

Canadian Parliamentary review



Co-leadership

Volume 46, No. 1

Parliamentary Relatives:

The Langs of Yukon, Alberta and Ontario



Archie Lang



Dan Lang



Daniel A. Lang

Twin brothers Archibald Donald Lang and Hector Daniel Lang, known as Archie and Dan, were well-known fixtures of Yukon territorial politics for decades. And, when Dan made the switch to federal politics upon his appointment to the Senate in 2009, he was not the first member of his family to serve in the Upper Chamber. In fact, he wasn't even the first member of his family who bore the name Daniel Lang to serve as a senator. The twins, their grandfather, their great uncle, and their first cousin once removed, were part of a family with a long history of public service. As Dan notes, "Public affairs was always the first topic discussed at the dinner table."

Members of the family had served at the municipal level of government prior to Malcolm Lang's election to the Ontario Assembly in 1914. A prospector prior to his time in politics, as a Liberal MPP for Cochrane, he served on numerous standing committees during three consecutive terms. Although an initial attempt to win election as a Labour candidate for Timisakaming South in 1925 proved unsuccessful, in 1926 he was elected with the tacit support of local Liberals. Generally supporting Prime Minister Mackenzie King's government, he ran as a Liberal-Labour candidate in 1930 but was defeated.

A few provinces to the west, Malcolm's brother Hector

joined him as a parliamentarian in 1928 after winning a by-election for the Liberal Party of Alberta in the Medicine Hat constituency. Hector won re-election in 1930, but was defeated in 1935 as the Social Credit Party swept to power. Four years later he began a lengthy tenure as the city's mayor, holding office for all but two years between 1939 AND 1950.

Hector's son (also named Hector) and his wife Margaret (Campbell) Lang were living near Dawson Creek, British Columbia, when Archie and Dan were born in 1948. A carpenter by trade, their father found employment working on the fish ladder in Whitehorse 10 years later. Hector, his wife, the twin boys and their older sisters initially all lived together in a 14-foot trailer.

After graduating from high school, Archie worked as a carpenter for several years before trying his hand at entrepreneurship. Following stints as a restaurateur, store owner and innkeeper, at age 25 he purchased the Watson Lake Hotel. For a quarter of a century Archie worked to make "the Watson" an institution in southeast Yukon. Moving back to Whitehorse in 1994, Archie operated the Super A grocery stores and the Capital Hotel, as well as Sgt. Preston's motel in Skagway, Alaska. At one point, he operated grocery stores across Northern British Columbia, the Yukon and the Northwest Territories.

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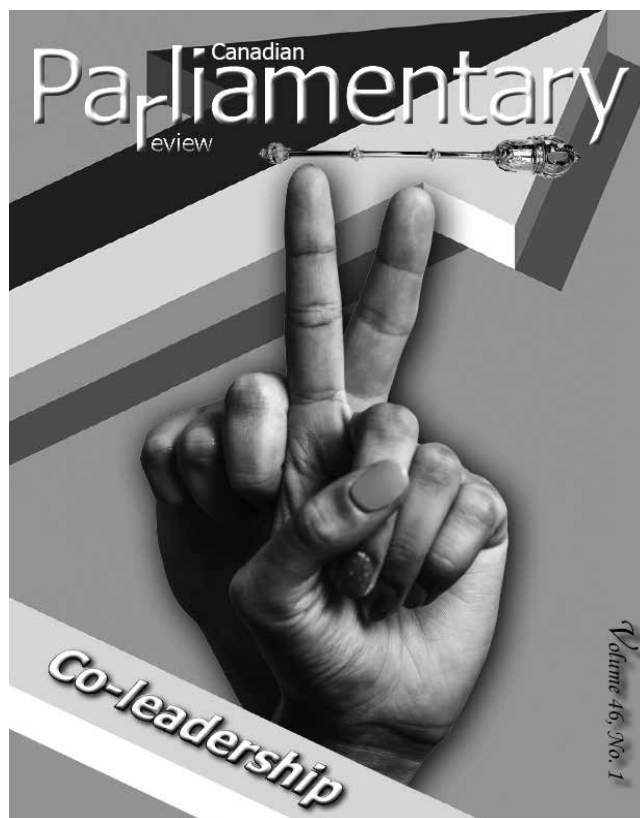
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Malcolm Lang



Hector Lang

Elected under the Yukon Party banner as the MLA for Porter Creek Centre in 2002, Archie served tenures as the Minister of Energy, Mines and Resources, the Minister of Highways and Public Works and the Minister of Community Services until retiring from politics in 2011. He then returned to the grocery store business until his death in March, 2021, aged 72.

Remembering Archie as a colleague and friend, Yukon Party leader Currie Dixon noted that “his tales of days gone by were legendary and he loved offering anyone who would listen a glimpse into the old days of the territory. His presence alone attracted people, and it was never uncommon to see anyone in earshot keeled over with laughter when Archie would recant one of his stories.”

Although the younger of the brothers (by minutes), Dan was the first to be bitten by the political bug. Local issues inspired him to enter public life and he became a candidate, running successfully in the 1974 Yukon territorial general election to become the MLA for Whitehorse Porter Creek. The territorial general election of 1978 saw the advent of party politics, and Dan ran as the Progressive Conservative (as the Yukon

Party was then known) candidate for Whitehorse Porter Creek East. He was subsequently re-elected as the Member for that riding in 1982, 1985, and 1989. During his 18 years in territorial office, Dan played an integral role in devolving power from Ottawa to Yukon. Serving in a variety of ministerial roles, including tourism, economic development, renewable resources, housing, and government services. When the Progressive Conservative government was defeated in 1985, Dan began a successful career in real estate and became a top-selling agent for REMAX for many years. Following his tenure as a territorial MLA, he also served as Vice Chairman on the Board of Governor’s for Yukon College (now a recognized university) and as President of the Yukon Real Estate Board.

Appointed to the Upper Chamber by Prime Minister Stephen Harper in 2009 on the recommendation of Premier Dennis Fentie, Dan was proud to sponsor a bill in the Senate to repeal the long-gun registry – a registry that had been unpopular among many in the territory. As Chairman of the Standing Senate Committee on National Security and Defence for four years, Daniel oversaw numerous reports on subjects ranging from sexual harassment in the RCMP, ballistic missile defence, the Canada Border Services Agency, and threats to the security of Canada, including terrorism. He retired from the Senate in 2017.

Dan’s namesake, Daniel Aiken Lang, his first cousin, once removed, coincidentally also served as a Senator. The son of Daniel Webster Lang, the co-founder of the famed Lang Michener law firm, Daniel Aiken planned to follow in his father’s footsteps as a lawyer. However, before being called to the bar and joining the firm in 1947 to practice corporate and tax law, he served as a lieutenant in the Royal Canadian Naval Volunteer Reserve during WWII. Interested in politics, from 1957 to 1961, he was a councillor in Forest Hill, Ontario. After chairing the federal Liberal Party’s 1962 and 1963 election campaigns, in 1964 he was appointed to the Senate to represent South York. A member of the Senate Committee on Banking, Trade and Commerce from 1964 to 1983, Daniel Aiken served as a senator for over 30 years. Although initially sitting as a Liberal, in 1986 when he switched his affiliation to Independent, a designation he retained until his retirement in 1994.

Will Stos

Editor, Canadian Parliamentary Review

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The Quest for Senate Legitimacy: Next Steps Towards an Independent Upper House

With more than 80 per cent of its members sitting outside of partisan caucuses, the makeup of Canada's Senate is unlike anything in its history. Reflecting on his experience as Facilitator of the Independent Senators Group, the author takes stock of how the Upper Chamber has transformed since changes in the appointment process were introduced in 2016. Using a landmark article written by two distinguished former senators as a jumping off point, the author reviews recent changes in the Senate and suggests other potential reforms that could help alter the negative perceptions of the institution many Canadians still hold. He stresses that popularity of the new appointment process in and of itself will not be enough to convince the public that the Senate should be valued as a pillar of Canadian democracy.

Hon. Yuen Pau Woo

Seven years after the introduction of a new process for the appointment of senators, the makeup of Canada's Upper House is unlike anything it has seen in over 150 years. Before the first set of seven senators appointed as non-partisan members in the Spring of 2016, there were just 13 senators sitting as independent members, accounting for 16 per cent of the total membership. By March 2023, non-partisan senators accounted for 83 per cent of the membership. The 74 independent senators belong to one of three parliamentary groups that are not associated with a political party or sit as non-affiliated members, and have no formal links to partisan caucuses in the House of Commons.¹ The only remaining group that is explicitly partisan is the Senate Conservatives, but their numbers have dwindled from 42 in March 2016 to just 14 in March 2023. The move to a more independent Senate is now entrenched.

A change in the complexion of Senate members, however, does not guarantee the success of the reforms that Justin Trudeau heralded with the expulsion of Liberal senators from his caucus in 2014. Even though



Hon. Yuen Pau Woo

Hon. Yuen Pau Woo has represented British Columbia in the Senate since 2016. He served as facilitator of the Independent Senators Group from September 2017 to January 2022.

the appointment of non-partisan senators is arguably the most profound set of reforms to the Upper House in its history, they are but the first step in Trudeau's longer-term goals for the reforms ". . . to restore public trust in the Senate and move towards a less partisan and more independent Senate." In changing the appointments process alone, the Prime Minister has put the onus for the larger challenge of raising the performance, effectiveness, and credibility of the Upper Chamber on the Senate itself. A 2021 Nanos survey found that while 76 per cent of Canadians agree with the new merit-based appointment process and only three per cent want to return to the previous model of partisan appointments, the majority of Canadians continue to have a poor opinion of the Senate as a whole.²

The contrast between resounding approval of the process for appointing senators and continued dissatisfaction with the institution poses a unique challenge for today's Senate: How do we parlay the widespread support for appointment of independent senators into greater support for the institution?

It would be wishful thinking to assume that public favour towards the Senate will inevitably turn more positive because of the composition of its membership. On the contrary, it is likely that as the novelty of the appointment process wears off, a deep-seated antipathy towards the Upper House – rooted in longstanding questions about its legitimacy – will dominate public opinion. This will be the case even if 100 per cent of senators are non-partisan.³

A Historic Opportunity

This article discusses how the Senate, taking advantage of its newly reformed membership and building on the impetus of recent modernization efforts, can address the central issue of legitimacy without constitutional change. It is based on the idea that the 2016 reforms introduced by Prime Minister Trudeau were necessary but not sufficient to repair the damage to the Senate's reputation brought about by the expenses scandals of previous years. Furthermore, I suggest the intent of those reforms was to set in train other changes that would improve the structure and functioning of the Upper House, and by extension, its legitimacy with the Canadian public.

The starting point for this article is *A House Undivided: Making Senate Independence Work*,⁴ the landmark paper published by the Public Policy Forum on the 2016 Senate reforms and its implications for the

Upper House. Authors Michael Kirby and Hugh Segal, two distinguished former senators who belonged to the Liberal and Conservative caucuses, respectively, assert:

There is nothing in the altered appointments process introduced last January that automatically assures a positive outcome for an independent Senate. Nor is there anything that automatically condemns it to failure. Success will depend on the wisdom and flexibility of the men and women who have been called upon to serve in the Senate.... Today's senators have an historic opportunity to lift a weakened institution from its torpor and demonstrate its value to good governance in Canada.

I offer this article in the spirit of grasping the "historic opportunity" that is before the Senate. Senators Kirby and Segal were astute, even prescient, in their observations about the reforms that had only just taken effect at the time of their writing. In this article, I offer my first-hand observations as a member of Senate leadership from 2017-2021 to assess their proposals, as well as to offer suggestions of my own. These points are summarized under five headings, broadly corresponding to the main recommendations offered by the two former senators.

Regional Representation

From its inception, the logic of the Senate has been based on equal regional representation. The bargain of equal numbers of senators from each of the regions that made Confederation possible provides a certain stability and predictability for the Upper House. But, it is also a perennial source of discontent for regions that, over 150 years of demographic change, are severely underrepresented relative to their population.⁵

As Kirby and Segal point out, the high bar set out in the constitution and confirmed in the 2014 Supreme Court reference⁶ means there is little near-term prospect for changing the regional makeup of the Senate. They call for regional "caucuses" to replace partisan groups to manage the task of assigning committee seats to senators and other routine functions.

Even though few sitting senators would disagree with the Kirby/Segal assertion that "the regional factor is fundamental to the Senate's founding purpose," the idea of organizing themselves along regional lines has not had much traction.

Regional identity is important for all senators, but not important enough to constitute a basis for senators from a given region to band together as a recognized parliamentary group. The Canadian Senators Group, for example, was formed in 2021 as a collective of senators who explicitly prioritize advocacy for regional interests, but who hail from different regions. Senators from the same region who belong to different groups have periodically come together on an ad hoc basis to work on issues that affect them collectively. For example, Atlantic Canadian senators successfully caucused against a provision in a 2018 bill which would have allowed a rail provider to reduce service in the region.⁷ On the whole, however, it is rare that senators from a given region band together across groups to oppose or lobby for a position that is not generally supported by most other members.

The underlying reason for lack of take-up on the Kirby/Segal proposal is that senators in general prioritize common interests over regional comradeship. This has been true for both partisan caucuses and non-partisan groups. Members of the Independent Senators Group (ISG), for example, did not band together solely for the purpose of sorting out committee seats and other administrative functions, but to allow for active collaboration and exchange on legislation, committee studies, and other substantive activities of the Upper House – short of voting as a bloc. The Progressive Senators Group (PSG), in turn, identifies as a group of “like-minded senators united by a common set of views and a philosophy grounded in the values of liberty and equality.” To this extent, the emerging Senate has turned the Kirby/Segal proposal on its head. Rather than organizing itself on regional lines and having “voluntary ginger groupings” which “senators can choose to fraternize with for policy and political purposes,” the preference appears to be for the opposite.

