is the largest number of witnesses heard in the current Legislature. Close to 25 hours have been devoted to clause-by-clause consideration of the 201 provisions of Bill 96 so far.

Standing Orders mandate

On December 7, 2021, the Committee on Public Finance met to examine the government's budgetary

policy and the state of public finances, with the Minister of Finance in attendance. The meeting was held under Standing Order 292 after a preparatory deliberative meeting.

Select Committee on the Evolution of the Act respecting end-of-life care

The Select Committee on the Evolution of the *Act respecting end-of-life care*, established by the National Assembly on March 31, 2021, tabled its report on December 8, 2021. Over the course of its proceedings, the committee received 75 briefs and heard 77 witnesses during public hearings as part of special consultations. Committee members held more than 50 hours of deliberative meetings to organize the committee's work and determine the content of its report. The steering committee met 46 times. The committee's report contains 11 recommendations, and the English translation was made public in mid-December. Having carried out its mandate, the committee is now dissolved.

Committee chairs

On November 4, 2021, **Jennifer Maccarone** (Westmount–Saint-Louis) became Vice-Chair of the Committee on Agriculture, Fisheries, Energy and Natural Resources.

David Bordeleau

Sittings and Parliamentary Procedure Directorate

Mathieu LeBlanc

Parliamentary Committees Directorate



British Columbia

With the start of the fall sitting on October 4, 2021, the House adopted a new sessional order, following the expiration of the previous sessional order on June

30. The new sessional order was similar to the previous sessional order enabling hybrid proceedings with the exception that divisions were no longer deferred until the end of the day and were taken as called unless otherwise agreed to or provided for. Safety protocols in relation to COVID-19 were updated to allow for all Members to attend proceedings in person; most Members opted to attend in person during the fall sitting.

The House adjourned on November 25, 2021 and is expected to resume on February 8, 2022 with the anticipated prorogation of the Second Session of the 42nd Parliament in the morning and the opening of the Third Session with the Speech from the Throne in the afternoon.

Speaker's Decision

On October 20, 2021, the Member for Saanich North and the Islands raised a question of privilege regarding the introduction of Bill 22, *Freedom of Information and Protection of Privacy Amendment Act, 2021* and the work of the Special Committee to Review the Freedom of Information and Protection of Privacy Act. The Committee was appointed on June 16, 2021 to examine the *Freedom of Information and Protection of Privacy Act* and to report back to the Legislative Assembly within one year, pursuant to section 80 of the *Act* which requires a special committee to review the *Act* every six years. On October 18, 2021, the Minister of Citizens' Services introduced Bill 22. The Member suggested that the Bill's consideration by the Legislative Assembly was a breach of his privilege as a Member of the Committee. The Official Opposition House Leader stated that the work of the Committee was being "circumvented" by the introduction of the Bill. The Government House Leader noted the Crown's prerogative, acting on the advice of the Executive Council, to bring forward legislation for consideration by the Legislative Assembly.

The following day, the Speaker ruled that since the matter had been raised two days after the Bill's introduction, the requirement for raising a question of privilege at the earliest opportunity had not been met. The Speaker took the opportunity to recognize the right of the government and all Members to introduce legislation for the consideration of the House, while also noting that, "there are instances when the timing of the introduction of a Bill could be discourteous to the House or one of its committees. Timing of the introduction of legislation should be carefully considered, so as not to diminish or be perceived to diminish the important

work that this House and its committees undertake outside of core legislative functions.”

Request to Debate a Matter of Urgent Public Importance

On November 17, 2021, the Official Opposition House Leader sought leave pursuant to Standing Order 35 to move adjournment of the House to discuss a matter of urgent public importance, specifically government’s response to the emergency flooding and landslide situation that had unfolded across British Columbia during the preceding day. The Speaker took the matter under advisement and later informed the House that all caucuses had come to an agreement that debate would take place on the afternoon of November 18 for one hour.

Parliamentary Committees

The Select Standing Committee on Finance and Government Services released two reports in conjunction with its mandate to undertake an annual public consultation on the next provincial budget and to review the annual reports, service plans and budget estimates of British Columbia’s nine statutory officers. The Committee released its *Report on the Budget 2022 Consultation* on November 15 with 143 recommendations for the provincial budget, and the *Annual Review of the Budgets of Statutory Offices* was released on December 16, 2021.

The Special Committee to Review the *Personal Information Protection Act* was appointed on April 13, 2021, pursuant to that *Act*, which requires a special committee to review the *Act* every six years. The Committee released its report entitled *Modernizing British Columbia’s Private Sector Privacy Law* on December 6, 2021 with 34 recommendations to align the *Act* with privacy legislation in other jurisdictions, address the impacts of modern information processing on privacy, enhance protections for highly sensitive information, and provide mandatory breach notification.

Legislation

On November 17, 2021, the House adopted a sessional order to authorize the House to sit in two sections, Section A and Section B, to enable concurrent proceedings for the consideration of bills in Committee of the Whole. In addition, on November 23, 2021, the House adopted a motion under Standing Order 81.1(2) to apply time allocation to four bills,

including the first three bills outlined below. In total, the House adopted 18 bills during the fall sitting.

Freedom of Information and Protection of Privacy Amendment Act, 2021 implements mandatory privacy breach reporting, increases penalties for offences under the Act, and includes new Indigenous cultural protections.

Forest Amendment Act, 2021 provides for redistribution of certain forest harvesting rights to Indigenous communities, and implements a new auditing system to ensure that log exporters pay a fee in lieu of domestic manufacturing.

Forests Statutes Amendment Act, 2021 updates British Columbia’s forest management framework and strengthens the role of Indigenous communities in forest planning and decision-making.

Access to Services (COVID-19) Act prohibits the impeding of access to or egress from hospitals, COVID-19 testing and vaccination sites, and K-to-12 schools, disrupting their services, or intimidating individuals at these facilities.

Legislative Assembly Management Committee (LAMC)

At its December 16, 2021 meeting, LAMC approved the 2022-23 Legislative Assembly (Vote 1) budget submission. The \$91.983 million operating budget for the next fiscal year represents a 6.9 percent increase (\$5.9 million) over the previous year and the capital budget of \$9.473 million involves a 51 percent increase (\$3.2 million) over the previous year to support strategic priorities, including: enhancing organizational capacity; improving services and supports for Members; infrastructure investments; and promoting employee engagement, diversity, equity and inclusion, and learning.

Residential School Memorial Items

Since May 2021, many items such as toys, children’s shoes and other articles of remembrance have been placed on the front steps of the Parliament Buildings in response to the confirmation of unmarked graves at residential school sites and the ongoing trauma caused by the residential school system. In October 2021, staff from the Legislative Assembly worked with **Lou-ann Neel**, Curator, Indigenous Collections at the Royal British Columbia Museum and a residential school survivor, to carefully remove and repurpose

the items. Some items were donated to the Museum's Indigenous collection, while others will be repurposed for a weather-protected display to be developed on the Legislative Precinct grounds in the future. In keeping with traditional Coast Salish practices, a sacred burning of items made of natural materials is also planned.

Retirement of Clerk Assistant, Committees and Interparliamentary Relations

Susan Sourial, Clerk Assistant, Committees and Interparliamentary Relations, retired on December 6, 2021 after a decade of service with the Legislative Assembly supporting many parliamentary committees and interparliamentary visits. Ms. Sourial was also an assistant editor of the fifth edition of *Parliamentary Practice in British Columbia*.

Appointment of Committee Clerk

Karan Riarh was appointed as Committee Clerk on November 24, 2021. Ms. Riarh joined the Legislative Assembly in 2016 as a Committee Researcher and has taken on progressively more senior positions, most recently as a Senior Research Analyst where she also served as Clerk to the Special Committee on Reforming the Police Act and at the Table.

Lisa Hill

Committee Research Analyst



Alberta

2021 Fall Sitting

The 2021 fall sitting of the 30th Legislature began as anticipated on October 25, 2021 and adjourned several days later than scheduled at 2:57 a.m. on December 8. During the sitting a number of Government Bills were

brought forward and, ultimately, given Royal Assent, including:

Bill 49, *Labour Mobility Act*, which creates a standardized approach to recognizing out-of-province professional credentials;

Bill 76, *Captive Insurance Companies Act*, which allows for the formation of captive, or "in house", insurance from companies physically located in the province as an alternative to the traditional insurance market;

Bill 77, *Municipal Government Amendment Act, 2021*, which gives municipalities tools to collect unpaid property taxes from oil and gas companies and extends their ability to claim an education property tax credit equal to the uncollectable education property taxes on delinquent oil and gas properties into 2023;

Bill 78, *Alberta Housing Amendment Act, 2021*, which is intended to improve and expand the province's affordable housing system, according to a 10-year housing strategy, including the creation of 25,000 new affordable housing units, by providing opportunities for public-private partnerships and selling or transferring government-owned housing; and

Bill 86, *the Electricity Statutes Amendment Act, 2021*, which permits unlimited self-supply with export in addition to creating opportunities for energy storage systems.