Whatever stripe of government takes power in the years ahead, it is hard to imagine in the foreseeable future a wholesale reversion of the Senate to a partisan chamber. But it is just as difficult to imagine the nature and style of non-partisan groupings that will emerge over the years. To a large extent, the answer to the latter question hinges on how senators understand the meaning of an “independent” Senate and seek to operationalize such independence.

Changes to the Rules of the Senate

Former senators Kirby and Segal highlight the paramount importance of changing the rules of the

Senate to grant status to groups other than partisan caucuses. They write:

Independent senators must secure proportional rights vis-à-vis partisan senators in order to play a meaningful role in the management of the Senate agenda, rules on committee membership, the way the Senate budget is spent and so on.

The rules of the Senate were in fact amended in 2017 to recognize “parliamentary groups” other than partisan caucuses, and the principle of proportionality has been codified as the means to assign seats among the various recognized groups and caucuses. However, there are many Senate rules that continue to reflect the duopoly power of the government and the opposition. An attempt to change the rules in this direction⁸ failed to come to a vote during the first session of the 43rd Parliament, and a second effort during the second session came to no avail when the motion died on the order paper.

With the passing of amendments to the *Parliament of Canada Act* (PCA) in June 2022, the unique status of the opposition in the Senate is on much shakier ground. By recognizing parliamentary groups other than the government and the opposition and by putting all groups other than the government on the same footing,⁹ the imperative for further changes to the rules of the Senate to entrench equality among parliamentary groups has been strengthened.

Even so, partisan resistance is likely to continue. On this point, Kirby and Segal were prescient:

Independent Senators, no matter how some of them may feel about banding together being a contradiction to their independence (a simplistic proposition which we don’t agree) must act in unison at least once – to get the required rule changes to assure their relevance. On this single question, the Independent Senators either hang together or no meaningful change will occur.

The Kirby/Segal paper offered five specific recommendations for rule changes:

- That the Speaker of the Senate be chosen by senators themselves by Secret Ballot

Unlike in the House of Commons, the Speaker of the Senate is appointed by the Prime Minister on advice to the Governor General. It would seem inconsistent that a government that supports independence of

senators would not also support a Senate that chooses for itself the person to serve as Speaker. A Senate that is increasingly beyond the control of the PMO likely explains the reluctance of the Prime Minister to also give up this prerogative. The Speaker, after all, has the power to arbitrate on matters of disagreement among senators that are material to legislation, to recall the Senate in accordance with government priorities, and to represent the country in matters of protocol.

The inconsistency, however, is too great to sustain and it is only a matter of time before non-partisan senators agitate for the right to elect their speaker. The Senate has already allowed for an ad hoc process to elect the *Speaker Pro Tempore*, and the Standing Committee on Rules is slated to consider formal changes to Senate rules that will make it permanent.

A good time to implement a change to the Speaker appointment process would be following the retirement of the current incumbent, Senator George Furey, who is respected across groups and not in any way facing a challenge for his position.

However, the further loss of control by the government of the day over the rhythm of the Senate will be concerning to any administration and should be seen in the context of other reforms that I believe will more clearly delineate the role of the government in the Upper House.

- That standing committee chairs be selected by the committee membership

The Rules of the Senate already stipulate that chairs of standing committees are elected by the members of those committees. Kirby and Segal, however, are challenging the longstanding convention of divvying up standing committee chairs among the recognized groups and caucuses as part of broader negotiations around the allocation of committee seats. While there is a formal protocol for the nomination and election of chairs at the “organization meetings” of committees, this is almost always a *pro forma* exercise with the chairs already identified and agreed upon by the groups and caucuses ahead of the meeting.

In a more independent Senate, it is intuitive that the chairs of committees should be selected by the members of those committees rather than by the groups which “control” those positions. I support this idea, even though it is likely to face opposition from the Conservative caucus and some of the smaller non-partisan groups, for fear that they will be

underrepresented in the overall distribution of chairs. The problem is potentially more acute when one group commands a majority of seats on a committee, but it is only a problem if senators from a group vote as a bloc. A hybrid solution could see all groups represented in “steering committees,” but for the chair and vice chair positions to be elected.

- That Question Period in the Senate, which was always limited in effectiveness by the presence in the chamber of a single government minister, be refashioned altogether

The character of Question Period (QP) in the Senate has changed with the advent of a more independent Upper House, with the practice of this tradition increasingly facing challenge. Partisans fume about the absence of meaningful answers from the Government Representative in the Senate, but they are happy for any opportunity to score political points by simply putting their questions on record. Non-partisans, on the other hand, are generally torn between reforming the often-farcical theatre of QP and doing away with it altogether.

Part of the problem is the ambiguous role of the Government Representative, who is more of a message carrier for the government than someone who in fact speaks for the government. Recognizing the demand for greater accountability in QP, the current and previous Government Representatives have made it a priority to bring Ministers of the Crown to the chamber as a matter of routine, and not just for specific legislation. This trend was interrupted by COVID-19 and it is unclear if the current leadership can come to an agreement on how to restart the process.

Even if QP is restructured to feature government ministers more prominently (or exclusively), it will continue to be hobbled by the privileging of questions from a partisan caucus that fashions itself as the only “opposition” in the Upper House. This criticism is not about determining what are acceptable and unacceptable questions but, rather, whether senators across the chamber are treated fairly in their desire to put questions to the government. This gets to the heart of an issue that the Senate has shied away from, even after six years of transition to a more independent Upper House: What is the meaning of opposition in a non-partisan Senate?

- That the minimum age requirement of 30 for a senator be scrapped

The idea of a minimum adult age requirement for entry into one of Canada's democratic institutions is not in keeping with modern sensibilities. However, in the absence of term limits, the prospect of an unelected senator serving for upwards of six decades (till mandatory retirement at 75) is unappealing and ripe for abuse. In the scheme of things, the minimum age requirement is a low priority for Senate reform and should, ideally, be left to a time when the overall standing of the Upper House has improved in the eyes of the public, perhaps through more fundamental reforms that affect its governance and practice.

- Removal of the requirement that senators have a personal net worth of at least \$4000

The net worth requirement is similarly archaic and exclusionary. While the dollar amount in current terms is small, the original aristocratic intent of this requirement is an unhappy reminder of why so many Canadians are not enamored with the Upper House. Fortunately, the removal of this requirement can be effected without re-opening the constitution. In the scheme of reform priorities, this one ranks higher than the age threshold, but there are more pressing issues to deal with in the immediate future.¹⁰

The Role of the Government in the Senate

Kirby and Segal have relatively little to say about the creation in 2016 of a "Government Representative in the Senate," which replaced the historic position of "Government Leader in the Senate." Their recommendations in this area mostly have to do with making sure the Government Representative's Office (GRO) is adequately resourced by the Privy Council Office (PCO) and that the Government Representative plays the role of honest broker by convening weekly meetings for all senators. They are correct in identifying what are essentially the functional requirements of the position, but I believe a more fundamental critique of the role is in order.

The Senate has had two highly competent independent senators filling the role of Government Representative since 2016. Both Senator Peter Harder (2016-2019) and Senator Marc Gold (2019-present) have conducted themselves with dedication, patience, and integrity. They have, in turn, been well supported by a small team of other independent senators who were pressed into the service of the GRO.

There are, however, problems with the current arrangement. Over time these problems become

more apparent and less easy to reconcile with the fundamental direction of a more independent Upper House.

The position of senators who represent the government but who, nevertheless, identify as "non-affiliated" is contradictory. The explanations given by senators in this position are strained at best.¹¹ Most other senators are content to overlook this contradiction in the interest of expediency, but this is a problem that could over time breed cynicism about the relationship between the GRO and independent senators. In the hands of future Government Representatives who are less adroit, the ambiguity around allegiances of the GRO could result in a major reputational setback for the Senate as a whole.

The solution to this problem is to drop the artifice of a group of senators who are simultaneously representatives of the government and independent of it. There should instead be a very small number of senatorial positions that are unambiguously part of the government. This arrangement would amount to restoring the position of Government Leader in the Senate, making that person a full member of the cabinet, and providing full PCO support for the position. This same person would be the Minister Responsible for the Senate – a position that the government has already created, but which currently rests with a member of the House of Commons. The government has recently added to the confusion of roles by creating another position – Parliamentary Secretary to the Government Representative in the Senate – an MP who is a junior member of the cabinet supporting an independent senator who is not also part of that cabinet.

There are no constitutional or procedural obstacles to senators appointed as Ministers of the Crown, but there are conceptual and practical challenges that need to be addressed. The conceptual problem for the government is that restoring the position of Government Leader of the Senate and making that person the Minister Responsible for the Senate will mark a reversal in its stated commitment to appoint only non-partisan senators. The practical challenge has to do with the timing and geography of Senate vacancies, since the government can only appoint members when vacancies exist and is constrained by where those vacancies lie.

Neither problem is insurmountable. A change in the appointment process for a small number of senators would represent a small course correction in the government's plan for Senate modernization and

does not alter the fundamental direction of change in an Upper House whose membership is already more than 80 per cent non-partisan.

The government's ability to find seats in the Upper House will depend on the vacancies available. At time of writing, with 16 Senate vacancies across nine provinces, it would likely not be a problem for the government to find persons with the right credentials from the provinces where there are vacancies. However, there may not be an abundance of vacancies at the time that the government must fill its positions.

The answer is for the government to use its reserve powers to create additional Senate seats expressly for the purpose of creating a government caucus in the Upper House. The constitution allows for the addition of four or eight senators in certain cases, representing the four divisions of Canada.¹²

One of the conditions of these special appointments should be that they are time limited. A senator called upon to represent the government in an otherwise independent Upper House should only serve for as long as that person occupies the position as a representative of the government. While "term limits" are unconstitutional, senators in those positions would commit to stepping down after their terms and would be held accountable by their colleagues and the broader public.¹³

Whether the role of the government in the Senate continues in the current form of a "representative," or is restored to that of a "leader," the government contingent in the Senate would remain very small relative to the total number of senators. This is as it should be for an Upper House that is intended to be independent. As such, many of the procedural functions of the government could be automated by operation of a Rule; for example, moving of motions for various stages of bills. The persuading functions of the government, on the other hand, can be carried out by the minister responsible for the bill, who should appear before the Senate as a matter of course.

Conflict Resolution

Among the most significant of the Kirby and Segal recommendations are two that deal with conflict resolution. They are:

- The revival of the longstanding convention of holding conferences between the two Houses in times of deadlock.

It has been over 75 years since the Commons and Senate held a conference to deal with a deadlock over legislation, but either chamber can initiate such action. The Kirby/Segal recommendation, therefore, is less about introducing a new practice than it is about reviving an old one. According to Kirby and Segal, "the advent of an independent Senate and the prospect of more impasses regarding amendments to legislation makes this a propitious time to revisit the vehicle of conferences."

In the six years since the 2016 reforms, the Senate has amended 34 government bills out of a total of 122 such bills sent to the Upper House for consideration.¹⁴ To this extent, Kirby and Segal were correct in anticipating the Senate would be more activist in proposing amendments. During that period, however, there was only one "impasse," related to Bill S-3 *An Act to amend the Indian Act*, in which the House eventually concurred with amendments from the Senate after two rounds of messages between the respective houses – without resort to a conference.

Considering that the Senate has proposed more amendments to government bills than ever yet resisted defeating those bills even when its amendments have been rejected, senators appear to be avoiding situations of true impasse that would result in the defeat of a bill. While the use of conferences between the two houses remains an option, the resort to such would imply a high, perhaps even dangerous, level of impasse that the Senate has not allowed itself to approach. For this reason, we should not be cavalier about the use of conferences or believe it to be a magic bullet to resolve differences between the two chambers.

- The legislated self-limitation of the Senate's absolute veto to a six-month suspensory veto

To deal with the greater likelihood of impasse over legislation, Kirby and Segal revive the longstanding idea that the Upper House deny itself an absolute veto, and instead adopt a six-month suspensory veto. A 1980 report by the Senate Standing Committee on Legal and Constitutional Affairs proposed this change, which had occurred in the UK House of Lords in 1911.

I agree that the risk of impasse is greater under a more independent Senate, but perhaps not as great as Kirby and Segal fear. The defeat of a government bill in the pre-2016 Senate would have been a *deliberate* effort on the part of a determined partisan caucus with the numbers to do so. A similar outcome in the contemporary Senate would more likely be *accidental*. A

plurality of independent senators could inadvertently defeat a bill in the belief that enough senators would protect the longstanding tradition of not overturning bills approved by the House of Commons.

An “accidental” defeat of government legislation is in some ways worse than a deliberate one, as a non-partisan Senate could not count on political support for such an action, in the way that a partisan Senate might. There may be popular support for the defeat of a government bill in the Senate, but such a defeat would likely also generate fresh resentment against the “undemocratic” character of the Upper House and amplify questions about the institution’s legitimacy.

For these reasons, I agree the Senate should abandon its power of an absolute veto. Such an act of unilateral disarmament could be the single most important corrective to the perennial criticism of Upper House as undemocratic because its members are unelected.

It is less clear, however, that a six-month suspensory veto should replace the absolute veto. Kirby and Segal make the case that:

In those exceptionally rare instances when the Senate feels compelled to frustrate the will of the Commons, the suspensive veto would compel all players to think again. The Senate would have time to put its case squarely before the public. If, when the six months were up, the government and the House of Commons were so convinced of public support for the bill that they insisted on re-passing it in the House of Commons, then the Senate would have done its duty and could acquiesce with a clear conscience.

While their logic is sound, it is premised on the belief that the public would make much of a distinction between a six-month delay and an absolute veto. My own hunch is that the outrage over the Senate overturning a bill approved by the House of Commons would be as great under a suspensory veto as with an absolute NO. In reality, all Senate vetoes are de facto suspensory vetoes in the sense that governments can reintroduce the same bill in a new parliament (following prorogation or after an election). This was, in effect, what happened with the Canada-US Free Trade Bill in the 1988.

Hence, when it comes to the Senate’s “nuclear option”, there is a case for removal of the absolute veto without a suspensory option. This could be done by “constitutionalizing” a rule against the Senate

insisting on its amendments if the House has voted to reject them.

Removal of the absolute veto might cause the Senate to be more activist but the same can be said of the suspensory veto, as the experience of UK House of Lords has shown. From the standpoint of curbing excessive senatorial activism, there is no a priori reason to favour a suspensory veto over the loss of any veto.

The bigger challenge may well be whether the Senate’s amendments will be taken seriously by the Commons if the Upper House has lost its ability to insist on those amendments. This boils down to the perennial question of the Senate’s legitimacy and credibility with Canadians. My sense is that the greater medium-term risk for the Senate is in retaining its veto and using it – accidentally or deliberately. While not having an absolute veto may, on paper, diminish the power of the Senate, such an act of unilateral disarmament, coupled with further modernization towards institutional and individual independence, could clarify the Senate’s role in a way that in fact wins greater support from Canadians.¹⁵

The Meaning of Senate Independence and “the Opposition”

This article began with the premise that the appointment of non-partisan members to the Senate of Canada is not a sufficient condition for the Upper House to win lasting favour with Canadians in its 150-plus year quest for popular legitimacy.

It is not sufficient because non-partisans can fall prey to the same ideological blinders that characterize a partisan chamber. Whereas the original sin of a partisan Upper House is subservience to and mimicry of the Commons, a similar condition afflicts non-partisans who define themselves in the reverse, as a chamber defined narrowly as one which is in opposition to the Lower House.

The path to greater legitimacy for the Senate hangs in large part on how partisan and non-partisan senators understand the meaning of independence and opposition. For partisan senators, independence is derived from not having to stand for elections and being able to serve until the age of 75. This view, however, is inconsistent with the accompanying belief that a partisan caucus has the special right to be the “opposition” in the Senate because it is tied to a kindred group in the House of Commons.

If senators are independent because of their tenure, it follows that each of them has the capacity to “oppose” decisions made in the Lower House. What does not follow is the idea that one group of senators has greater right to be deemed as the “opposition” because it happens to be tied to the current opposition in the House of Commons.

This contradiction will become very clear if there is a change of government to a Conservative administration; the Senate Conservatives will undoubtedly change their appellation from “opposition” to “government.” This practice amounts to being the opposition when the wrong party is in power and not being the opposition when the right party is.

A more independent Senate should not allow for one group to be given privileges that are not afforded to other groups because of an outdated view of what it means to be the “opposition.” It amounts to saying that some forms of opposition to government legislation are more worthy than others. This is another reason why changes in the *Parliament of Canada Act* to provide equitable status to groups other than the government and opposition were so important. It is not so much that the entire Senate should be “the opposition,” but that the opposition in the Senate should be defined by its non-partisan character, rather than by the self-identification of a particular group.¹⁶

One of the fallacies of the notion of independence in the Upper House is the idea that the litmus test of opposition is voting against a government bill. It is not surprising that partisans would hold this position, but many non-partisan senators and Senate watchers also lean to this view. As a result, many reviews of the Senate’s track record since the reforms of 2016 use the metric of votes against government bills as a test of senatorial independence.¹⁷

This is, however, a narrow and short-sighted view of Senate independence. It is more about the individual senator’s desire to act without institutional constraint than it is about the independence of the institution. As a complementary chamber to the House of Commons, the Senate of Canada should not be defining itself in terms of how often it defeats legislation, but as the chamber that amplifies, clarifies, and from time to time, corrects legislation that comes from the elected Commons. It does so not only through a Third Reading vote on a given bill, but more importantly through the arc of legislative review, which includes

activities inside and outside the Senate. As a thought experiment, consider a scenario where the Senate defeated bills coming from the Commons with regularity. While this kind of record would score highly on some measures of “independence,” it is highly unlikely that most Canadians would deem it to be a mark of success for an independent Senate.

The Quest for Legitimacy

As the Senate transitions from the uncertainty of the new appointments process to the entrenchment of non-partisan senators in the makeup of the Upper House, it will be essential for senators to shift their focus from issues of group identity to those of further institutional modernization and strengthening. There are no panaceas for the legitimacy challenge that the Senate has faced since its creation, and the appointment of non-partisan senators is no exception. That said, the current public favour for the new appointment process is a golden opportunity to press ahead with reforms, rule changes, and statutory updates that focus on the better functioning of the institution. While this article has touched on just a few areas for reform, they are the areas that will be most evident to the general public and which have the greatest potential to elevate the standing of institution, not just as an unavoidable feature of an inherited governance system, but as a valued – perhaps even cherished – pillar of Canadian democracy.

Notes

- 1 Just as significant is the changing demographic make-up of the current Senate, which has a more or less equal number of men and women, a dozen aboriginal members, and greater diversity than ever.
- 2 Eighty per cent of the public describe the fact that “new senators sit as independent members and are not active in a political party” as a “good change” for the Senate. On the other hand, 22 per cent of respondents believe the Senate to be “ineffective/pointless,” seven per cent say it is “a waste of money,” and six per cent describe it as “outdated.” URL: <https://nanos.co/wp-content/uploads/2021/05/2021-1596-Dasko-Press-Release-Final.pdf>
- 3 This is not to say that a return to the previous model of partisan appointments to the Senate is preferable. On the contrary, going back to the “rewards and favours” approach will only accelerate and deepen public antipathy towards the Senate.
- 4 Michael Kirby and Hugh Segal. “A House Undivided: Making Senate Independence Work.” *Public Policy Forum*, September 22, 2016. URL: <https://ppforum.ca/publications/a-house-undivided-making-senate-independence-work/>

- 5 While the Senate was never about “representation by population,” there is something deeply askew about the Atlantic region (population 2.3m) having 30 senators compared with Western Canada (population 11.5m) with only 24.
- 6 *Reference re Senate Reform*, (2014) 1 SCR 704, Case 35203. Supreme Court of Canada, URL: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/13614/index.do>
- 7 *C-49: An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts*
- 8 Senator Woo introduced a motion to change rules of the Senate on February 18, 2020. URL: https://sencanada.ca/Content/SEN/Chamber/431/debates/pdf/008db_2020-02-18-e.pdf#page=41. Senator Tannas moved amendments to that motion on June 23, 2020. URL: https://sencanada.ca/Content/SEN/Chamber/431/debates/pdf/026db_2020-06-23-e.pdf#page=47
- 9 The revised *Parliament of Canada Act* only recognizes up to three groups other than the government and the opposition and provides for stipends to the leaderships of these groups along a sliding scale, with the largest group receiving the same amounts as the opposition.
- 10 The Senate legal affairs committee called for the removal of this condition in 1980 and the Supreme Court confirmed that doing so would be justified under the unilateral federal amending procedure. A related issue is the criterion for senators to own land in the province or territory which they represent – another holdover from the Upper Chamber’s aristocratic origins.
- 11 Here is Senator Peter Harder in his first speech as Government Representative in the Senate: “As the Prime Minister indicated when he spoke with me, he would expect me to sit as an independent, but I will represent the Government of Canada in the Senate....I do not view my role as partisan but as representing the government. I’m sure that this is a work-in-progress that we all will have to work through as we seek new ways of working together.... I come to this with a spirit of independence but also an obligation and a responsibility that I take up on behalf of the government as its representative in the chamber.” URL: https://sencanada.ca/Content/SEN/Chamber/421/debates/pdf/025db_2016-04-12-e.pdf#page=0
- 12 “If at any Time on the Recommendation of the Governor General the Queen thinks fit to direct that Four or Eight Members be added to the Senate, the Governor General may by Summons to Four or Eight qualified Persons (as the Case may be), representing equally the Four Divisions of Canada, add to the Senate accordingly.”
- 13 The track record of voluntary “term limits” is, however, not encouraging. Most of the Conservative senators appointed by Prime Minister Harper, ostensibly for “fixed” eight-year terms, have not relinquished their seats at the end of those terms.
- 14 Including only the period from June 2016 to the end of the 43rd Parliament.
- 15 The removal of the Senate’s absolute veto, however, should not extend to constitutional amendments, which under *The Constitution Act, 1982* provides for a suspensory veto of 180 days. Given the centrality of the constitution and the historic role of the Senate in its evolution, it would seem appropriate to retain the residual power of a suspensory veto on this set of issues.
- 16 The question of how many “opposition” groups should be allowed in a more independent Senate is a separate issue that does not change the underlying point that all such groups should be treated equitably. The current minimum threshold of nine senators to qualify for recognition is arguably too low. It is within the power of the Senate itself to change this threshold.
- 17 A recent example can be found at URL: <https://nationalpost.com/news/politics/exclusive-senate-analysis-canada>

Alternative Dispute Processes in a Parliamentary Setting

Following news of the discovery of 215 unmarked graves on the grounds of a former residential school in Kamloops, British Columbia, members of a family placed children's shoes at the entrance of Ontario's legislature as a memorial to commemorate the victims. The memorial impeded access to the legislature's entrance. Unaware of the unfolding news of the gravesite discovery and the establishment of similar memorials at legislatures across the country, members of Ontario's Legislative Protective Service (LPS) approached the family as they prepared to conduct a smudging ceremony to request the shoes be moved to a more appropriate location. When they declined to move the memorial, the discussion escalated to a verbal impasse that was resolved when the Sergeant-at-Arms, who spoke with the family's Member of Parliament, agreed to temporarily allow it to remain in place. Concerned that the interaction demonstrated a lack of empathy on the part of the LPS in light of events across the country, some MPPs submitted a written complaint to the Sergeant-at-Arms. Following a meeting with the family, the LPS agreed to participate in a restorative justice process. In this article, the authors explain how the LPS, by stepping outside its standard operating procedures and participating in this process, recognized the value in exploring alternative complaint resolution strategies and thereby adopted a new alternative dispute mechanism. The article concludes by noting the Assembly has created a new Indigenous Liaison position and is in the process of installing a permanent Indigenous Shoe Memorial inside the legislature.

Jackie Gordon and Mike Civil

In the summer of 2021, information was released to the public that an Indigenous community in Kamloops, British Columbia, had discovered a mass gravesite containing the remains of 215 missing children on the grounds of a former residential school.

Hours after the announcement, a family attended the grounds of the Legislative Assembly of Ontario to hold a vigil and place some children's shoes as a memorial to commemorate the victims. These shoes were placed in a manner that impeded access to the front entrance of the legislature. As the family was preparing to conduct a smudging ceremony, security officers from the Legislative Protective Service (LPS) approached the family and politely requested they relocate the shoes to a more appropriate location.

The family refused to comply with the request and the matter escalated to a verbal impasse. The family's friends, who were also present, contacted their Member of Parliament through social media who then reached out to the Sergeant-at-Arms to request permission for the memorial (shoes) to remain as placed. After a brief conversation, the request was approved, and the officers were advised to allow the shoes to remain in their current location. The full interaction between the family and the responding officers was recorded on a cell phone and later posted on social media. While the officers remained professional throughout their interaction and were attempting to enforce an established policy, their lack of awareness of the unfolding news story and that similar memorials were being established at legislatures across Canada resulted in some MPPs perceiving their actions as lacking empathy.

The MPPs subsequently submitted a written complaint to the Speaker that ultimately resulted in a meeting with the family at which time they requested the Assembly consider a restorative justice process to resolve the conflict as opposed to a formal complaint process.

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Nokomis O'Brien

The Indigenous Shoe Memorial, which initially impeded access to the legislature, was removed in a respectful manner after a smudging ceremony was coordinated. A permanent memorial display honoring the victims is in the process of being established inside the legislature.

The meeting was helpful, in that it allowed the Assembly to hear a first-hand account of the incident and the family's concerns regarding the officers' response. All present agreed to explore the potential of a restorative justice process as the next step to address the matter. Additionally, the Assembly agreed to identify and deliver cultural competency training to all members of the Legislative Protective Service.

Following the meeting, a preliminary conversation was held with the officers involved, to determine if they would agree to participate in a restorative justice process. The officers voluntarily agreed to participate, and a professional third-party Restorative Justice facilitator was retained. The facilitator had separate conversations with the officers and civilian parties prior to the restorative process.

The facilitator's role is to listen to the parties, paying attention to critical insights, and guide the discussion towards a resolution. The process can be very emotional and impactful to participants and everyone

may reconcile their grievances in a different manner or not at all. The process is confidential and respects the rights and well-being of all participants. The process can be very beneficial to all involved as it affords them the opportunity to be heard and share their experience.

As a result of the Legislative Protective Service stepping outside their standard operating procedures and participating in this process, they recognized the value in exploring alternative complaint resolution strategies.

The Legislative Protective Service has now included an alternate dispute resolution mechanism within their complaints policy to consider alternative strategies, such as a restorative justice process when requested. Engaging in this process allowed the Assembly to repair community relations and allowed the officers to see the issue from the complainants' perspective. Additionally, it also helped identify training gaps. The LPS supervisory and management team have completed a comprehensive university



Nokomis O'Brien

course on Indigenous studies and read the Truth and Reconciliation Summary Report.

The Indigenous Shoe Memorial was removed from the gates in a respectful manner after a smudging ceremony was coordinated. Under the leadership of Speaker Ted Arnott, Clerk Todd Decker and Parliamentary Protocol and Public Relations staff, a permanent memorial display honoring the victims is in the process of being established inside the legislature.

Additionally, the Office of the Assembly has recently created a new position, Indigenous Liaison (Nokomis O'Brien), and while only in its infancy, this new role will assist the Assembly and the LPS with matters

involving Indigenous communities that may include special events, protests, vigils, or complaints.