In addition, Bill 87, *Electoral Divisions (Calgary-Bhullar-McCall) Amendment Act, 2021*, received First Reading on November 30. It received unanimous support from all sides of the Assembly and received Royal Assent just two days later, on December 2. The Bill renamed the Calgary-McCall constituency to Calgary-Bhullar-McCall in honour of former Member **Manmeet Bhullar**, who died tragically in a highway accident after stopping to assist a stranded motorist. Mr. Bhullar represented constituents in Calgary's northeast from 2008 until his death in 2015. He served in a variety of cabinet portfolios and has been widely acknowledged for his advocacy on behalf of the vulnerable.

One Private Members' Public Bill also received Royal Assent. With the passing of Bill 207, *Reservists' Recognition Act*, sponsored by **Brad Rutherford**, MLA (Leduc-Beaumont), the last Saturday in September will now be known as Reservists' Recognition Day.

Interventions

With the commencement of the fall sitting amendments to the Standing Orders, approved by the Assembly during the spring sitting, came into force. These amendments, adopted through the passage of a private Members' motion, eliminated the five-minute question-and-comment period following speeches on Government business. Instead, the Standing Orders now allow Members to make up to three interventions of up to one minute during speeches on Government Bills and Motions provided that the Member speaking agrees to the intervention.

During a speech a Member wishing to intervene must rise to request that the Member speaking cede the floor. If the request is accepted then the intervening Member may speak for up to one minute, after which the original Member may resume their speech without any time lost. If a Member accepts two or more interventions, an additional two minutes is added to their speaking time. A maximum of three interventions may be made during a single speech, and a Member may request more than one intervention during the same speech. Although the Member speaking has an opportunity to decide if another Member may speak, the Speaker may interject as necessary to preserve order and decorum. Requesting an opportunity to intervene during an intervention is not permitted, and Members who intervene must keep their remarks focused specifically on the speech in progress.

The Standing Committee on Privileges and Elections, Standing Orders and Printing will conduct a review of these amendments within one year of the day on which the amendments came into force. While the practice of interventions is not employed in other Canadian jurisdictions, interventions are commonly used by Members of the House of Commons in the United Kingdom. *Erskine May* confirms the right of Members to accept interventions during their speeches and describes appropriate etiquette for the intervention process.

Cabinet and Caucus Changes

A wrongful dismissal lawsuit had been filed against the Office of the Premier by a former senior staff member. The lawsuit includes allegations of sexual harassment, toxic workplace culture and heavy drinking by Ministers and staff in Legislature offices. In response to specific allegations regarding alcohol use, **Devin Dreeshen**, MLA, resigned as Minister of Agriculture and Forestry, on November 5 to focus on his personal

wellness. Associate Minister of Rural Economic Development, and **Nate Horner**, MLA, was promoted to the updated portfolio of Minister of Agriculture, Forestry and Rural Economic Development. Premier **Jason Kenney**, who is not named in the lawsuit, has confirmed an independent review of human resource policies pertaining to political staff will be conducted.

On December 21, **Thomas Dang**, MLA, resigned from the NDP caucus to sit as an Independent Member after the RCMP executed a search warrant at his home believed to be in relation to allegations of inappropriately accessing information through the Alberta Health Services website. **Rachel Notley**, MLA, noted that the resignation complied with the Alberta NDP policy that a member under active police investigation not sit in caucus.

The composition of the Assembly is currently 60 Government Members (United Conservatives), 23 Members of the Official Opposition (New Democratic Party), three Independent Members, and one vacant seat.

Committee Business

The Select Special Information and Privacy Commissioner Search Committee, struck on November 24, held its first meeting on December 16 to approve a position profile and a communications plan for recruiting candidates. Applications for the position will be accepted until February 11, 2022.

Meanwhile the Select Special Child and Youth Advocate Search Committee continued its work during the fall sitting and plans to complete its mandate in February 2022. After being advised that the current Ombudsman and Public Interest Commissioner, **Marianne Ryan**, would not be pursuing a second term following the completion of her contract in June 2022 the Standing Committee on Legislative Offices has recommended that the Assembly appoint a new search committee to recruit for these positions.

The Select Special Committee on Real Property Rights had planned public consultation meetings in various locations throughout the province; however, this initiative was postponed due to the COVID-19 pandemic. On November 24, the Assembly approved a motion extending the deadline by which the Committee had to report, from December 15, 2021, to June 15, 2022. The Committee met on December 21 and reconfirmed its intention to hold in-person consultations around the province as part of its review process.

On December 7, the Assembly struck the 12-member Select Special Committee to Examine Safe Supply. The Committee's mandate includes examining evidence of the potential benefits and negative consequences of safe supply (defined as the provision of pharmaceutical opioids, heroin, crystal methamphetamine, cocaine, or other substances to people who are addicted to or dependent on these substances) for individuals and communities. The Committee must report on its activities and any recommendations to the Assembly no later than April 30, 2022.

The Standing Committee on Alberta's Economic Future is continuing its review of the *Lobbyist Act*. It has received over 100 written submissions from identified stakeholders and members of the public.

On January 11, the Standing Committee on Legislative Offices met with **Del Graff**, Child and Youth Advocate, to review the 2020-2021 Annual Report from his Office. The Committee has completed its review and must report back to the Assembly by February 22.

Jody Rempel
Committee Clerk



Saskatchewan

Pipe ceremony

To mark the opening of the new legislative session, a pipe ceremony was held in the rotunda of the Legislative Building on October 26, 2021. Elders **AJ** and **Patricia Felix**, accompanied by First Nations Chiefs and helpers, led the ceremony and participants included the Speaker, the Lieutenant Governor, and Members of the Legislative Assembly from both the government and opposition caucuses. The ceremony was hosted by Speaker **Randy Weekes** and will be held prior to each session opening going forward.

Prorogation and the opening of a new session

The Legislative Assembly of Saskatchewan reconvened on October 27, 2021 in accordance with the parliamentary calendar and by an order of the Assembly. Lieutenant Governor **Russ Mirasty** prorogued the first session of the twenty-ninth legislature in the morning and opened the second session of the twenty-ninth legislature with the Speech from the Throne that afternoon. The speech was followed by blessings from an Indigenous Elder and a Catholic Archbishop, both of whom prayed for reconciliation.

Election of Deputy Speaker

The next day, the Legislative Assembly elected a new Deputy Speaker. Two members put their names forward as candidates: **Lisa Lambert**, MLA for Saskatoon Churchill-Wildwood, and **Joe Hargrave**, MLA for Prince Albert Carlton. The members elected Mr. Hargrave to serve as Deputy Speaker.

Sessional order regarding COVID-19 measures

On October 28, 2021, the Assembly passed a sessional order outlining temporary modifications to the rules and procedures of the Legislative Assembly and its committees in the context of the ongoing COVID-19 pandemic.

The sessional order required MLAs, Legislative Assembly Service employees, government officials, media, and public observers to wear a mask at all times in the Chamber and committee room except when speaking during proceedings. In addition, rule 2 of the provisions of the *Rules and Procedures of the Legislative Assembly of Saskatchewan* which requires all members to attend sittings of the Assembly was ruled inapplicable to members isolating due to exposure to COVID-19. Accordingly, the sessional order allowed for proxy voting on recorded divisions for members isolating for that reason.

The sessional order also stipulated that all Members of the Legislative Assembly had to be fully vaccinated against COVID-19 or provide proof of a negative COVID-19 test within the previous 72 hours to attend and participate in legislative proceedings. The sessional order authorized the Speaker to determine the standards for verification of vaccination and negative COVID-19 testing and gave the Speaker the authority to enforce the sessional order.

The sessional order remained in effect for the duration of the fall sitting.

Summary of the fall sitting of the second session of the twenty-ninth legislature

The Assembly sat for 25 days, in which time 39 public bills were introduced by the government, as well as three private members' public bills and three private bills sponsored by private members.

The Assembly also considered supplementary estimates in standing committees for several government ministries. The sums reported and approved by the various committees were included in an appropriation bill, which received Royal Assent on December 7, 2021.

Three additional public bills received Royal Assent during the fall sitting. Bill No. 48, *The Public Health (Safe Access to Hospitals) Amendment Act, 2021*, establishes 50-metre safe-access zones around hospitals in order to protect the ability of patients and health care providers to access hospitals without interference, harassment, or obstruction.

- Bill No. 66, *The Education (Safe Access to Schools) Amendment Act, 2021*, creates safe-access zones around schools in order to prevent sidewalk protests and harassment, particularly during the rollout of vaccines to school-aged children at these facilities.
- Bills 48 and 66 both contain sunset clauses stipulating that the safe-access zone provision will expire two years after the legislation comes into force.
- Bill No. 60, *The Saskatchewan Employment Amendment Act, 2021*, amends various sections of *The Saskatchewan Employment Act* to clarify and expand harassment protections, allow for the establishment of different types of bargaining units, and provide liability protection to employers following COVID-19 workplace vaccination regulations.