This experience has enhanced the Legislative Protective Service's cultural awareness, providing the Service with a better understanding of the trauma and loss outlined in the Truth and Reconciliation Report.

While there is some risk in deviating from standard operating procedures, there is also opportunity for growth. This opportunity demonstrated the importance of considering other ways forward in resolving civilian related complaints against officers that are more considerate of equity, diversity, and inclusion.

Experiments in Co-Leadership in Canada

Two political parties with elected members in Canadian parliaments have or appear to be in the process of adopting co-leadership models. Although the co-leadership option has become well-established among some parties in other countries, this type of structure is still somewhat of a novelty in Canada. In this article, the authors illuminate examples of co-leadership in international contexts, outline the pros and cons of this type of arrangement according to existing political science literature, and explore how co-leadership has worked or may work among its Canadian adherents. The authors conclude that while the co-leadership model has multiple democratic and practical benefits, leadership arrangements where there is centralization in a heroic leader have clear advantages in an era of brand-based politics and that it remains unlikely that parties in government or on the cusp of forming government will adopt this system in the near future.

Devin Penner, Mireille Lalancette and J.P. Lewis

In today's era of market-oriented, brand-based politics, the leader is especially central to a party's election strategy. Campaigns often focus more on building a positive image for the leader than on developing innovative policy ideas, and party members are increasingly loyal to a particular leader instead of the party itself. What we have seen over the past few decades is the entrenchment of a "heroic" model of leadership in Canadian political parties. One potential problem with this idea of heroic leadership could be described as the romanticization of leadership. Decisions and achievements are associated with an individual leader, ignoring the many actors involved in developing and implementing a policy or initiating social change.¹ While leaders may be seen as solely responsible for achievements, the flipside is that they may be held solely responsible for mistakes as well. Failure is not tolerated, and people are quick to discard leaders who make mistakes.² What results is a version of party politics centred on the search for a new savior.

The Conservative Party of Canada can certainly attest to this dynamic, holding three leadership contests in the five-year period from 2017 to 2022 to find someone who can defeat the Justin Trudeau-led Liberals. As well, within the trappings of the Westminster system, centralization of power in the leader's office is now seen to be inevitable; the ascension of a dominant leader is a certainty in the Canadian political system.

It seems hard to imagine an alternative to this heroic model of party leadership and the certain centralization of power. However, in recent years we can see the beginnings of one in Québec solidaire's model of co-leadership, a model that also popped up in two recent team entries into the Green Party of Canada's leadership contest. In this brief article we examine these initial experiments in co-leadership in Canadian party politics and argue that co-leadership is worth considering as a way to renew party leadership and improve party democracy. Before examining the Québec solidaire and Green Party cases, the following section provides a brief introduction to the concept of co-leadership.

What is Co-Leadership?

Co-leadership (a.k.a. dual leadership) simply means having two leaders instead of one. Alternatively, a party could have a leadership "triad" or "constellation."³ Dividing leadership positions between more than one

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person seems like a simple change, but it introduces an important shift in orientation: leadership is seen as something formed in dynamic, interactive social processes, not as a quality possessed by individuals.⁴ For this reason, co-leadership is a step in the direction of collective or shared leadership, broader terms that stress the blurring of the distinction between leader and follower and a less hierarchical conception of leadership interactions. The result is contrary to Canadian federal and provincial political cultures, which have historically been framed in very hierarchical terms.

Within the category of co-leadership, several further distinctions can be made. We can distinguish first between institutionalized co-leadership and ad hoc or informal forms of co-leadership such as a prime minister or party leader who has a close personal relationship with their deputy.⁵ The focus of this article is on institutionalized forms because of the longer-term implications they have. Since Canada has a limited history of parties experimenting with co-leadership, we must look to other countries for models. Within the category of institutionalized co-leadership, we can think about two further questions:

Individual versus team elections? Co-leader elections can be structured so that each of the two leaders is elected individually (e.g. Green Party of Aotearoa New Zealand), or they can be elected together as a team (e.g. German Social Democrats in 2019). If co-leaders are elected individually, there is a further question as to whether terms are staggered or if the two leaders are always elected at the same time. With regard to team candidacies, there is a further question as to whether solo candidates seeking to lead the party on their own are also allowed to run (e.g. Green Party of Canada 2022 leadership contest).

Representational quotas versus open elections? Co-leadership often (but not always) involves a gender quota to ensure women's representation (e.g. Québec solidaire). Similarly, there could be ethnic or other quotas, or multiple overlapping quotas. For instance, the Green Party of Aotearoa New Zealand requires that there is at least one female co-leader, and that there is at least one Māori co-leader.⁶ While this is an example of representational quotas in individual co-leader elections, team elections could also have quota requirements. For instance, the 2019 German Social Democratic Party leadership contest allowed candidates to run on their own for solo leadership or as teams for co-leadership, but team entries had to have at least one female.

Which options are preferable will depend on the main reason for supporting co-leadership. Team elections are particularly valuable if the goal is to ensure complementarity and cohesiveness among the co-leaders. However, individual elections are better if the goal is to have two distinct leaders that represent different constituencies.

Why Co-Leadership? And Why Not...

The Green Party of Canada and Québec solidaire are both minor parties within their respective party systems. Neither party has yet to garner seat totals which would have them on the cusp of forming government and require serious contemplation of how to fit co-leadership into a working legislative arrangement. For now, the risk of experimenting with alternate leadership configurations is low; assessing the pros and cons are influenced by the low risk of adopting a new style of leadership. Again, it is experiences of parties in other jurisdictions which allows us to contemplate the risk and potential benefits.

Since Green parties tend to prioritize decentralized organizational structures, it is not surprising that several Green parties have adopted some form of collective leadership. This includes the dual or co-leadership model, which is used by Green parties in Sweden, Germany, the United Kingdom, and New Zealand. The last of these, the Green Party of Aotearoa New Zealand, is a useful case study of the benefits of the practice because it has used co-leadership with considerable success since 1995.

The benefits of co-leadership can be divided into democratic/normative benefits and more practical benefits. The most obvious democratic benefit is that co-leadership provides a check on the power of an individual leader. There is an automatic second opinion, someone to consider or even challenge the other leader's initial inclinations on an issue. In interviews, the first co-leaders of New Zealand's Green Party (Jeanette Fitzsimons and Rod Donald) both noted how significant it was that this second opinion came from a person who was their equal – that they attached much greater weight to the advice of a fellow co-leader.⁷

This accountability benefit can be framed even more clearly in terms of democracy. The conversation between co-leaders creates a space in which other views can be brought forward. Two co-leaders who agree on most things will still disagree on *some* things, and this disagreement creates an opening for party

representatives and the general membership. The greater the difference between the co-leaders, the greater the opening will be. Quotas, such as the New Zealand Greens' requirements of female and Māori representation, similarly ensure the representational benefit that the two co-leaders can reflect diverse constituencies.

There are also several practical benefits to co-leadership. A notable one, stressed in the voluminous management and administration literature on collective leadership, is that roles can be divided between two leaders with complementary skills.⁸ For instance, the first co-leaders of the New Zealand Greens, Fitzsimons and Donald, had different areas of expertise: Fitzsimons had a more academic background and was strong on policy; Donald had more of an activist background, and excelled at media and campaign work such as developing soundbites and slogans.⁹ Similarly, the second pair of co-leaders, Metiria Turei and Russel Norman, had different skillsets and knowledge: Turei was more charismatic and Norman more attuned to policy details; Turei was strong on social policy issues, while Norman was seen as a "credible spokesperson on economic matters."¹⁰

In addition to complementary skills, co-leadership allows a logistical division of labour. One co-leader can be out campaigning while the other is recording advertisements or preparing for a debate. Fitzsimons claimed that co-leadership often led to extra media coverage too, as each co-leader would receive attention if they held separate events.¹¹ Another practical benefit of co-leadership is that it can allow for greater organizational continuity. The New Zealand Greens have had staggered leadership transitions, changing one co-leader at a time, and this has been at least partly intentional.¹² With staggered transitions, there is no need to start from the beginning each time a new leader is elected. There is a potential democratic benefit too, as the focus is de-centred from continually changing individual leaders to a more constant leadership team.

Finally, co-leadership makes leadership less isolating and allows time off. This might increase the pool of candidates willing to put their name forward for a very intense and demanding job.¹³

The main drawback to co-leadership is the challenge it poses to having a coherent, unified campaign: the media's focus is split and the possibility of mixed messages increases. It should be noted that – for good or for bad – co-leadership did not prevent the professionalization of the New Zealand Greens

and the party's shift to becoming more pragmatic, election-focused, and market-oriented.¹⁴ But message consistency and brand identity in the context of co-leadership requires that co-leaders are in constant communication and their public appearance is carefully managed. For instance, in 2005 interviews, Fitzsimons and Donald indicated they did not feel the need to be in perfect harmony, but they did not want their messages to be *too far* apart either. They were concerned the media or their staff would "drive a bit of a wedge" between them.¹⁵

This possibility of a "wedge" between co-leaders will be greater if co-leaders have significant ideological or other differences. Indeed, the flipside of using co-leadership to represent diverse constituencies is that it might exacerbate divisions within the party. While this has not been a major problem for the New Zealand Greens, there are cases in which this tendency is quite apparent. For instance, scholars examining the right-wing populist Alternative for Germany (AfG) suggest co-leadership posed a significant challenge for message discipline. As Heinze and Weisskircher put it, "the absence of strong leadership has provided plenty of opportunities for the public expression of internal disagreement."¹⁶ Similarly, Campus et al. suggest the relationship between AfG co-leaders has been largely conflictual and competitive because they see their primary role as representing party factions. Instead of compromising and working in a complementary manner, they describe AfG co-leadership as "engaged in a disconnected parallel performance" and generally ineffective.¹⁷ While switching to team elections would lead to greater collaboration and complementarity between co-leaders, the trade-off is, of course, that key factions within the party might not think their views are represented by either member of the leadership team.

With these comparative examples in mind, in the next two sections we review the two Canadian cases of co-leadership. It is difficult to compare the Québec solidaire and the federal Green Party experiences since the time frames of their co-leadership arrangements greatly differ, but the exercise provides more context for the Green Party case as we move closer to the next federal election campaign.

Québec Solidaire and Co-Leadership

At the time of its founding, Québec solidaire (QS) marked the imagination of political organizations, citizens and the media by adopting two spokespersons (one man and one woman) rather than one leader.



<https://www.flickr.com/photos/quebecsolidaire/>

Manon Massé and Gabriel Nadeau-Dubois of Québec solidaire.

It thus broke with an approach centered on a single leader who embodies the values of the party and is responsible for holding it accountable. To understand the QS co-spokesperson approach, it is necessary to delve into its genesis and the socio-political context that led to its formation. The historical context suggests the choosing of two spokespersons is not insignificant and is more broadly inscribed in the wider values and principles that feed into all the decisions made by the party.

Québec solidaire was created on February 4 and 5, 2006 from the merger of Union des Forces Progressistes (UFP) and Option citoyenne (OC). Despite its growing popularity, the party has not yet been in contention to form government.¹⁸ Currently the third largest party in the National Assembly, QS did not make any major breakthroughs in the two previous general elections that would give it a more prominent status in the legislature, but it did elect more MNAs than ever before (10 in 2018 and 11 in 2022, respectively).

Nevertheless, as Dufour notes, “the emergence of QS marks, in several respects, an important transformation of political dynamics and constitutes a significant event in contemporary political history.”¹⁹ What are these transformations? First, QS is explicitly left-wing. It also attracts younger and more educated voters and it is more progressive than nationalist.

The first two co-spokespersons were Françoise David, who was the spokesperson for Option citoyenne, and Amir Khadir, who was the spokesperson for Union des Forces Progressistes (UFP) at the time of the merger. Khadir, who won the riding of Mercier (located in Montreal) in 2008, was the first member of the party elected to the National Assembly. In 2012, David won a seat, and QS has continued to slowly increase its seat totals in the National Assembly since that time.

Dufour notes that the creation of the party is part of a specific socio-political context following the failure of the 1995 referendum, the new leadership of the

Parti Québécois in 1996 and the mobilizations related to the free trade treaties.²⁰ International examples also inspire QS activists, including the Brazilian Workers' Party and the election of its presidential candidate Luiz Inácio Lula da Silva in October 2002.

Dufour notes, "The internal organization of QS also constitutes a novelty in the Quebec political landscape that imposes a certain learning curve on all political stakeholders, including the media. Indeed, despite its entry into Parliament, Québec solidaire has chosen to pursue the original path it had traced at its founding."²¹ Thus, in a desire to "renew the ways of doing politics," the formation has valued the place of women, emphasized parity in its bodies and, as far as possible, consensual decision-making.²²

This new way of doing politics includes the desire to "foster collective leadership, not leadership embodied in an all-powerful leader."²³ The result is the formula of two spokespersons, one man and one woman who are elected separately. One leader is to act as the parliamentary spokesperson and the other as the external spokesperson. The mandate of the latter is to act as a liaison with the parliamentary team and with social movements. Collegiality within the party is also found in the National Coordination Council, which is composed of 12 to 14 members and respects gender parity. Along a similar line, discussion and debate are considered central to the decision-making process at party conventions.²⁴

The principles adopted at the party's first Congress are still valid in 2023. The first article of the party's founding document states, "We are environmentalists," which aims to show the importance given to this issue. It is followed by: "We are of the left," "We are democrats," "We are feminists," "We are alterglobalists," "We are of a plural Quebec," and finally "We are of a sovereign and united Quebec."²⁵ The party's novel approach to leadership is no doubt related to the resolute nature of its ideology.