During the fall session, the government also introduced legislation to reduce the jurisdiction of the Legislative Protective Service, led by the Sergeant-at-Arms. Bill No. 70, *The Legislative Assembly Amendment Act, 2021*, redefines the term "legislative precinct" to consist of the floor of the Chamber of the Legislative Assembly. It also establishes a "legislative district," which encompasses the remainder of the Legislative Building and a defined parcel of land surrounding it,

and provides for the government appointment of a "Director of Legislative Security" who is responsible for the security of this district.

The fall session also saw the Legislative Assembly move 13 motions of condolence in honour of former Members of the Legislative Assembly who recently passed away, as well as a tribute to former Lieutenant Governor **Thomas Molloy**, who passed away on July 2, 2019 while serving as Saskatchewan's 22nd Lieutenant Governor.

Constitutional amendment

On November 29, 2021, Minister of Justice **Gordon Wyant** moved a motion to amend the Constitution of Canada by repealing section 24 of the *Saskatchewan Act*, retroactive to August 29, 1966. Section 24 of the *Saskatchewan Act*, which created the province of Saskatchewan in 1905, refers to a tax exemption that the federal government granted to Canadian Pacific Railway (CP Rail) at that time. CP Rail is currently in the process of suing the Government of Saskatchewan to get back \$341 million in taxes it has paid.

The motion was agreed to without dissent on a recorded division, and a transmittal motion was passed so that copies of the resolution could be sent to the President of the Privy Council and the Speakers of the House of Commons and Senate so that the matter could be addressed federally.

Motion pursuant to rule 61

On December 8, 2021, Opposition (NDP) MLA **Meara Conway** requested leave to move a motion pursuant to rule 61 of the *Rules and Procedures of the Legislative Assembly of Saskatchewan*. Rule 61 stipulates that in cases of urgent and pressing necessity, a motion may be made by unanimous consent of the Assembly without notice having been given.

Leave being granted, Ms. Conway proceeded to move a motion commending a Conservative Member of Parliament for proposing the expeditious passage of legislation to ban conversion therapy in Canada and commending all Senators and Members of the House of Commons for passing the legislation in an expedited way. The motion was agreed to.

New Provincial Auditor

On the unanimous recommendation of the Standing Committee on Public Accounts, the Legislative

Assembly appointed **Tara Clemett** to the role of Provincial Auditor of Saskatchewan on November 9, 2021. Ms. Clemett had been serving as the Acting Provincial Auditor since July 1, 2021 and had previously served as Deputy Provincial Auditor. In Saskatchewan, the term for the Provincial Auditor is eight years and the auditor is not eligible for reappointment.

Appointment of Chief Electoral Officer

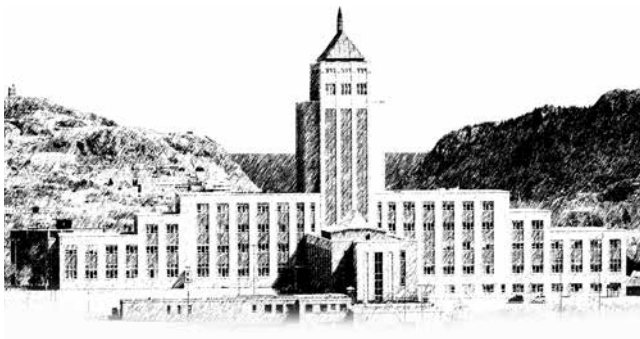
On November 4, 2021, the Legislative Assembly ordered the appointment of **Michael Boda** to another term as Chief Electoral Officer of Saskatchewan. Operating under the authority of *The Election Act, 1996*, the Chief Electoral Officer oversees Elections Saskatchewan in administering provincial electoral events. The Chief Electoral Officer's term is 12 months after the day fixed for the return to the writ following the second general election for which he or she is responsible.

Adjournment of fall sitting

The Assembly adjourned on December 9, 2021 and will reconvene on March 7, 2022 in accordance with the parliamentary calendar.

Miranda Gudereit

Procedural Assistant



Newfoundland and Labrador

The first session of the 50th General Assembly continued in the autumn of 2021, with the House sitting for 14 days from October 18 to November 16, 2021. Significant business was considered by the Assembly, including new legislation respecting the use of off-road vehicles and legislation intended to improve accessibility by preventing, identifying and removing barriers that prevent persons with disabilities from fully participating in society. As well, a resolution

requiring mandatory vaccination of Members was passed unanimously by the House.

COVID-19 Considerations

As the entire province had moved into more relaxed public health restrictions during the fall sitting (Alert Level 2), indoor capacity limits increased and changes were therefore made to the COVID-19 protocols in place in the House of Assembly Chamber.

In previous sittings during the pandemic, social distancing guidance meant some Members' desks were placed in the middle section on the floor of the Chamber. Changes for the fall 2021 sitting meant that all Members could now sit on the risers with their respective caucuses, freeing up the space in front of the main entrance/ceremonial doors. Members continued to speak from a seated position and wore masks at all times except when speaking in debate.

Changes to public health guidance also allowed pages to be welcomed back to assist with proceedings for the first time during the pandemic. Four new pages were recruited for the duration of the fall sitting, with two on duty at any given time.

The changes to public health guidance and configuration of the Chamber further allowed the reinstatement of the Speaker's parade, which was discontinued during previous sittings in the pandemic. The revised public health guidance also allowed the reopening of the public galleries on October 25 with reduced capacity to facilitate appropriate distancing between occupants. Anyone entering the galleries was required to provide proof of vaccination and to wear a mask at all times.

As mentioned above, the House also passed a resolution requiring the mandatory vaccination of all Members. Similar to the mandatory vaccination policy for public service employees that was announced by the Government of Newfoundland and Labrador earlier in the fall, the resolution required all Members to provide proof of vaccination (or valid exemption) by December 17, 2021. All Members are now compliant with this Order of the House.

When the House rose on November 16, a traditional Royal Assent ceremony was held. Lieutenant Governor **Judy May Foote** was present in the Chamber and she assented to legislation passed during the sitting. She made short remarks, thanking Members for their service on behalf of Her Majesty.

Highlights: Standing and Select Committees

Public Accounts Committee: The Public Accounts Committee has been very active in the First Session of the 50th General Assembly. In addition to their regular oversight work, the Committee received two reports of the Auditor General in relation to referrals from the Public Accounts Committee under Section 16 of the Auditor General Act. The Committee's review and examination of both reports is in the early stages and will continue throughout 2022. Further, the Committee has been undertaking training and research in the area of best practices of public accounts committees across the country.

Standing Orders Committee: The Standing Orders Committee also continues to be quite active. It has identified its priorities for the 50th General Assembly and work is progressing on proposed improvements to the Standing Orders which will be brought to the House for debate and vote.

Staffing news

The former Sergeant-at-Arms, **Wayne Harnum**, retired at the end of the spring 2021 sitting. The House of Assembly has passed a resolution appointing **Robert Escott** as the new Sergeant-at-Arms. Robert comes from the Executive Branch where he served as the Director of Security Services with the Department of Transportation and Infrastructure and we welcome him to the team.

At the end of December 2021, **Maureen Dooley**, Secretary to the Clerk, retired after 20 years of service with the Legislature. We wish Maureen all the best in her future endeavours.

During 2021, a new position of Committee Clerk was created in the Clerk's Office to assist in supporting Standing and Select Committees. **Evan Beazley** joined the position on a temporary assignment prior to the fall sitting. Evan comes to the Clerk's Office from Hansard, and has been with the Legislature since 2018.

Mark Jerrett

Policy, Planning and Research Analyst – Office of the Clerk



Manitoba

Fourth Session of the 42nd Legislature

The Fourth Session of the 42nd Legislature commenced on November 23, 2021 with the Speech from the Throne delivered by **Janice C. Filmon**, Lieutenant Governor of Manitoba. As this was expected to be her last Throne Speech, having served in the position since June 2015, she graced the Assembly by opening the address with some personal comments:

On a personal note, I've had the privilege, the honour, of being your Lieutenant Governor for this past six and a half years. It's gone by very quickly. I would not want to miss this opportunity, as it probably is the last time I will have a chance to read the Speech from the Throne.

It's been a difficult time this last while for everybody, but especially for you. You carry the mantle of leadership. And I don't think that you get the recognition or the thanks that you deserve for carrying that. I know that from another place. I wish you just so well. I wish you good health.

But, really, what I want to do is thank you for the support that you have given me and the office as Lieutenant Governor. To say it was an honour is an understatement—an absolute blessing. So please continue to be well. I wish you every success, and when I say happiness, only happiness because of the choices that you have made for yourself. So thank you. Go forth and know that I carry this experience in my heart. Thank you. Thank you. Thank you.

It was truly a monumental occasion as it marked the first time that the Speech from the Throne was delivered by a woman, on behalf of a governing party

led by a woman, to a Legislative Assembly presided over by a woman, with a woman as the chief procedural expert in charge of keeping track of the proceedings. **Heather Stefanson** became the province's first female Premier officially on November 2, 2021, **Myrna Driedger** was elected to the role of Speaker in May 2016, and **Patricia Chaychuk** became the first female Clerk of the Manitoba Legislative Assembly in the year 2000. The Speech was also historic for another reason as an Indigenous drummer played an Honour Song while the Lieutenant Governor and the official party entered the Chamber. In addition four Grand Chiefs were seated in the Speaker's Gallery to observe proceedings.

The address unveiled a new agenda for the province entitled a "Path to Progressing Together," with a stated aim of working together with all Manitobans to build a stronger, healthier and more inclusive province, by creating a stronger, more sustainable health-care system, providing greater supports for families, seniors and vulnerable Manitobans, improving education and training opportunities, and laying the ground work to foster investment, job creation and economic growth. Key initiatives included:

- working with Indigenous leaders, elders, knowledge keepers, families and community members to advance shared goals and seek reconciliation, healing and a path forward together;
- removing barriers that delay Manitobans from getting the medical care they urgently need;
- addressing the nursing shortage with increased and targeted training opportunities;
- implementing a renewed seniors strategy so aging Manitobans are able to stay safe in their own homes, close to family and their personal support systems, for as long as they choose;
- advancing the *Skills, Talent and Knowledge Strategy* to accelerate post-pandemic recovery; and
- ensuring Indigenous and new Canadian students are given opportunities to participate in post-secondary education and training.

During his contribution to the Throne Speech debate on November 24, the Leader of the Official Opposition **Wab Kinew** moved a motion expressing non-confidence in the Government, highlighting several areas he believed the Government failed to address in the Speech from the Throne, including:

- failing to provide any plan to make life more affordable for Manitobans by not mentioning

affordability and the rising cost of living due to higher hydro bills, grocery bills, and more as Manitobans head into the holiday season;

- failing to call an independent public inquiry into Manitoba's pandemic response to learn from its mistakes and bring forward changes to improve the lives of Manitoba families and strengthen the healthcare system;
- failing to provide any immediate supports to address the healthcare crisis across the province, from the north to the south;
- failing seniors and elders in part by forcing them to move across Manitoba to make room in hospitals because of its failure to build new personal care home beds and address the healthcare crisis in the province;
- failing to produce a meaningful strategy to revive Manitoba's creative industries or present a real strategy for Manitoba jobs in different sectors; and
- refusing to address the addictions and housing crisis by failing to provide long-term investments into harm reduction initiatives and affordable social housing.

Later in the debate, Independent Liberal Member **Dougald Lamont**, leader of the Manitoba Liberal Party, further moved a sub-amendment criticizing the Provincial Government on numerous items including its failure to:

- provide any substantial change in course, or concrete actions, to address multiple crises currently facing Manitobans that desperately require bold action while the Provincial Government only produced a "plan to plan";
- provide solutions for all Manitobans, instead offering boutique policies that cater to a few while leaving the majority out in the cold;
- commit to fair and free bargaining with public sector workers or meddling with Crown Corporations and allowing for them to operate independently as they are intended;
- commit to reconsidering all of its disastrous health care reforms, and only reconsidering changes for rural Manitoba, and not for care centres in the City of Winnipeg which serve the entire province; and
- articulate any meaningful plan for economic recovery from the COVID-19 pandemic, choosing empty platitudes about "attracting investment" over concrete actions, and leaving Manitobans and Manitoba businesses on their own to continue to be innovative and be resilient in true Manitoba fashion.

On December 1, the sub-amendment was defeated on division. Subsequently, Mr. Kinew's amendment was defeated on a recorded vote of yeas 21, nays 33, while the main motion carried on a recorded vote of yeas 33, nays 21.

The sitting day on December 2, 2021 concluded the Session with Royal Assent being granted to two Government Bills entitled:

- *Bill No. 3 – The Family Maintenance Amendment Act* establishes new rules respecting the parentage of children conceived through assisted reproduction, including where a surrogate is used. Consequential amendments are also made to *The Vital Statistics Act* to reflect the new rules as they affect birth registrations, and to other Acts.
- *Bill No. 6 – The Workers Compensation Amendment Act* lists specific illnesses and injuries presumed to be caused by firefighting, unless the contrary is proven. This Bill expands the list to include primary site thyroid, pancreatic, ovarian, cervical and penile cancers.

The Assembly is scheduled to resume sitting on March 2, 2022.

Land Acknowledgement

Although this was a short session, it marked yet another historical achievement as on November 29, 2021, Speaker **Myrna Driedger** delivered the first ever land acknowledgement at the beginning of a sitting of the Legislative Assembly of Manitoba. On the previous day, the Assembly granted leave to include a land acknowledgement as part of the daily proceedings immediately following the Prayer, for the remaining sitting days in the fall sittings. Many special guests attended this monumental day including: Manitoba Chiefs Grand Chief **Arlen Dumas**; MKO Grand Chief **Garrison Settee**; Manitoba Métis Federation President **David Chartrand**; Assembly of First Nations Regional Chief **Cindy Woodhouse**; Executive Director of the Manitoba Inuit Association, **Rachel Dutton** and; Treaty Commissioner **Loretta Ross**. The delivery of the first land acknowledgement, can be viewed at <https://youtu.be/LW-X9vCo0WY>:

We acknowledge we are gathered on Treaty 1 Territory and that Manitoba is located on the Treaty Territories and ancestral lands of the Anishinaabeg, Anishinewuk, Dakota Oyate, Denesuline and Nehethowuk Nations.

We acknowledge Manitoba is located on the Homeland of the Red River Métis.

We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit.

We respect the spirit and intent of Treaties and Treaty Making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Government Motions – COVID related

On December 1, the Assembly extended the Sessional Order which allows for virtual hybrid sittings, detailed in a previous submission, to be continued until March 10, 2022.

On December 2, the Assembly passed the following motion moved by Government House Leader **Kelvin Goertzen**:

THAT effective no later than December 15, 2021, all current and future Members of the Legislative Assembly must be fully vaccinated against COVID-19 to enter the Legislative Assembly Chamber, Committee Rooms and all other rooms under the jurisdiction of the Legislative Assembly within the Manitoba Legislative Building, including MLA and caucus offices, with this requirement to be reviewed before the completion of the 4th session of the 42nd Legislature.

This latter motion ultimately coincided with a Government policy announcement made on December 10, that effective December 15, 2021, all individuals, including staff and MLAs, entering the Manitoba Legislative Building would be required to be fully immunized and provide proof of vaccination.

Standing Committees

During the November sitting of the House, the Standing Committees on Justice and Social and Economic Development met to complete clause-by-clause consideration of Bills 3 and 6.

The Standing Committee on Crown Corporations met on five occasions during the week of January 10 to consider the 2021 *Annual Reports* of the Manitoba Public Insurance Corporation, Manitoba Liquor and

Lotteries, Efficiency Manitoba, Manitoba Centennial Centre Corporation and the Manitoba Hydro-Electric Board, respectively.

Bonjour and Au Revoir

The previous submission announced the retirement of **Monique Grenier**, as Clerk Assistant/Journals Clerk effective January 2022. The Clerk's Office is pleased to announce that **Vanessa Gregg** officially assumed that role on November 17, 2021. Vanessa had previously served as the Manager of the Assembly's Visitor Tour program since 2007 and had also worked as a tour guide in the building.

Cabinet Shuffle

On January 18, Premier **Heather Stefanson** presented her new Cabinet with three new faces and one returning Minister while several Ministers have been assigned new duties:

- **Cliff Cullen**, previously Minister of Education, is the new Deputy Premier and Minister of Economic Development and Investment and Trade;
- **Wayne Ewasko**, previously Minister of Advanced Education, Skills and Immigration, is the new Minister of Education and Early Childhood Learning;
- **Scott Fielding**, previously Minister of Finance, is the new Minister of Natural Resources and Northern Development and Minister responsible for the Manitoba Liquor and Lotteries Corporation;
- **Cameron Friesen**, previously Minister of Justice and Attorney General, is the new Minister of Finance;
- **Kelvin Goertzen**, former Deputy Premier and Minister of Legislative and Public Affairs, is the new Minister of Justice and Attorney General, Minister responsible for Manitoba Public Insurance and retains his role as Government House Leader;
- **Sarah Guillemard**, former Minister of Conservation and Climate, is the new Minister of Mental Health and Community Wellness, a new department designed to work collaboratively with community organizations to better address and treat the addictions and mental health challenges that have been exacerbated by the pandemic;
- **Reg Helwer**, previously Minister of Central Services and Minister of Infrastructure, is the new Minister of Labour, Consumer Protection and Government Services, Minister responsible for the Public Utilities Board and Minister responsible for the Civil Service;
- **Derek Johnson**, previously Minister of Municipal Relations, is the new Minister of Agriculture;
- **Jon Reyes**, previously Minister of Economic Development and Jobs, is the new Minister of Advanced Education, Skills and Immigration;
- **Rochelle Squires**, continues as Minister of Families and Minister responsible for Francophone Affairs and was also appointed as Minister responsible for the Status of Women and Minister responsible for Accessibility; and
- **Jeff Wharton**, previously Minister of Crown Services, is the new Minister of Environment, Climate and Parks and Minister responsible for Efficiency Manitoba.