François Saillant notes the adoption of a co-leadership model was controversial at the time of the party's founding. In his words, "These modes of operation clash with the dominant habits in which parties have a well-identified leader who is considered responsible and to whom journalists can turn, and an established, almost immutable program."²⁶ Although the idea of collegiality seems difficult to accept even almost 17 years after the party was founded, the media seems to have become accustomed to it. This acceptance does not mean that other parties will adopt this way

of operating—for QS, co-leadership, collegiality in decision-making, and a greater presence of women in politics are choices based on specific values held within the party. These three elements place QS outside the traditional functioning of political parties in Canada. Recent developments in the federal Green Party of Canada could find it in a similarly anomalous position.

The Green Party of Canada and Co-Leadership

A week after leading the federal Green Party to a disappointing result in the September 2021 general election, leader Annamie Paul announced that she would resign as leader, triggering a 2022 Green Party leadership election. The campaign officially began on May 24, 2022; on August 30, the party announced that six candidates were approved by the party to run. While these steps followed the normal transition of party leadership in Canada, a difference emerged when the candidates were announced: four of the six candidates were running as two-candidate teams following the co-leadership model.²⁷ Anna Keenan and Chad Walcott would be one co-leadership bid, and former leader Elizabeth May and Jonathan Pedneault would be the other. Due to the position of the Green Party in Parliament (two out of 338 seats) and its low popular support in recent polls and elections (2.3 per cent of the vote in the 2021 federal election), the announcement drew curiosity from media outlets, but it was not a major story in the Canadian political landscape. Still, the rarity of this political configuration in both historical and contemporary Canadian politics makes the co-leadership experiment worthy of attention.

Although a new development for Canada, as mentioned earlier, co-leadership is not new to Green Parties. For instance, the Swedish Green Party has used a co-spokesperson model since 1984, Germany followed in 1993 and New Zealand in 1995. The tradition of co-leadership from their international counterparts was featured on the leadership campaign website landing page of May-Pedneault: "Like many Green Parties around the world, we believe the Green Party of Canada should move to the model of co-leadership."²⁸ When May announced her intention to run to take back the leadership of the party she led from 2006 to 2019, she also made it clear that she thought she and Pedneault would make a particularly effective co-leadership team. In her words, "[He] is not just a dear friend but a clear, equal partner. I know I can make a much bigger difference as co-leader than as former leader."²⁹



Elizabeth May and Jonathan Pedneault of the Green Party of Canada.

The duo's plan was to leverage the practical benefits of co-leadership. There would be a division of labour, with May advancing the party's case in Parliament while Pedneault would spend his time touring Canada to build support for the party – a pragmatic plan built more on splitting duties than on congealing ideological positions. To ensure cohesiveness and minimize the possibility of disruptive conflict, May and Pedneault wrote a Memorandum of Understanding before running as co-leaders. The aim is to help them reach consensus on issues where they disagree. For instance, May supports the monarchy and Pedneault prefers Canada to become a republic.³⁰

For May and Pedneault's co-leadership opponents, the Keenan-Walcott team, the democratic benefits of co-leadership appear central to their decision to run under the model. In the section of their campaign website titled "Democratic Renewal," the candidates note, "we believe that electoral reform is needed to end 'the cult of the leader' and the unilateral decision-making culture that currently exists in Canadian

politics."³¹ These sentiments clearly echo criticisms of the "heroic" model of leadership and "romanticization of the leader."

Going beyond the specific reasons for co-leadership put forward by the teams that ran in the 2022 leadership contest, the timing of the idea's introduction in Canada's Green Party must be noted. The party had experienced the most tumultuous period in its brief history following Paul's election as party leader in 2020. Party infighting, which was reported widely in the media, culminated in a disappointing showing in the 2021 federal election. Pedneault, May's co-leadership partner, claimed during the leadership campaign that the party was in "severe crisis" and resembled a "boat about to capsize or the house on fire."³²

With the victory of Elizabeth May on November 19, 2022 (the final ballot had May at 58.1 per cent over Anna Keenan at 38.5 per cent), the Green Party has a new leader and a future with

co-leadership; however, this future will not begin until the party amends its constitution to allow the arrangement. Until the amendment of the party constitution, Jonathan Pedneault will simply be the party's Deputy Leader, not its Co-Leader.³³ It remains to be seen how smoothly and fully the party adapts to co-leadership. Will its 2022 experiment be a one-off or mark a transition to an institutionalized version of co-leadership? Ultimately the success of the Green Party's experiment with a co-leadership model will depend on whether it provides a way to resurrect the party from a tumultuous period of crisis. At least one election cycle must pass before this model can be effectively evaluated.

The Future of Co-Leadership in Canada

Co-leadership remains a minor experiment in Canadian politics, despite the recent successes of Québec solidaire and the emergence of the idea in the federal Green Party. It is unlikely this status will change any time soon, as centralization in a heroic leader has clear advantages in an era of brand-based politics and the dominant parties (and their heroic leaders) have little incentive to give up this approach. But in Québec solidaire and the federal Green Party we see a glimpse of an alternative, one that is worth exploring further.

In the two Canadian cases we see very different reasons for adopting co-leadership.³⁴ Québec solidaire opted to go this route mainly for ideological reasons, related to its social movement roots and a commitment to democratic values. For the Green Party of Canada, the experiment with co-leadership cannot be dissociated from the period of crisis from which the party hope to emerge – co-leadership represents an attempt at renewal, and a second effort to transition the party beyond May's longtime leadership. The idea of using co-leadership to ensure continuity while May gradually steps back again suggests that practical benefits have been at the forefront of the Green Party's flirtation with the idea. But this pragmatism has the opportunity to develop further, as the party considers if and how to institutionalize the practice and perhaps showcase its democratic benefits on the national stage.

Nevertheless, the political system and the ways politics is being mediatized makes it difficult for the co-leadership or co-spokesperson model to work. Changing the approach to leadership means more than co-leadership, it means reviewing how the political system works and is being presented to electors during and in between electoral campaigns.

Notes

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- 6 Michael Neilson, "No Changes Afoot, Green Party Co-Leaders Say, after Scrapping Male Rule," *New Zealand Herald*, May 3, 2022, <https://www.nzherald.co.nz/nz/green-party-co-leaders-say-no-changes-afoot-after-scrapping-male-rule-adding-maori-requirement/4WBIHYSIJMUOHFV4AP6NZHHANM/>.
- 7 Jeanette Fitzsimons quoted in Eva Hartshorn-Sanders, "Co-Leadership and the Green Party: A New Zealand Case Study," *Political Science* 58, no. 1 (2006): 45, <https://doi.org/10.1177/003231870605800103>.
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- 9 Hartshorn-Sanders, "Co-Leadership and the Green Party," 48; Neil James Miller, "How Is Co-Leadership Enacted in the Green Party of Aotearoa New Zealand" (Thesis, Massey University, 2016), 46–48, <https://mro.massey.ac.nz/handle/10179/11094>. Massey University, 2016
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- 11 Hartshorn-Sanders, "Co-Leadership and the Green Party," 44.
- 12 Fitzsimons said she had developed a transition plan with Rod Donald in which she would retire from co-leadership first, but she delayed her retirement because of Donald's sudden passing in 2005. See "Green Party Stalwart to Leave Parliament," *Otago Daily Times Online News*, January 28, 2010, <https://www.odt.co.nz/news/politics/green-party-stalwart-leave-parliament>.
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- 15 Fitzsimons quoted in Hartshorn-Sanders, "Co-Leadership and the Green Party," 48–49.
- 16 Heinze and Weisskircher, "No Strong Leaders Needed?," 264.
- 17 Donatella Campus · Niko Switek · Marco Valbruzzi, *Collective Leadership and Divided Power in West Europe Parties*, 115, 125–29.
- 18 Pascale Dufour. «Québec solidaire: au-delà du tiers parti...» In Réjean Pelletier (dir.) *Les partis politiques québécois dans la tourmente. Mieux comprendre et évaluer leur rôle*. Québec : Presses de l'Université Laval, 333–360.
- 19 Ibid., 333 (our translation)
- 20 Ibid.
- 21 Ibid., 351 (our translation)
- 22 Ibid.
- 23 Ibid.
- 24 Québec solidaire, «Statuts provisoires. Tels qu'adoptés par le congrès», Montréal, 4 février 2006b, 16 pages. (our translation)
- 25 François Saillant, (2020) *Brève histoire de la gauche au Québec*, (Montréal: Écosociété, 2020), 229;; «Déclaration de principes», Montréal, 2006a, <https://quebecsolidaire.net/propositions/nos-principes> (our translation)
- 26 Saillant, *Brève histoire de la gauche au Québec*, Montréal: Écosociété, 352 (our translation).
- 27 David Thurton, "Green Party leadership candidates launch their campaigns." CBC News. August 30, 2022. Accessed at <https://www.cbc.ca/news/politics/green-party-elizabeth-may-1.6567083> on November 8, 2022
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- 30 Sean Silcoff, "May pledges to turn down the heat in Green Party," *The Globe and Mail*, November 21, 2022.
- 31 Anna Keenan and Chad Walcott. Keenan Walcott Leadership Site, 2022. Accessed at www.keenanwalcott.ca on November 8, 2022.
- 32 Althia Raj. "'It was akin to couples therapy': Elizabeth May reveals the reasons behind her comeback – and why she's sharing the spotlight." *Toronto Star*. August 31, 2022.
- 33 Silcoff, "May pledges to turn down the heat in Green Party."
- 34 On the main reasons for adopting co-leadership, see Campus, Switek, and Valbruzzi, *Collective Leadership and Divided Power in West Europe Parties*, 33–40.

Authenticity as a Communications Framework in Service of Youth Democratic Mobilization

Youth participation in traditional democratic institutions such as voting and political party membership has been in decline. But this disengagement is not necessarily apathy. Rather, it may be an active choice (and political act) of youth to withdraw support from systems they deem to be deeply flawed. Instead, youth have gravitated to newer, more informal, and community-centered forms of youth political engagement. In this article, the author suggests that promoting youth engagement in traditional democratic institutions and strengthening their ties to these institutions requires trust-building strategies. She explains how authenticity as a communications framework can be used to mobilize youth and focuses on social media platforms as a promising site for this concept to be put into practice. Drawing on interviews with 12 MLAs from the Legislative Assembly of British Columbia, the author outlines how politicians have chosen to use social media platforms, ways in which these platforms may be used to communicate authenticity, and some of the barriers both politicians and their audiences encounter in these spaces. She concludes by noting that communicating authenticity through social media is but one of many strategies that could and should be undertaken to rebuild trust in traditional democratic institutions among young people.

Jerika Caduhada

Introduction

When looking at the pattern of low voter participation among the youngest electoral age groups,¹ it is easy to fall into the pervasive narrative of youth apathy. This narrative purports that youth are disengaged simply because they do not care about political issues. Youth engagement scholar Peter Levine proposes another idea — that young people's withdrawal from traditional democratic institutions, such as elections and political parties, may instead be an active choice of young people to not endorse forms of participation that they believe to be deeply flawed.² Levine posits that young people's disengagement comes not from indifference, but rather from intention. In this way, disengagement itself can be considered a political act. However, despite any sentiments of disenchantment or distrust among young people, traditional

democratic institutions have fundamental roles in long-lasting systemic change. This article tackles the question of how to (re)connect young people with such democratic institutions by focusing on the use of social media by Members of the Legislative Assembly (MLAs) of B.C. Recognizing the importance of trust in any relationship between an elected representative and their constituents, this article focuses specifically on the concept of authenticity as a framework within which political communication on social media can operate in service of trust-building and, relatedly, youth democratic mobilization.

I begin with a discussion on youth disengagement from traditional democratic institutions. Next, I provide a brief review on the rise of newer, more informal, and community-centered forms of youth political engagement. Together, these sections demonstrate an appetite among youth to engage in political issues but also reluctance to pursue such engagement with traditional democratic institutions. To strengthen young people's relationships with such institutions, I argue that building trust is critical. I explore authenticity as a framework within which politicians may operate to make themselves knowable to, and thereby build trust with, their constituents. I

Jerika Caduhada participated in the British Columbia Legislative Internship Program in 2022.

focus on using the concept of authenticity specifically as a communications framework on social media, a space generally populated with youth and already employed by some youth to engage politically. Drawing on my interviews with 12 MLAs, I explore potential hesitations and barriers that may arise amongst politicians when attempting to employ an authenticity framework to communicate with young voters. I conclude with a final reflection on the democratic value of authenticity and its potential on social media for supporting youth democratic mobilization.

Youth Political Engagement

While “youth” is a perennially flexible constructed category, for the sake of the following discussion on democratic engagement, the term “youth” will refer to people between the ages of 18-30. This demographic’s declining engagement with traditional democratic institutions is well-studied. A 2019 Abacus Data poll shows that nearly three-quarters of Canadian youth say that politics and government are too complicated and therefore inaccessible. Sixty-one per cent of people in this group say that they do not believe the government listens to them.³ A recent study commissioned by Elections Canada suggests cynicism among youth is high, particularly amongst marginalized groups.⁴ Of course, cynicism is not limited to youth: only 19 per cent of Canadians in a 2018 Environics study claimed strong trust in democratic institutions such as Parliament, and only 10 per cent in political parties.⁵ From increasing worry and discontent over systemic issues such as the climate crisis and racism as well as the rise of misinformation and disinformation, there are varying points of potential disconnect between government and the public. However, in the face of these problems it is even more vital for people to remain connected to – and feel they have influence over – their democratic institutions. These institutions have unique power to address problems of such magnitude.

In *Together We Rise*, youth-based Canadian non-profit Apathy is Boring describes how youth are disengaging from traditional Canadian democratic institutions and gravitating to non-institutional and social movement-oriented forms of engagement.⁶ These more informal and personal forms of engagement draw on media, community, and cultural production to encourage political discourse.⁷ The existence of these forms of engagement are a testament to a democratic appetite amongst youth that is being sated beyond traditional democratic institutions. However, some youth have bridged these types of political engagement. Leading up to the 2015 federal general election, youth-led

projects such as Be the Vote, Right to Vote, 31 Reasons, and Voting Buddies demonstrated a peer-to-peer engagement that centered on mutual education on electoral participation and community organizing amongst youth.⁸ Notably, many of these projects leaned on social media – a platform that is conducive to more informal and community-based forms of engagement employed by youth. Many of these projects and studies on youth political engagement focus on elections. This article intends to contribute to the discussion by focusing on youth political engagement beyond elections as observed through active relationships with elected representatives.

The observable shift of youth towards other modes of civic and political engagement means there is desire to be active citizens that contribute to social change; the challenge is directing some of this desire and concomitant energy to traditional democratic institutions. To accomplish this, it is vital there is trust that those institutions have the capacity to serve the public truly and effectively. In essence, the public must trust that their democratic institutions do what they purport to do. The issue of youth disengagement thus becomes a task of building trust, and the concept of authenticity becomes especially valuable when undertaking this task.

The Democratic Value of Authenticity

Contemporary politics have been transformed by a heightened focus on the personal – whether it be the lack of institutional trust or a rising preoccupation with the lives of public figures, authenticity has become a lens through which individual politicians are evaluated.⁹ The public seeks an “honest politician.” Various electoral campaigns have strategized around linking a candidate with that hypothetical ideal figure in response. For example, in the 2010 Calgary municipal election, successful mayoral candidate Naheed Nenshi explicitly named authenticity as a key goal. He sought “authentic two-way dialogue with people” during the election and committed to always answering social media messages directly and consistently and working to ensure that his social media messages presented him as “authentic.”¹⁰ A study of the election found that when questioned about candidates, respondents shared that Nenshi seemed relatable and they felt as though they knew “what kind of person [he] was behind the suit and the formalities.”¹¹ A similar strategy was evident in Bill Clinton’s presidential campaign. Images of Clinton’s private life were used to promise Americans that they would “know” the “real Clinton.”¹²



Social media platforms have proliferated in recent years. Some parliamentarians suggest that as soon as they master one app, their target audience has started using another.

These campaigns strategized around the concept of authenticity in different ways: one focussed on direct and frequent communication and the other focussed on connecting a politician's private life with his public persona. The core similarity is the sense that the politician as an individual was knowable to the public.

This sense of "knowing" is precisely what the concept of authenticity offers. At its core, authenticity is inseparable from a certain trustworthiness. Despite the content of the authentic thing itself, in being authentic, it can be trusted to be as it claims to be. This alignment between how something *is* and how it *claims to be* is integral to scholar Ben Jones's definition of authenticity in his article "Authenticity in Political Discourse."¹³ Jones describes authenticity as being comprised of two things: (1) consistently upholding the values that define one's identity, and (2) accurately

representing those values to others.¹⁴ The democratic value of this authenticity is that it reveals the motivating forces behind a politician's actions (their values) and validates them with corresponding and consistent action. Inherent in our system of representation is the fact that the public will not always be present to influence their representatives' decisions; in such contexts, the public can find some security in being able to understand and predict how an "authentic" politician will likely behave.¹⁵ Of course, this sense of authenticity is not a guarantee of certain action. A politician may accurately represent their core values yet still choose contradictory action.

This article focusses on politicians who are interested in communicating their values, behaving in accordance with them, and maintaining active, reciprocal, and trusting relationships with their



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Hostility, discriminatory slurs, and threatening comments from anonymous social media accounts have prompted some parliamentarians to reduce or cease their social media use.

constituents, especially youth. The first two actions comprise authenticity, and together they facilitate the third – trust. Social media has become uniquely valuable in communicating authenticity to youth. Just as they have departed from participation in traditional politics and are experiencing decreasing trust in democratic institutions and political parties, traditional media also has less traction among youth. News reports, interviews with journalists and formal press releases are less likely to achieve attention. However, youth are capitalizing on their familiarity with social media to engage with political issues in novel ways. A cohort of youth with energy now exists on social media that could be potentially harnessed for democratic engagement, if activated properly. Politicians who establish authenticity on social media platforms may build trust and nurture active, reciprocal relationships with youth that have not thrived elsewhere for some time.

Barriers to the Authenticity Framework

In preparing this article, I had the privilege of interviewing 12 Members of the Legislative Assembly (MLAs) of British Columbia—five from the Government Caucus, five from the Official Opposition Caucus, and two from the Third Party Caucus. Outside of the Third Party Caucus, which I interviewed in its entirety, other MLAs were selected upon the recommendation of caucus staff. Priority was given to MLAs who were most active in using social media as a tool for political communication. Except for unique follow-up questions prompted by certain answers, MLAs were asked standardized qualitative questions about their approach to social media, the concept of authenticity, and youth democratic engagement. For the purposes of this article, social media generally refers to the platforms of Facebook, Twitter, and Instagram, which all MLAs interviewed

used. Each interview concluded with a final open-ended question, allowing MLAs the opportunity to add any final thoughts on any topics that had not yet been discussed.

As a youth-dominated space already ripe for political engagement,¹⁶ social media offers a platform for the process of establishing authenticity. However, it is no easy platform for a politician to traverse; this was made clear in my interviews when discussing the barriers politicians face in establishing authenticity online.

While all 12 MLAs highlighted the necessity of a social media presence for any politician, eight expressed a tension with social media that discouraged them from engaging with it beyond professional political messaging. One MLA likened social media to a press release, capturing succinctly the perception that social media is a traditional one-way political communication tool to disseminate political messaging. Four MLAs approached social media with more personal goals – still to share their professional work but also to nurture public understanding of their identity, life, and values as an MLA. This group tended to share more “appropriately personal” content on their social media platforms, whereas the first group tended to share community news and political updates more exclusively. Despite these differences, a majority of the 12 MLAs agreed on two fundamental aspects of their use and experience with social media: 1) there is public demand for more personal content from MLAs online (eight explicitly noted this) and 2) the prevalence of “hate comments” directed at MLAs on social media prompted them to limit their engagement with social media for the sake of their work and mental health (all MLAs mentioned this). Hate comments, as broadly described by the interviewed MLAs, are hostile, often ad hominem messages online that also tend to be rooted in prejudiced and oppressive ideologies such as sexism and racism.

MLAs’ observations about public demand for more personal content corroborates the idea that the public desires a unique understanding of their representatives – a sense that they truly “know” them. One MLA elaborated on this by explaining how they had thousands of online connections on their public personal page while only a few hundred on their professional MLA page. Three noted that they received notably more engagement on their more personal posts – ranging from those on their gardening habits, adventures in the community, or

reflections on their workday – than on professional ones sharing more strictly political work. Another MLA added that they believe this public demand for personal connections resulted from the prevalence of artificiality in society in general; this closely aligns with earlier discussions on public distrust and the democratic value of authenticity. However, as one MLA explained, exposing elements of one’s private life as a public figure can risk undermining a political career.

All 12 MLAs consistently and unequivocally agreed that social media is rife with hate comments that significantly deter their public engagement on the platform. Five MLAs added that they consider hate comments to be a worsening issue, and many considered such vitriol to be strongly enabled by the social media platforms themselves, both through the acceptance of anonymity among users and the promotion of contentious interactions for entertainment value. Social media was considered to be, in the words of two different MLAs, an “outrage machine” and an “endless, insatiable maw” that one must feed with constant content to maintain relevance. Two MLAs explained that they felt some commenters criticized hatefully, as opposed to productively and meaningfully, purely for entertainment. One saw social media as a space in which “opposing authority is like a recreational sport” for its users. Negative feedback was so common that another MLA said MLAs are “doing great [online] if only 50 per cent of people hate[d] [their] guts” because anything more was simply the standard. In addition to these deterrents, MLAs also noted that the steep learning curve of social media platforms dissuades use. While all MLAs expressed a desire to more strongly connect with youth, they felt a sense of unfamiliarity with kinds of social media and approaches to social media used by youth – at least at the outset of joining these platforms. There was also a shared sentiment that as soon as an MLA becomes familiar with one form of social media, youth attention migrated to another. The social media learning curve, the time-intensiveness of their other work, and the emotional toll of engaging in social media culture all deterred MLAs from using the platform as much as they might want to otherwise.

Other concerns about social media were raised in the interviews as well. The predominance of misinformation and disinformation and the potential for increased radicalization were named specifically by three MLAs. However, the observed public demand for personal content as well as the time-consuming and vitriolic nature of social media are

most relevant to the discussion of evoking authenticity online as a politician. When asked about the concept of authenticity, six of the MLAs immediately spoke of having social media posts written directly by them. It was through the process of directly writing for each platform that they felt their social media engagement was genuine; over time as a public figure, they developed a voice that was true and unique to them, and it was important to them that this voice was heard on social media platforms. MLAs recognized and attempted to meet the desire of the public for authenticity. They understood social media users expressed a desire for “knowing” them as an individual separate from their political party or the larger democratic institution of which they are part.

In protecting their own privacy and the privacy of their loved ones, MLAs seemed to fall into two categories: those who chose not to entertain the public demand for personal content and those who chose to meet this demand in specific and deliberate ways. MLAs who opted to share personal content noted they may limit personal posts to their experiences within their riding or only post about their friends and never about their families.

The concept of authenticity offers another understanding of the personal: the personal as the traits that characterize an individual and make them relatable, identifiable, and understandable. In this reading of authenticity, the personal can also mean the values that are core to an individual’s identity. Whether knowingly or not, a small number of Members in the Legislative Assembly of British Columbia, not all interviewed here, already enact this form of the personal and authentic. In sharing their own reflections on their work and current events, they highlight the values that guide their thinking, not only professionally but generally. In reconceptualizing the personal in this way, MLAs can offer their constituents an opportunity to “know” them without compromising their own right to a private life.

The notion of approaching social media anew, this time within a framework of authenticity, may be daunting to MLAs who know all too well the challenges of learning new platforms and navigating the oftentimes hateful dialogue that is observed on them. However, the beauty of authenticity as a communications framework is that it prioritizes making the self understandable. It is not about participating in the latest trends nor using any specific form of text or media, so long as the platform to which

the authenticity is applied is one used by the target audience. This authenticity framework is not about responding quickly or directly to every comment – an unrealistic standard as most interviewed MLAs avoid this for the sake of their mental health and direct people to contact them via email or in-person. The request of authenticity as a communications framework is simple: it asks that you accurately represent the values that are core to your unique, individual identity and demonstrate consistent, corresponding behaviour upholding those values. This kind of content fosters the potential to bridge the gap of disenchantment and distrust between representatives and their young constituents.

Conclusion

The bedrock belief of this article is that youth energy, rather than apathy, is available – yet largely untapped – for engagement within traditional democratic institutions. Authenticity as a political communications framework for youth democratic engagement understands that youth are unlikely to be attracted into the sphere of traditional democratic institutions merely with frequent social media activity or the use of the latest social media trends. Intentional disengagement due to distrust or disenchantment calls for a re-engagement prompted by equally intentional trust-building. This is, of course, an incomplete and imperfect approach – social media is a platform of privilege, requiring certain knowledge, ability, and financial standing to access. Youth must still be engaged in other ways, through community events, in-person visits, and more. Additionally, trust-building for different groups within the larger category of youth will also be different—varying experiences of systemic marginalization, for example, result in varying experiences of institutional distrust and call for varying responses. Proponents of systemic change must consider the nuances of systemic harm. Nonetheless, authenticity as a communications framework offers a pathway for meaningful relationship-building between politicians and youth. Notably, this pathway, in its entanglement with social media, does not require politicians to divulge their private lives, dedicate time to learning new technological features or trends, or engage more directly with the emotional toll of social media culture. Authenticity as a political communications framework seeks instead to answer, in the most concise and elemental of ways, the questions any constituent would ask of their representative: Who are you? And how do you decide how to represent me when I am not in the room?

Notes

- 1 *Voter Participation by Age Group: 2020 Provincial General Election*. Elections BC, 2020. British Columbia Legislature. URL: <https://elections.bc.ca/docs/stats/voter-participation-by-age-group-2013-2020.pdf>. Participation of the 18-24 and 25-34 cohorts was 45.7 per cent and 39 per cent respectively in the 2020 B.C. provincial general election.
- 2 Mahoney, Tara, Samantha Reusch, and Caro Loutfi. "Together We Rise Report (2020)." *Apathy is Boring*, February 5, 2020.
- 3 Ibid.
- 4 Ibid.
- 5 Ibid.
- 6 Ibid.
- 7 Ibid.

- 8 Ibid.
- 9 Dumitrica, Delia. "Politics as 'Customer Relations': Social Media and Political Authenticity in the 2010 Municipal Elections in Calgary, Canada." *Javnost - The Public*, 21:1, 53-69, November 10, 2014. DOI: 10.1080/13183222.2014.11009139
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- 12 Ibid.
- 13 Jones, Ben. "Authenticity in Political Discourse." *Ethical Theory and Moral Practice*, vol. 19, no. 2, 2016, pp. 489–504. JSTOR, <http://www.jstor.org/stable/24762640>.
- 14 Ibid.
- 15 Ibid.
- 16 Mahoney, Reusch, and Loutfi, 2020.

The Canadian Scene

New Clerk in Saskatchewan

After almost 36 years of service as a Table Officer, **Greg A. Putz** retired as the Clerk of the Legislative Assembly of Saskatchewan on January 1, 2023.

With Mr. Putz's resignation, the Legislative Assembly of Saskatchewan unanimously appointed **Iris Lang** to the position of Clerk effective January 1, 2023. Ms. Lang began her career with the Assembly in 1985. First employed as a special constable for 12 years, Ms. Lang then spent five years in Human Resources, and almost 20 years at the Table. Prior to joining the Legislative Assembly Service, Ms. Lang was a constable with the Royal Canadian Mounted Police in Alberta.