The new ministers are:

- **Eileen Clarke**, returns as Minister of Municipal Relations, a position she held previously and she had also recently served as Minister of Indigenous Reconciliation and Northern Relations;
- **Scott Johnston** was appointed Minister of the newly created Department of Seniors and Long-term Care with a focused agenda to implement all recommendations of the Stevenson Review. Mr. Johnston is the MLA for Assiniboia, was first elected in 2016 and re-elected in the recent general election of September 2019;
- **Doyle Piwniuk** is now the Minister of Transportation and Infrastructure. Mr. Piwniuk was first elected in a 2014 by-election in the constituency of Turtle Mountain and since 2016 has served as Deputy Speaker and Chairperson of the Committees of the Whole House; and
- **Andrew Smith** is now the Minister of Sport, Culture and Heritage, Minister responsible for Travel Manitoba and Minister responsible for the Manitoba Centennial Centre Corporation. Mr. Smith has served as the MLA for Lagimodière since 2016 and has also held the position of Vice-Chair of the Public Accounts.

Tragic news

Everyone at the Legislative Assembly was shocked and saddened to learn of the tragic death of **Danielle Adams**, the MLA for Thompson, who died in a car accident on December 9, 2021. On December 13, a small ceremony was held in the Chamber to honour her memory. The three House Leaders and the NDP caucus were present and the family requested that the event be live streamed. NDP Leader **Wab Kinew** said a prayer in Ojibwa and paid tribute to her after NDP house leader **Nahanni Fontaine** and Government

house leader **Kelvin Goertzen** draped the Manitoba flag over the back of Danielle's chair. A tribute of flowers and a framed photo were also placed on her desk.

Greg Recksiedler

Research Officer / Clerk Assistant



Ontario

Fall Sitting

On September 3, 2021, the Ontario legislature prorogued, ending the 1st Session of the 42nd Parliament. The Second Session began on October 4, 2021, with the Speech from the Throne. During the fall sitting that followed, Royal Assent was granted to six government bills, five private members' public bills and eight private bills. On December 9, 2021 the House adjourned for the winter break and is scheduled to resume on February 22, 2022.

Rulings

On October 5, 2021, the Speaker delivered a ruling on a question of privilege raised by the Member for Lanark—Frontenac—Kingston, **Randy Hillier**, who alleged that the Sergeant-at-Arms had "impeded and obstructed" his attempt to vote in the voting lobbies. The Speaker ruled that no *prima facie* case of privilege had been established as the Sergeant-at-Arms was acting properly under the authority of the Chair and attempting to uphold the face mask requirement for Members pursuant to the Order of the House dated February 16, 2021.

On October 6, 2021, the Speaker delivered a ruling on a question of privilege raised by the Member for London West, **Peggy Sattler**, and the Member for York Centre, **Roman Baber**, respecting the ability of Members to rise on points of order to seek the

unanimous consent of the House regarding the business of the day. The Speaker ruled that points of order will normally be heard, and legitimate points of order will be acknowledged and recognized; however, if they are repetitive in nature and are impending and obstructing the business of the House, the Chair may decide to move forward to maintain the orderly progress of the business of the House.

On November 3, 2021, the Speaker delivered a ruling on a point of order raised by the Member for Timiskaming—Cochrane, **John Vanthof**, regarding the orderliness of the routine motion passed by the House on November 1, 2021 respecting the authorization for certain Standing Committees to meet at the call of the Chair. The Speaker ruled that the motion was a routine motion, properly moved, considered and disposed of by the House and that it does not contain provisions that are abusive of the rules or that represent an inherent disadvantage to any part of the House.

Motion Concerning Member's Conduct

On October 28, 2021, the House passed a motion proposed by Government House Leader **Paul Calandra** with respect to the Member for Lanark—Frontenac—Kingston. The House expressed its disapproval of, and disassociated itself from, a string of disreputable conduct by the Member for Lanark—Frontenac—Kingston in the context of the pandemic and COVID-19 vaccines, most specifically his use of social media to post photographs and false and hurtful information about identified individuals. The House called on the Member for Lanark—Frontenac—Kingston to publicly apologize for this behaviour and to desist from further conduct that is inappropriate and unbecoming of a Member of the Legislative Assembly of Ontario.

COVID-19 Restrictions at the Assembly

COVID-19 screening protocols established by the Speaker on September 23, 2021 require individuals entering the precinct to provide proof of full vaccination status or proof of a negative rapid antigen test. However, based on advice from the public health officer, rapid antigen tests can be unreliable for up to 90 days following a positive case of COVID-19. Consequently, this option would not be available for individuals whose vaccination status is unknown and who have tested positive for COVID-19 in the last 90 days.

The protocol was challenged by the Member for Cambridge, **Belinda Karahalios**, on December 7,

2021. The Member entered the Legislative Chamber with a negative rapid antigen test result after having tested positive for COVID-19 over a week earlier. The Speaker asked that the Member leave the Chamber and the precinct. As a result of the Member's refusal to leave, the Speaker named the Member and she was escorted out of the Chamber.

Speaker's Warrant

In April of 2021, the Standing Committee on Public Accounts passed a motion requesting that the Auditor General conduct a value-for-money audit on Laurentian University's operations from the period of 2010-2020. During the fall sitting, the Committee learned that the Auditor General was not given access to the documents necessary to conduct the audit.

On more than one occasion, the Committee wrote to the university to request the documents in question. The Committee also invited representatives of the university to appear before the Committee to specify its objections to the request, explain the university's position and address concerns over sensitive documents.

On December 1, 2021, representatives from Laurentian University and their counsel appeared before a closed session meeting of the Committee.

Laurentian University has provided some of the documents requested by the Committee but has refused to provide all of the documents outlined in the Committee's letters.

At its meeting on December 8, 2021 the Committee adopted a motion requesting that the House authorize the Speaker to issue a Warrant to Laurentian University for the production of the outstanding documents. The Committee reported the matter to the House on December 9, 2021 requesting that a Speaker's Warrant be issued. The report was debated and adopted by the House on the same day. The warrant was served electronically the next day by the Sergeant-at-Arms to the counsels representing **Robert Haché** and **Claude Lacroix** of Laurentian University respectively.

Indigenous Carving

On November 18, 2021, a new wood carving created by Indigenous artist **Garrett Nahdee** was unveiled in the Legislative Chamber. Placed above the interior Chamber entrance, the carving illustrates the Seven Grandfather Teachings. The animals depicted in the

carving represent Love, Wisdom, Truth, Humility, Respect, Courage and Honesty.

The Indigenous artwork all-party panel was created in 2017 to assist in the process of bringing a carving created by an Indigenous artist into the Chamber. A number of Members of Provincial Parliament have contributed to its work since its inception, assisting former Speaker **Dave Levac** and current Speaker **Ted Arnott** in the submission and selection process. The panel chose Mr. Nahdee as the successful artist in November 2020. Mr. Nahdee completed his carving in June 2021 which was then transported to the Legislative Building and installed in the Chamber.

The new carving serves as a permanent reminder of the ongoing role played by Indigenous peoples in the creation of Ontario, and symbolizes the continuing renewal of Ontario's relationship and connections with Indigenous peoples living in the province today.

Committees

Following prorogation, the Select Committee on Emergency Management Oversight was reappointed through an Order of the House dated October 7, 2021 and resumed meeting through the fall. The Committee is tasked with receiving oral reports from the Premier or his designates on any extensions of emergency orders by the Lieutenant Governor in Council related to the COVID-19 pandemic and the rationale for those extensions. Bill 195, the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, states that the Committee must meet at least once every 30 days.

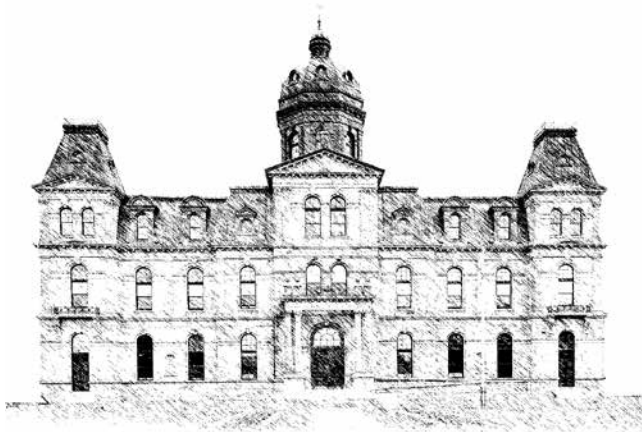
The Standing Committee on the Legislative Assembly met to consider Bill 37, *An Act to enact the Fixing Long-Term Care Act, 2021 and amend or repeal various Acts*. The Committee held three days of public hearings, which included a deputation from the Minister of Long-Term Care and the Minister for Seniors and Accessibility. After public hearings, one day of clause-by-clause consideration was held and the Bill was reported back to the House, as amended, on November 30, 2021. The House held a report-stage debate on the Bill before it was adopted and ordered for third reading. It was the first time the report-stage proceeding was held in Ontario since it was added to the Standing Orders this Parliament.