Raised in Saskatchewan, she earned degrees while working full time at the Assembly – first a Bachelor of Human Justice in 1992 and then a Masters of Human Resource Management in 2005.

With Ms. Lang's appointment, for the first time there are four women serving as Clerks in Western Canada – **Kate Ryan-Lloyd**, British Columbia; **Shannon Dean**, Alberta; **Iris Lang**, Saskatchewan and **Patricia Chaychuk**, Manitoba. In addition, for the second time in Canadian history there are five female Clerks – the four outlined above and **Sandra Barnes**, Newfoundland and Labrador.

New Clerk in Northwest Territories

Glen Rutland became the fourth Clerk of the Northwest Territories Legislative Assembly on April 1, 2023. Mr. Rutland succeeded **Tim Mercer**, who had served in the role since October 2003.

After receiving a Bachelor of Arts in Political Science, Mr. Rutland obtained a post-degree certificate in Public Relations and a Bachelor of Laws (LLB).

Moving to the Northwest Territories in 2002, Mr. Rutland worked for the Government of the Northwest Territories in the Department of Justice. His roles included Legal Counsel and Director of Policy and Planning.

As a lawyer in private practice from 2013 to 2019, Mr. Rutland accepted a part-time contract position acting as Deputy Law Clerk to the Assembly. In addition to his work with the Assembly, his litigation-focused practice specialized in public, employment and administrative law.

In May 2019, he joined the Assembly full-time as Deputy Clerk, House Procedure and Committees. The Assembly unanimously adopted a motion recommending Mr. Rutland be appointed Clerk.

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Colin LaVie, Speaker

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Frederick Blake Jr., Speaker

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John Quirke, Secretary

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*As of April 1, 2023

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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 (December 2022 – February 2023).

“Comparative Study: Committee powers to assist scrutiny of governments.” *The Table - The Journal of the Society of Clerks-at-the-Table in Commonwealth Parliaments* 90, 2022: 211-48.

- This year’s comparative study asked, “What powers do committees scrutinising the work of government for your assembly have to compel information or participation from your government? Have there been any challenges to the operation of such powers? What plans, if any, are there to review or change any such powers?”

Armstrong, Emma. “Digital innovation and public engagement at the Scottish parliament.” *Australasian Parliamentary Review* 37 (2), Spring/Summer 2022: 56-67.

- This article provides an overview of how the Scottish Parliament’s public engagement strategies and use of digital platforms and tools has evolved over time.

Hazell, Robert. “Reforming the royal prerogative.” *The Constitution Unit*, December 8, 2022, 5p.

- The Brexit process raised questions about how – and in what areas – the royal prerogative should

operate. Following a lengthy project, which has resulted in a new book on the subject and a Unit report on options for reform, the author explains why the prerogative matters, and how it might be reformed to strike a better balance between parliament and the executive.

LeBlanc, Jeffrey. “Electronic voting in Canada’s House of Commons.” *The Table - The Journal of the Society of Clerks-at-the-Table in Commonwealth Parliaments* 90, 2022: 56-60, .

- The possibility of electronic voting has been discussed in the House of Commons of Canada for many years. As early as 1959, members made suggestions for systems that would allow them to cast votes electronically. In 1985, when many reforms were made to House procedure, a special committee recommended that the House adopt computerised electronic voting. This recommendation was not taken up, and in 2003, another special committee made a similar recommendation. Some electronic infrastructure was installed in the summer of 2004, but no further action was taken. Votes continued to be taken in the traditional manner, with members rising in their places and having their names called by a Table Officer. The COVID-19 pandemic brought the issue to the top of the agenda in 2020.

Price, Peter. "Virtual parliaments in Canada: pandemic responses or permanent solution?" *Australasian Parliamentary Review* 37 (2), Spring/Summer 2022: 47-55.

- This article gives a brief survey of the adoption of virtual parliamentary proceedings in Canada, beginning with a summary of its rapid implementation in 2020 in response to the COVID-19 pandemic. While remote participation sometimes featured technical hiccups and procedural predicaments, it also raised serious questions about Executive control of parliamentary business in the early phases of the pandemic. The article then discusses specific institutional complexities in adopting virtual participation, including the challenges of accommodating parliamentarians who live in areas where high-speed internet connection is unavailable or unreliable, maintaining simultaneous interpretation of all proceedings in Canada's two official languages, and ensuring that technological resources are shared adequately between both chambers of Canada's parliament. In light of these challenges, parliamentarians in Canada remain divided on whether hybrid parliament is a unique response to a pandemic or the beginning of a new form of parliamentary participation.

Slatter, Daryl and Gabor Hellyer. "Library researchers and select committees." *The Table - The Journal of the Society of Clerks-at-the-Table in Commonwealth Parliaments* 90, 2022: 151-58.

- This paper focuses on a collaboration project in the New Zealand House of Representatives between Select Committees and Parliamentary Library researchers to give select committees better access to high-quality and independent research and advisory services.

Wilson, David. "Engaging the public with parliament in Aotearoa New Zealand." *Australasian Parliamentary Review* 37 (2), Spring/Summer 2022: 68-76.

- Since 2016, increasing public awareness of the role of parliament and members, and public participation in the work of parliament has been the major strategic focus for staff of the New Zealand House of Representatives. In the face of declining participation in key democratic processes, low trust of politics and an apparent decrease in the relevance of parliament to the lives of New Zealanders, the Clerk of the House made building engagement with parliament the strategic priority. Despite low levels of corruption and generally well-functioning civic institutions, members of parliament are consistently regarded as one of the least-trusted professions in Aotearoa New Zealand. In a democracy, public feedback and consent to be governed gives legitimacy. This is why building greater levels of trust and participation in parliament was a crucial focus for the Office of the Clerk.



Manitoba

Fifth Session of the 42nd Legislature

The Fifth Session of the 42nd Legislature commenced on November 15, 2022 with the first Speech from the Throne delivered by **Anita Neville**, Lieutenant Governor of Manitoba. An Indigenous drummer once again played an Honour Song while the Lieutenant Governor and the official party entered the Chamber, a ceremony initiated during the Speech from the Throne from the Fourth Session in 2021.

The address outlined a series of initiatives to be implemented in order to strengthen the province's health-care infrastructure and to take aim at violent criminal behaviour while supporting efforts to tackle mental health, homelessness and addiction issues and identified the following priorities and commitments:

- Helping Make Our Communities Safer
- Helping Families Make Ends Meet
- Strengthening Health Care and Reducing Surgical and Diagnostic Backlogs
- Helping Make Manitoba More Competitive

- Helping Protect Our Environment, Climate and Parks
- Helping Build Stronger Communities
- Advancing Reconciliation

During his contribution to the Throne Speech debate on November 17, **Wab Kinew**, the Leader of the Official Opposition, moved a motion expressing non-confidence in the Government. He highlighted several areas he believed the Government failed to address in the Speech from the Throne, including:

- refusing to reverse its cuts to public health care and instead pushing through further privatization of Manitoba's public health care system, bringing the province closer to a costlier and inequitable American-style two-tier health care system;
- failing to address the current health care crisis in Manitoba that is putting intense strain on front line health care workers and patients waiting in pain in emergency rooms, especially in pediatric facilities such as the Health Science Centre's Children's Hospital;
- continuing to cut northern healthcare and mental health services in the north;

- failing to fill widespread staff vacancies in homecare so that seniors and vulnerable Manitobans have access to quality and timely care;
- refusing 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 health care system;
- continuing to cut and underfund K-12 education in Manitoba as class sizes keep increasing, while offering no real plans to support adult education; and
- refusing to address the addictions crisis by failing to provide investments into harm reduction initiatives including safe consumption sites.

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

- recognize that the COVID-19 pandemic is not yet over and that for many people, businesses and organizations, life and work now is harder than at any point during the pandemic;
- apologize to nurses for forcing them to endure impossible working conditions which include not ending mandatory overtime or providing them and other health care workers coverage for burnout, as requested by the Manitoba Nurses' Union, which is driving nurses from the system;
- accept responsibility for its own role in creating a health care crisis by cutting and freezing actual health spending, and forcing the closure of clinics;
- commit to equity in federal health care funding for Canadian Health Transfers, which would see an immediate improvement in Manitoba's health funding if it were calculated based on need, instead of on the current, grossly unfair per capita formula;
- take action to create an independent, non-partisan Senior's Advocate to assist in creating policies and recommendations on issues that have been ignored for decades under previous governments; and
- articulate a plan to increase Manitoba's economic self-reliance, choosing instead to focus on Manitoba as a "Branch Plant Economy" where Manitobans will toil for owners and investors, with the result that all profits will be located outside the province.

On November 24, 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 Fall Sittings period concluded on December 1, 2022 with Royal Assent being granted to the following three Government and two Private Member Bills:

- *Bill No. 3 – The Vital Statistics Amendment Act (Name Registration)* amends how a name may be expressed under *The Vital Statistics Act*. In accordance with a person's traditional culture, a person may be registered under a single name instead of having both a given name and a surname. A validated registration now includes a letter or typographical symbol.
- *Bill No. 4 – The Minimum Wage Adjustment Act, 2022 (Employment Standards Code Amended)* amends The Employment Standards Code to set the minimum wage at \$14.15, effective April 1, 2023.
- *Bill No. 5 – The Demise of the Crown Act (Various Acts Amended)* amends several statutes to deal with the demise of the Crown. The chief legislative counsel now has a revision power to make changes to other *Acts* and regulations to reflect the change of sovereign.
- *Bill No. 200 – The Black History Month Act (Commemoration of Days, Weeks and Months Act Amended)* amends *The Commemoration of Days, Weeks and Months Act* so that February of each year is proclaimed as Black History Month.
- *Bill No. 213 – The Animal Care Amendment Act* amends *The Animal Care Act* to prohibit leaving a companion animal, such as a dog, in an unattended vehicle if the temperature in the vehicle is dangerously hot or cold for the animal. If the exterior temperature is more than 22 degrees C or less than -10 degrees C, it is presumed that the temperature inside the vehicle is dangerous for the animal.

The Assembly is scheduled to resume sitting on March 1, 2023.

Sessional Order Extension

On December 1, the Assembly extended the Sessional Order which allowed for virtual hybrid sittings of the House and Committees until June 1, 2023. The Sessional Order was also amended by deleting a provision regarding Standing Committee membership to reflect a recent Rule change that allows House Leaders to determine the size and composition of Committees.

HTML Version of the Rule Book

In addition to the PDF version of the Rules, which is a precise reproduction of the hard copy version, an HTML version of the Rule Book is now included on the Legislative Assembly website. The HTML version is easier to navigate as it shows the Table of Contents on the left side of the screen, with links to other sections. Although there are plans to expand the link selections in the future, this innovation has already created a more interactive and navigable version of the Rule Book.

The HTML version can be accessed at:

https://www.gov.mb.ca/legislature/business/rule_book_2022.html

Online Committee Registration Form

Partly inspired by requests from the public for such a service, a brand new tool is now available which allows members of the public to register online to speak to a bill at committee. This tool allows people to go to a link on the Assembly website, answer some questions and provide some information, and then the registrant will automatically appear in our presenter database. From there the information would be used to create presenters' lists and other documents essential to committee work, as well as provide information for Hansard, Committee Reports, Committee Clerks' notes, and so on. Presenters may also use this tool to indicate if they are appearing virtually or in person, to indicate if they require translation services, and to provide written submissions.

The registration tool can be accessed at: https://www.gov.mb.ca/legislature/committees/committee_registration.html

Standing Committees

During the Fall Sitzings of the House, the Standing Committees on Social and Economic Development met to complete clause-by-clause consideration of Bills 3, 4, 5 and 213 while the Committee of the Whole met to complete consideration of Bill 200.

The Standing Committee on Crown Corporations met on five occasions in December and January to consider the 2022 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. The Standing Committee on Legislative Affairs also met in December and January to consider Annual Reports of Elections Manitoba and the Advocate for Children and Youth respectively.

New Member for Kirkfield Park

On December 13, 2022 voters of the constituency of Kirkfield Park, in Winnipeg, elected Manitoba Progressive Conservative **Kevin Klein** as their MLA, filling a seat left vacant due to the resignation of former Progressive Conservative Member **Scott Fielding**. Mr. Klein had previously served four years as a Winnipeg city councillor.

Cabinet Shuffle

With an election expected this Fall and a number of Government Members having indicated they will not stand for re-election, on January 30, Premier **Heather Stefanson** presented a new Cabinet with four new faces while several Ministers have been assigned new duties:

- **Cliff Cullen**, continues as Deputy Premier and assumes the role of Minister of Finance;
- **Jeff Wharton**, previously Minister of Environment, Climate and Parks is the new Minister of Economic Development, Investment and Trade;
- **Jon Reyes**, previously Minister of Advanced Education, Skills and Immigration is now the Minister for the newly established Department of Labour and Immigration;
- **Eileen Clarke**, becomes Minister in a role she served previously, once again assuming the role of Minister of Indigenous Reconciliation and Northern Relations;
- **Sarah Guillemard**, former Minister of Mental Health and Community Wellness is now the Minister of the reframed Department of Advanced Education and Training; and
- **Andrew Smith**, former Minister of Sport, Culture and Heritage, is the new Minister of the Department of Municipal Relations but still retains responsibility for Manitoba Liquor and Lotteries.

The new ministers are:

- **Janice Morley-Lecomte**, who joins as Minister of Mental Health and Community Wellness having served previously as Government Whip;

- **James Teitsma** becomes Minister of the newly framed Department of Consumer Protection and Government Services having recently served as Vice-Chair of Public Accounts;
- **Obby Khan** is now the Minister of Sport, Culture and Heritage and becomes the first Muslim Minister in the history of the province; and
- **Kevin Klein**, recently elected in a by-election as mentioned above, becomes Minister of the refreshed Department of Environment and Climate Change.