As a result of prorogation, the 2021-2022 Expenditure Estimates were tabled again in the House on November 4, 2021. The Standing Committee on Estimates met on November 16, 2021, to select the ministries and

offices of the 2021-2022 Estimates for consideration, but the Committee adjourned the meeting without making selections and the Estimates were deemed passed by the Committee. On November 22, 2021, the Committee reported back the 2021-2022 Estimates and Supplementary Estimates Volume 1 of the ministries and offices to the House.

The Standing Committee on Finance and Economic Affairs considered Bill 43, *An Act to implement Budget measures and to enact and amend various statutes*. The Bill contained updates outlined by the Minister of Finance in the government's Fall Economic Statement that was delivered on November 4, 2021. The Committee held public hearings which included a deputation from the Minister of Finance. Following public hearings and clause-by-clause consideration in the Standing Committee on Finance and Economic Affairs, the bill was reported back to the House, as amended, on December 6, 2021. The bill passed third reading on December 9, 2021 and was granted Royal Assent on the same day.

Thushitha Kobikrishna
Committee Clerk.



New Brunswick

Resumption of First Session of the 60th Legislature

On October 18, Speaker **Bill Oliver** advised Members that the Lieutenant-Governor had issued a Proclamation to prorogue the First Session of the 60th Legislature and open the Second Session on November 2. On November 1, Speaker Oliver gave notice that the Proclamation had been revoked by the Lieutenant-Governor and that the House would reconvene on November 2 for the purpose of resuming the First Session.

The normal practice is for the House to start a new session each fall, reconvening for prorogation in the morning, followed by a throne speech in the afternoon. The continuation of the First Session into a second year marked a departure from the normal practice.

The resumption of the House coincided with on-going labour negotiations between the provincial government and the Canadian Union of Public Employees. Negotiations reached an impasse in late October, leading to a strike by the employees. Prior to the matter being resolved, Green Party House Leader **Kevin Arseneau** requested that the matter be brought forward for an emergency debate in the House. The Speaker denied the request once the House declined to debate a motion on the same topic. The strike ended after a tentative agreement was reached on November 13.

Capital Budget

The 2022-23 Capital Budget was tabled by Finance and Treasury Board Minister **Ernie Steeves** on December 7 and totalled \$746.8 million. Mr. Steeves said the Capital Budget would strike a balance between addressing the province's infrastructure needs, meeting its financial obligations, and supporting the provincial economy. Investments included \$338.8 million for highways, roads, and bridges, with an additional \$53.2 million for buildings and other infrastructure; \$153.2 million for health-care infrastructure; and \$84.7 million for public school infrastructure. Since the consideration of estimates in committee is capped at 80 hours per session, the House adopted a motion to allocate an additional 80 hours to accommodate for a second budget in the same session.

Appointment of Legislative Officers

The House recommended the appointments of three new legislative officers on December 8:

- **Paul Martin** as Auditor General for a term of ten years. Mr. Martin worked for Grant Thornton LLP for over 30 years and was the Comptroller for the Government of New Brunswick since 2014.
- **Marie-France Pelletier** as Ombud for a term of seven years. Ms. Pelletier has held several positions at the deputy level with the Government of New Brunswick and was a member of the Tribunals Ontario's Landlord and Tenant Board since 2020.

- **Kelly Lamrock** as Child, Youth and Senior Advocate for a term of seven years. Mr. Lamrock was a former Attorney General, Minister of the Crown and Member of the Legislative Assembly of New Brunswick (2003-2010) and has operated his own law firm since 2013.

Website

The Legislative Assembly launched a new website on November 18 (legnb.ca). The site was designed and built in-house by Legislative Library staff. In particular, **Anthony Lovesey**, our Applications Systems Analyst, was critical in its design and implementation.

Legislation

Twenty-one bills have been introduced since the House resumed. They include:

- Bill 66 - *An Act to Amend The Residential Tenancies Act* - by Service New Brunswick Minister **Mary Wilson**, introduces rent increase limits to once every year and prohibits rent increases within the first year of tenancy;
- Bill 81 - *An Act to Amend the Employment Standards Act* - by Green Party Leader **David Coon**, proposes to raise the minimum wage to \$15 per hour and provide 10 paid sick days to all workers;
- Bill 82 - *An Act Respecting Local Governance Reform* - by Local Government and Local Governance Reform Minister **Daniel Allain**, introduces significant changes to the local governance system by implementing a process for municipal restructurings. The goal is to reduce the number of local government entities from 340 to 90 (78 local governments and 12 rural districts);
- Bill 84 - *An Act to Amend the Police Act* - by Attorney General and Justice and Public Safety Minister **Hugh J.A (Ted) Flemming**, allows Nova Scotia's Serious Incident Response Team (SiRT) to act as the police oversight body for both provinces. SiRT is an independent agency that investigates serious matters involving an officer;
- Bill 85 - *An Act to Amend the Emergency Measures Act* - by Official Opposition Member **Robert McKee**, proposes to require an inquiry to be held within 60 days after a state of emergency ends, with a report presenting the circumstances and measures taken during the state to better prepare for future events.

Committees

The Standing Committee on Public Accounts, chaired by **Chuck Chiasson**, met with Acting Auditor General **Janice Lahey** on October 7 for the release of the 2021 performance audit report concerning rural internet funding, Covid-19 funding, and the Executive Council Office's role in Government's oversight of Crown agencies.

The Select Committee on Accessibility in New Brunswick, chaired by **Kathy Bockus**, is charged with conducting consultations with community stakeholders and government departments involved with the disability community. The Committee met from October 19-22 and heard from 18 stakeholders, including the New Brunswick Health Council, the Canadian Council on Rehabilitation and Work, the New Brunswick Human Rights Commission, and the Canadian Mental Health Association of New Brunswick.

The Standing Committee on Procedure, Privileges and Legislative Officers, chaired by **Jeff Carr**, held a meeting on October 26 to discuss the *May 2021 Local Elections: Electoral Modifications and Post-Election Recommendations* report from Chief Electoral Officer **Kim Poffenroth**.

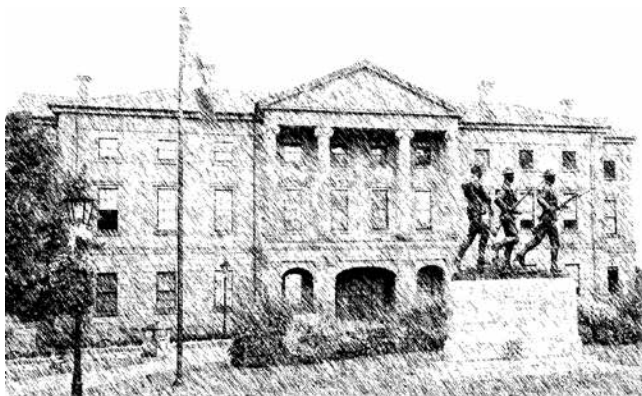
The Standing Committee on Economic Policy, chaired by **Greg Turner**, held fifteen meetings in November and December to consider eleven bills. The Committee met regularly following the early adjournment of the House and sat late into some evenings to undertake its work.

Standings and Budget

The standings in the House are 26 Progressive Conservatives, 16 Liberals, 3 Greens, 2 People's Alliance, and 2 vacancies. The House is expected to resume sitting on March 22, when Mr. Steeves is expected to table the 2022-23 Budget.

John-Patrick McCleave

Clerk Assistant and Clerk of Committees



Prince Edward Island

Second Session, Sixty-sixth General Assembly

The Second Session of the Sixty-sixth General Assembly resumed on October 19, 2021, and adjourned to the call of the Speaker on November 17, for a fall sitting total of 14 days. The Second Session began in February, 2021, and now totals 49 sitting days.

Pandemic Measures and Virtual Proceedings

Effective November 16, the media and main public galleries in the Chamber were reopened for in-person attendance during Assembly proceedings. Masks and proof of vaccination continued to be required. Members' seats were once again positioned closer together, as in pre-pandemic times, though plexiglass dividers remained in use between caucuses. The public and media were also permitted to attend committee meetings in-person during the latter half of November and December.

However, with significant increases in daily COVID-19 case counts in the early days of 2022, Speaker **Colin LaVie** invoked virtual hybrid proceedings, as provided for in the Rules of the Legislative Assembly, effective January 11, 2022. This allows members to attend committee or Assembly proceedings via videoconference if they so choose. Committee chairs and clerks must be present in the Chamber, and witnesses must appear via videoconference. This provision, as well as various related rules to attend to quorum, voting and other matters during virtual hybrid proceeds, was added to the Rules earlier in the pandemic but had not been invoked until this instance. The first committee meeting held as a virtual

hybrid proceeding took place on January 11, 2022. The Hon. George Coles Building was again closed to the public, though members of the media were permitted to attend proceedings.

New Member of the Legislative Assembly

On November 15, **Mark McLane** of the Progressive Conservative Party was elected in a by-election for District 16: Cornwall – Meadowbank. The by-election was necessitated by the resignation of former MLA **Heath MacDonald**, who resigned in the summer of 2021 to run in the September 20 federal election. Mr. McLane received 40 per cent of the vote, ahead of candidates for the Liberal, Green and NDP parties. Mr. McLane's background is in business administration. Prior to politics he served as the Executive Director of Golf PEI. He was sworn in as the Member for Cornwall – Meadowbank on November 29. Seats in the Legislative Assembly are now held as follows: 15 Progressive Conservative Party, 8 Green Party, and 4 Liberal Party.

Capital Budget

On October 26, Minister of Finance **Darlene Compton** tabled a Capital Budget consisting of \$212 million in planned 2022-2023 spending on capital projects such as roads, bridges, buildings and equipment. Some degree of spending was planned for all 10 departments, with the largest totals found in Transportation and Infrastructure, Social Development and Housing, and the Health PEI agency. Government highlighted measures such as \$40.3 million toward purchasing new electric school buses over the next five years; \$7.5 million to upgrade ventilation systems in schools; upwards of \$100 million over the next five years toward construction of two new schools and expansion or renovation of four others; \$60.7 million toward social housing over five years; and \$63.6 million toward new Medical Homes and Neighbourhood facilities in four regions of the province.

Bills Reviewed

During the fall sitting 28 bills were introduced. Twenty-two of these were Government bills, four were introduced by members of the Official Opposition, and two were introduced by members of the Third Party. All Government bills passed all stages and received Royal Assent. Notable Government bills included Bill 36, *Class Proceedings Act*, which establishes the

possibility of class actions in PEI courts, whereas previously only representative actions were possible under the Rules of Civil Procedure. Bill 27, *Access to Digital Assets Act*, aims to help executors and trustees access the digital records of deceased or incapacitated persons. Bill 42, *An Act to Amend the Lands Protection Act (No. 2)* updates the parent *Act* to define direct and indirect control of corporations, change requirements around transfers of land ownership accomplished via transfers of corporate shares, and implement other changes as recommended by the Land Matters Advisory Committee. That committee also recommended changes to the *Planning Act* to clarify the purpose and scope of the *Act* and introduce the concept of provincial interest to guide land use decisions; these changes were brought about by Bill 43, *An Act to Amend the Planning Act*.

Three of the four Opposition bills passed all stages and received Royal Assent. Bill 118, *Non-disclosure Agreements Act*, prohibits the use of non-disclosure agreements in cases of harassment or discrimination unless such agreements are sought by the victim of the harassment or discrimination. It also permits the victim to disclose information related to the harassment or discrimination, despite the presence of a non-disclosure agreement, to certain authorities, such as police, lawyers and doctors. Bill 119, *An Act to Amend the Employment Standards Act* amends the parent *Act* to prohibit employers from seeking pay history information about job applicants, to require employers to include information about the expected pay of a position in job postings, and to prohibit reprisals against employees for communications related to compensation. Bill 122, *An Act to Amend the Rental of Residential Property Act*, suspends for a period of two years the section of the parent *Act* pertaining to landlords' ability to evict tenants in order to carry out renovations to rental properties. The Bill passed after being amended to allow such evictions only if the renovations are necessary to protect the property or the health and safety of persons, provided that the landlord obtains the necessary permits for the renovations as required by law.

As for the two Third Party bills, Bill 116, *An Act to Amend the Water Act*, passed all stages and received Royal Assent, and Bill 117, *Human Organ and Tissue Donation Act*, was not further considered beyond first reading. The former Bill makes the testing of residential well water free of charge for homeowners. The latter bill proposes to shift the province to a presumed consent model of organ donation.

Appointment of Ombudsperson and Public Interest Disclosure Commissioner

On November 4, upon recommendation of the Standing Committee on Legislative Assembly Management, the Assembly appointed **Sandra Hermiston** as PEI's first Ombudsperson and Public Interest Disclosure Commissioner pursuant to the *Ombudsperson Act* and *Public Interest Disclosure and Whistleblower Protection Act*. Ms. Hermiston is the current Ombudsman of the Cayman Islands and previously worked with workers compensation boards in the Northwest Territories and Alberta, and the Office of the Alberta Ombudsman. Her appointment is effective February 22, 2022.

Point of Order: Unparliamentary Language

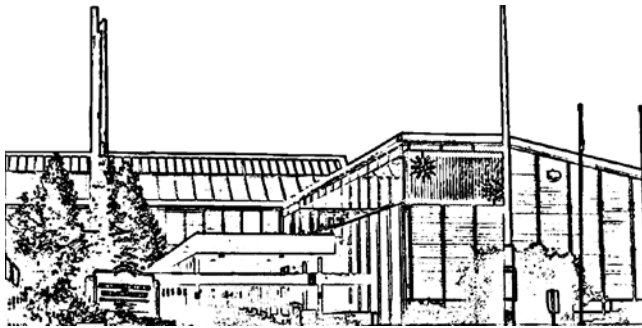
On November 17 Speaker LaVie ruled on a point of order raised on November 5 by **Michele Beaton**, the member for Mermaid – Stratford, in objection to Premier **Dennis King's** use of the term "false statements" in regard to things said in the House during Question Period. Mr. Speaker found the term to be unparliamentary, and asked the Premier to retract the comment, which he did.

Committee Activities and Reports

In another busy year for committees, 95 meetings were held and 12 reports tabled in 2021. During the fall sitting, the Standing Committee on Education and Economic Growth tabled reports on its review of Bill 19, *Temporary Foreign Worker Protection Act*, and on its activities. The Standing Committee on Health and Social Development tabled reports on its review of Bill 18, *Gunshot and Stab Wounds Reporting Act*, and on its activities. The Standing Committee on Legislative Assembly Management tabled reports on the appointment of an Ombudsperson and Public Interest Disclosure Commissioner, and on its review of Bill 121, *An Act to Amend the Election Expenses Act*. The standing committees on Natural Resources and Environmental Sustainability, and Public Accounts tabled reports on their activities. All reports contained recommendations, and all were adopted by the Assembly.

Ryan Reddin

Director of Parliamentary Research



Yukon

2021 Fall Sitting

The 2021 Fall Sitting of the First Session of the 35th Yukon Legislative Assembly began on October 7 and concluded on December 2, after 31 sitting days.

Bills assented to

On the final day of the Sitting, eight government bills were assented to by Yukon's Commissioner, **Angélique Bernard**:

- Bill No. 4, *Act to Amend the Motor Vehicles Act (2021)* – **Nils Clarke**;
- Bill No. 5, *Act to Amend the Territorial Lands (Yukon) Act (2021)* – **John Streicker**;
- Bill No. 6, *Act to Amend the Safer Communities and Neighbourhoods Act (2021)* – **Tracy-Anne McPhee**;
- Bill No. 7, *Act to Amend the Family Property and Support Act (2021)* – Ms. McPhee;
- Bill No. 8, *Workers' Safety and Compensation Act* – **Richard Mostyn** (Note: the modernized act replaces the *Occupational Health and Safety Act* and the *Workers' Compensation Act*.);
- Bill No. 9, *Act to Amend the Cannabis Control and Regulation Act (2021)* – **Ranj Pillai**;
- Bill No. 10, *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)* – Ms. McPhee; and
- Bill No. 202, *Second Appropriation Act 2021-22* – **Sandy Silver**.

One government bill remains on the Order Paper: Bill No. 3, *Act to Amend the Assessment and Taxation Act and the Municipal Act (2021)*. As detailed in its explanatory note, the bill seeks to create a program that can be utilised to retrofit buildings to increase their energy efficiency as local improvements under the *Assessment and Taxation Act*. In his leadoff remarks at second reading on December 1, Mr. Mostyn, Minister

of Community Services, indicated that the government would work with municipal governments to draft regulations for the bill over the winter months. Bill No. 3 passed second reading that day, and stands referred to Committee of the Whole.

During the 2021 Fall Sitting, no private members' Bills were introduced or considered.

Opposition Private Members' Motions

On October 27, a non-binding motion (Motion No. 169) moved by Official Opposition MLA **Brad Cathers** (Lake Laberge), that called on the Deputy Premier (Ms. McPhee) to resign from Cabinet, carried with the support of the Third Party caucus. Premier Silver has expressed his continued confidence in the minister.

On November 10, 2021, **Kate White**, the Leader of the Third Party, moved a motion (Motion No. 200) regarding the nasal spray form of a drug used to treat suspected opioid overdoses. The motion, which urged the Yukon government to make Naloxone nasal spray "publicly available and free of charge at front line agencies, government facilities, and pharmacies", carried unanimously.

Witnesses in Committee of the Whole

Over the course of the 2021 Fall Sitting, a number of officials appeared as witnesses in Committee of the Whole to answer questions relating to their respective organizations: the Yukon Development Corporation and the Yukon Energy Corporation (October 21); the Yukon Hospital Corporation (November 16); Yukon University (November 23); the Yukon Workers' Compensation Health and Safety Board (November 24); and the Office of the Yukon Chief Medical Officer of Health (November 29).

Standing Committee on Rules, Elections and Privileges – First Report

On October 13, Mr. Mostyn, Chair of the Standing Committee on Rules Elections and Privileges, presented the committee's first report. The report recommended that during "Introduction of Visitors" (an item in the Daily Routine) Members only introduce people who are actually physically present in the gallery.

As well, the report recommended that the Standing Orders concerning "Tributes" be amended to limit, with exceptions, an individual tribute speech by an MLA to a maximum of three and a half minutes.

On December 2, the House concurred in the Committee's report.

Special Committee on Electoral Reform

The Chair of the Committee, Ms. White (Third Party caucus), Vice-Chair Mr. Cathers (Official Opposition caucus), and Mr. Streicker (Government caucus) form the membership of the Special Committee on Electoral Reform. On October 25, the House extended the committee's original reporting deadline from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly. The committee is scheduled to hold public hearings in late January. As noted in Yukon's Fall 2021 legislative report, the House created the Special Committee on Electoral Reform on May 21, 2021.

Public Accounts Committee hearings

On January 12 and 19, 2022, the Standing Committee on Public Accounts (PAC), chaired by **Currie Dixon**, Leader of the Official Opposition, held follow-up public hearings on progress made by the Department of Education in implementing recommendations contained in a performance audit report of the Auditor General of Canada.

Witnesses from the Yukon Chiefs Committee on Education, including the Chair of that committee – **Dana Tizya-Tramm**, the Chief of the Vuntut Gwitchin

First Nation – took part in PAC's January 12 public hearing. At the following week's PAC hearing, officials from the Department of Education appeared as witnesses.

In December 2019, during the preceding Legislative Assembly, the Auditor General's report, entitled *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, had been the subject of a PAC public hearing.

Court decision

A December 8, 2021 decision of the Supreme Court of Yukon awarded partial costs to MLA **Annie Blake** (Vuntut Gwitchin) in relation to legal challenges that had been mounted by **Pauline Frost** (the former MLA for Vuntut Gwitchin) seeking to vacate the results of the April 12, 2021 general election in that riding. Ms. Frost, the former Minister of Health (and the incumbent, going into the general election), had filed a petition with the court on April 22, 2021, two days after Ms. Blake was sworn in as an MLA. Ms. Frost's petition had been heard in court on June 23-24, and dismissed by Yukon Supreme Court Chief Justice **Suzanne Duncan** on August 5, 2021.

Linda Kolody
Deputy Clerk

Parliamentary digital releases in the time of COVID-19

When public health measures made in-person meetings and events difficult, parliaments across Canada began to experiment with new digital apps and programs and promoted existing digital services to help both parliamentarians and the public access information, and connect. In this article, the author highlights some of these new releases.

Emma Davies

Throughout the COVID-19 pandemic, Canadian parliaments have greatly increased their use of platforms such as Zoom, Skype for Business, Cisco WebEx, and Microsoft Teams. Indeed, meetings of the House and committees across the country now rely on these resources to discuss the very issue necessitating their use. However, Parliaments have not only been making use of pre-existing digital platforms; they have also been working on releasing their own digital tools.

In Ottawa, the federal parliament is currently testing an electronic voting app. This House of Commons digital product allows MPs to cast votes without being present in the Chamber, and operates “using combined facial and fingerprint recognition technology”.¹ While more testing is required, the app is a first for the Canadian Parliament and would represent a major shift in daily operations should it be approved. Over the course of the pandemic, the Library of Parliament and the National Film Board of Canada also released a virtual reality tour experience of the Centre Block on platforms like Steam, Oculus, YouTube, and Facebook.² Despite the Centre Block’s lengthy rehabilitation project and associated closures, the public is still able to interact with the building thanks to this technology.

Virtual options for tours and educational activities have also been a priority for provincial parliaments during the pandemic, as many of them have used social media and video communications platforms to

continue facilitating their public outreach programs. In British Columbia, the Legislature has created a Virtual Classroom program designed for students in grades three to 12.³ Similarly, Québec’s National Assembly uses Facebook to livestream *Les têtes à Papineau*, a quiz night for members of the public looking for fun, educational activities.⁴ The Legislative Assembly of the Northwest Territories has taken this kind of outreach work a step further by commissioning a self-guided touring app. The app would enable the public to experience the Parliament virtually in thirteen different languages, and could mark the beginning of further digital developments for the Legislature.⁵

In Ontario, the Office of the Legislative Assembly developed an educational podcast called ON Parliament as a means of further connecting with the public.⁶ Focused on explaining the history and heritage of Ontario’s Legislature, this monthly podcast is a first dive into the medium for the provincial parliament. Others, such as the Legislative Assembly of British Columbia, have used podcasting more consistently as a method of broadcasting their daily Question Period.⁷ Certainly, having additional means of accessing legislative meetings is crucial during this time, as public health measures have made it more difficult for interested citizens to view them from the public galleries. To establish wider availability, the Ontario Legislature has also launched Parlance, an app designed for livestreaming meetings of the House and some committees.⁸ Compatible with Apple and Android smartphones, tablets, and TVs, Parlance allows the public to more conveniently view meetings of the Legislature. Similarly, the Legislative Assembly of Manitoba began broadcasting the entire sitting day to preserve transparency with the public during the pandemic.⁹

Emma Davies is a Web Editor with Information Services at the Legislative Assembly of Ontario.



Canadian parliaments have taken strides to ensure that other kinds of routine activities and events run smoothly in light of the closures. In Saskatchewan, the Legislative Assembly started using a combination of remote and onsite production services to publish Hansard.¹⁰ Swearing-in ceremonies in Saskatchewan and British Columbia were streamed on various social media platforms.¹¹ The Legislative Assembly of Manitoba transformed its annual holiday concert into a pre-recorded video for home-viewing.¹² Through these examples, we see how parliaments have repeatedly worked to maintain the usual rhythm of their legislatures by turning to digital solutions.

Keeping pace with an increasingly technological world has never been more important for parliaments in Canada. The work of the legislature has traditionally been almost inseparable from the physical space of the parliamentary building. However, as physical distancing remains in effect, our country's parliaments are clearly committed to digital innovations as a means of connecting both elected officials and members of the public to legislative work. It will be interesting to see which solutions will be permanently incorporated into the daily operations of parliamentary life in a post-pandemic world.

Notes

- 1 Bryden, Joan. "No rollcall votes in Commons if new electronic voting app adopted." CTVNews, CTV News, 21 Jan. 2021, www.ctvnews.ca/politics/no-rollcall-votes-in-commons-if-new-electronic-voting-app-adopted-1.5275952
- 2 Parliament: The Virtual Experience, https://learn.parl.ca/sites/Learn/default/en_CA/VR
- 3 Virtual Classroom, <https://www.leg.bc.ca/content-peo/Pages/Online-Learning.aspx>
- 4 *Les têtes à Papineau* <https://m.facebook.com/events/412680513417655/>
- 5 Correspondence with Nicole Bonnell. March 16, 2021. E-mail.
- 6 ON Parliament Podcast, <https://www.ola.org/en/whats-happening/listen-parliament-legislative-assemblys-new-podcast>
- 7 Legislative Assembly of British Columbia QP Podcast, <https://www.leg.bc.ca/documents-data/broadcasts-and-webcasts>
- 8 Parlance app, <https://www.ola.org/en/parlance-app>
- 9 Manitoba Legislative Assembly Adopt Measures to Reduce COVID-19 Transmission, https://www.gov.mb.ca/legislature/business/press_release_public_gallery.pdf
- 10 Correspondence with Iris Lang. March 4, 2021. Email.
- 11 Saskatchewan Cabinet Swearing-in Ceremony, <https://www.facebook.com/SKGov/videos/2020-cabinet-swearing-in/377730513443639/>; Buffam, Robert. "Historic NDP caucus sworn in ahead of fall B.C. Legislature session." Vancouver Island, CTV News, 25 Nov. 2020, <https://www.vancouverisland.ctvnews.ca/historic-ndp-caucus-sworn-in-ahead-of-fall-b-c-legislature-session-1.5204033>
- 12 Manitoba Legislative Holiday Show, <https://www.safeathomemb.ca/events/the-legislative-holiday-show/>