Greg Recksiedler

Research Officer / Clerk Assistant



Alberta

United Conservative Party (UC) Leadership Contest

On October 6 **Danielle Smith**, former MLA and former leader of the Wildrose Party, won the leadership contest for the United Conservative (UC) Party with over 50 per cent of the vote on the sixth ballot. She replaces **Jason Kenney** as leader of the party. Ms. Smith, who did not hold a seat in the Legislative Assembly at the time, was sworn in as Alberta's 19th Premier on October 11, 2022.

Cabinet Changes

A new cabinet, appointed by Premier Smith, was sworn in on October 24. The 27-member cabinet includes Premier Smith, who also oversees the Intergovernmental Relations portfolio, two ministers without portfolio and two Deputy Premiers. Premier Smith also assigned parliamentary secretary roles to 12 Private Members.

By-election

Following her victory in the UC leadership contest, Premier Smith announced her candidacy in a by-election in Brooks-Medicine Hat after the resignation of former MLA **Michaela Frey**. Smith also indicated that there would be no by-election held to fill the vacant seat for Calgary-Elbow or any other constituency for the remainder of the Legislature. Under Alberta's law on fixed election dates a general election is scheduled to occur on May 29, 2023.

On November 8 Premier Smith secured a seat in the Legislative Assembly after winning the by-election in Brooks-Medicine Hat with approximately 54 per cent of the votes cast. She was sworn in as an MLA on November 29.

Other Membership Changes

On October 6 Ms. Frey (formerly Glasgow) resigned as the Member for Brooks-Medicine Hat. The following day **Todd Loewen**, MLA, who had left the UC caucus in May, was invited to return to that caucus.

On November 29, the day of the throne speech, **Jason Kenney** announced that he would be resigning as the Member for Calgary-Lougheed.

The current composition of the Assembly is 60 members of the UC, 23 members of the New Democratic Party and two independent Members. There are also two vacant seats.

Fourth Session of the 30th Legislature

The Session did not resume on October 31 as originally scheduled because the Third Session of the 30th Legislature was prorogued on October 30. The Fourth Session of the 30th Legislature began on November 29, 2022, with the Speech from the Throne. The speech focused on economic issues such as jobs and inflation, access to health care, and the province's relationship with the federal government.

Bill 1

Following the Speech from the Throne, Premier Smith moved First Reading of Bill 1, *Alberta Sovereignty Within a United Canada Act*. While the voice vote indicated that the motion carried, a number of Members took the uncommon measure of calling for a division on First Reading. The motion carried with the support of 54 UC MLAs and independent Member **Drew Barnes** (Cypress-Medicine Hat).

The Bill provides a framework for the provincial government to take certain actions following the passage of a motion by the Legislative Assembly expressing its opinion that a federal initiative is unconstitutional. Federal initiatives are defined to include existing or proposed federal laws, programs, policies, agreements or actions. The process is commenced by a member of Executive Council moving a motion in the Legislative Assembly that states that a federal initiative is unconstitutional on the basis that it interferes in an area of provincial legislative jurisdiction, violates the rights of Albertans under the *Charter of Rights and Freedoms* or that it causes or is anticipated to cause harm to Albertans as a result of such interference or violation. The motion must also identify measures that the provincial government should consider in response to the federal initiative.

If the Legislative Assembly passes the motion, the provincial government is empowered to suspend or modify the application or operation of all or part of a regulation, direct a Minister to exercise a specific power, duty or function under an enactment, or issue a directive to a provincial entity. Provincial entities include regional health authorities, public post-secondary institutions, school boards, municipalities, police services and entities that receive grants or other public funds from the provincial government. The authority under the *Act* continues for 2 years from the date the motion is passed or the date the motion is rescinded by the Legislative Assembly, whichever occurs first. The provincial government is also permitted to extend its powers by order for one additional 2-year term. Individuals and private businesses are not subject to the *Act*.

Motions for time allocation were passed for deliberations on Bill 1 at Second Reading, Committee of the Whole and Third Reading. The Bill received Royal Assent on the final day of session, December 15. The chiefs of treaties 6, 7 and 8 First Nations have raised concerns regarding the *Act*. On December 19 the Onion Lake Cree Nation, a Treaty 6 First Nation, launched legal action against the legislation, saying that it infringes upon treaty rights.

Bill 2

Bill 2, *Inflation Relief Statutes Amendment Act, 2022*, was introduced by **Matt Jones**, MLA and Minister of Affordability and Utilities, on December 7. Intended to provide relief for Albertans from record-high inflation, the Bill proposed, among other things, to control utility costs during the winter, initiate the reindexing

of personal income taxes and benefit programs and extend the full provincial fuel tax for an additional six months.

The Bill received Royal Assent on December 15, and while many details remain unknown, some affordability initiatives introduced by the government include monthly payments of \$100 to seniors and families with children who have an income below \$180,000 and a natural gas rebate program that takes effect when the price reaches \$6.50/gigajoule.

Committee Business

The Standing Committee on the Alberta Heritage Savings Trust Fund held its annual public meeting on the evening of October 27. Seating in the public gallery was reopened for in-person attendance, and public participants wishing to connect to the meeting remotely could do so by telephone, or they could submit questions via e-mail, web form, Facebook or Twitter.

On November 30 the Assembly passed Government Motion 7, which deemed the Standing Committee on Resource Stewardship to be the special committee of the Assembly for the purpose of conducting a comprehensive review of the *Conflicts of Interest Act*. On December 21 the Committee met and requested technical briefings from the office of the Ethics Commissioner and the Ministry of Justice and directed staff to prepare briefing materials.

On December 5 the Select Special Ombudsman and Public Interest Commissioner Search Committee completed its mandate and recommended to the Assembly that **Kevin Brezinski** be appointed to the positions of Ombudsman and Public Interest Commissioner. The Assembly agreed with the recommendation, and an Order in Council was issued appointing Mr. Brezinski to both roles as of December 30, 2022. Mr. Brezinski is a 30-year veteran of the Edmonton Police Service, which included service as the senior officer in charge of the Professional Standards Branch.

On December 14 the Assembly referred consideration of the 2019-2021 Annual Report of the Property Rights Advocate to the Standing Committee on Alberta's Economic Future for review. After receiving a presentation from the Advocate on January 10, 2023, the Committee completed its review of the report and made no recommendations. At the same meeting the Committee also received technical briefings from the

Ministry of Technology and Innovation and the Office of the Information and Privacy Commissioner as part of its ongoing review of the *Personal Information Protection Act*.

Also, on December 14 the Assembly referred the 2021-2022 annual report of the Office of the Child and Youth Advocate to the Standing Committee on Legislative Offices for review. The Committee has 90 days to report back to the Assembly. On January 16, 2023, it met with the Advocate and began its review process..

Jody Rempel
Committee Clerk



British Columbia

Fall Sitting Period

The Third Session of the 42nd Parliament resumed on October 3, with the Sessional Order adopted on February 8 enabling the continuation of hybrid proceedings remaining in effect. Pursuant to a March 7 Sessional Order which enables certain proceedings in the House to be undertaken in up to three sections, a second section of the House was used beginning on October 31 for committee stage consideration of public bills. On November 3, the Legislative Assembly adopted a motion which adjourned the House until November 21, thereby cancelling four sitting days that had been scheduled for the week of November 14 due to the transition to the new government led by Premier **David Eby**.

The March 7 Sessional Order was amended on November 21 to authorize a third section of the House to also consider public bills at committee stage (this

section was previously only authorized to examine Estimates); the third section was subsequently used during the final week of the Fall Sitting period. Also on November 21, the Assembly adopted a motion to extend its sitting hours for the remainder of the final week of the fall sitting period with the adjournment time extended from 6:30 p.m. to 9:00 p.m. on the Monday and Tuesday afternoon sittings and extended from 7:00 p.m. to 10:00 p.m. on the Wednesday afternoon sitting. During the same week, the Assembly adopted two additional motions to apply time allocation to the remaining bills awaiting various stages of consideration.

The House adjourned on November 24 and was expected to resume on February 6, 2023 with the anticipated prorogation of the Third Session of the 42nd Parliament in the morning and the opening of the Fourth Session with the Speech from the Throne in the afternoon.

New Premier and Executive Council

As noted in the previous edition of this publication, in June 2022, Premier **John Horgan** announced that he would step down as Premier after a new leader was elected for the BC NDP. Mr. Eby, MLA for Vancouver-Point Grey and former Attorney General and Minister Responsible for Housing, was acclaimed leader on October 21 and became Premier-designate. Premier Eby was sworn in as the 37th Premier of British Columbia by the Lieutenant Governor, **Janet Austin**, on November 18 at a ceremony at the Musqueam Community Centre in Vancouver; his first day in the House as Premier was November 21.

A new cabinet was sworn in by the Lieutenant Governor at Government House in Victoria on December 7. The cabinet is comprised of 24 ministers and four ministers of state, including two new ministerial positions for a standalone Ministry of Housing and a Ministry of Emergency Management and Climate Readiness. Nine of the cabinet ministers are new appointees or were promoted from parliamentary secretary positions. **Ravi Kahlon**, Minister of Housing, was also appointed Government House Leader, succeeding **Mike Farnworth**, Deputy Premier and Minister of Public Safety and Solicitor General.

Legislation

In total, 19 bills received Royal Assent during the fall sitting period, including:

- Bill 36, *Health Professions and Occupations Act* - creates a new oversight body and complaints process, streamlines designations and reduces the number of regulatory colleges through amalgamation, better addresses sexual misconduct and abuse, and discrimination to enable the delivery of culturally safe health care.
- Bill 38, *Indigenous Self-Government in Child and Family Services Amendment Act* - reduces barriers to Indigenous jurisdiction over Indigenous child and family services in British Columbia and allows for the creation of a new Indigenous child welfare director within the Ministry of Children and Family Development.
- Bill 43, *Housing Supply Act* - streamlines the approval process for housing developments and gives the province the power to set municipal targets for affordable housing.
- Bill 44, *Building and Strata Statutes Amendment Act, 2022* - removes most age-based restrictions on strata housing rentals, with exceptions for seniors homes, and eliminates the ability of strata corporations to have rental restriction bylaws, including short-term rentals.

Parliamentary Committees

The Select Standing Committee on Health released its report titled *Closing Gaps, Reducing Barriers: Expanding the Response to the Toxic Drug and Overdose Crisis* on November 1 with 37 recommendations to address the illicit drug toxicity and overdose crisis. The recommendations focus on ramping up current government supports and services and the provision of significant investments across a continuum of care. The Committee heard 118 presentations and received 881 written submissions during its public consultation.

The Select Standing Committee on Finance and Government Services released its *Annual Review of the Budgets of Statutory Offices* on December 8 with the Committee's recommendations for the budgets of each statutory office for fiscal years 2023-24 to 2025-26, as well as supplementary funding requests from Elections BC for the current fiscal year. The Committee generally supported budget lifts to address expanded mandates and increased workloads and also looked for opportunities to adjust overall expenditures in other areas, given challenges presented by current economic conditions.

The Special Committee to Appoint a Merit Commissioner released its report on December 12 with a unanimous recommendation to appoint **David**

McCoy as Merit Commissioner for a three-year term. The Committee's report is expected to be presented to the Legislative Assembly when it resumes in 2023.

Legislative Assembly Management Committee (LAMC)

The Legislative Assembly's *Accountability Report 2021-22* was released on November 28. The report outlines the decisions of LAMC and summarizes key activities of the Legislative Assembly Administration during the 2021-22 fiscal year, including measures to respond to the evolving impacts of the COVID-19 pandemic and sustain House proceedings and other Assembly functions.

At its December 13 meeting, LAMC undertook initial consideration of the 2023-24 Legislative Assembly budget submission (Vote 1) which is closely tied to the goals, objectives, and key priorities identified in the Legislative Assembly Administration Strategic Plan 2022-23 to 2024-25. Committee Members agreed to direct Assembly staff to withhold the administration of the statutory increase to the Members' basic compensation scheduled to come into effect on April 1, 2023 until such time that a statutory change in this regard may be brought forward for the Legislative Assembly's consideration. It is anticipated that LAMC will conclude its consideration of the 2023-24 budget submission in January 2023.

Based on input received through an internal staff survey and significant preparatory work undertaken by staff, the Committee also agreed to instruct Assembly staff to prepare a project plan to establish a modular employer-sponsored child care facility on the Legislative Precinct as a short-term solution to provide child care services for families of Precinct staff, with the provision that that the child care needs of caucus and Assembly staff be given priority over Members. The Committee also approved a motion to direct Assembly staff to incorporate a child care facility into the current planning for the proposed development of the Armouries building located within the Precinct as a longer-term solution.

Incoming Delegation Visit

In October 2022, the Legislative Assembly hosted a delegation from the National Assembly of the Parliament of the Co-operative Republic of Guyana to share information and best practices. The delegation included the Auditor General, Deputy Speaker, and Members and support staff from the National

Assembly's Public Accounts Committee who met with Members of the Legislative Assembly's Select Standing Committee on Public Accounts and Committee staff. The visit was facilitated by the Canadian Audit and Accountability Foundation.

Lisa Hill

Committee Research Analyst

Jesse Gordon

Committee Researcher



Ontario

Ontario's Legislature resumed the first Fall Sitting period of the 1st Session of the 43rd Parliament on October 25, 2022.

Speaker's Ruling

On October 31, 2022, the Member for Scarborough—Guildwood (**Mitzie Hunter**) raised a question of privilege regarding comments made by the Minister of Education to the media and on his social media account. She asserted that the comments presupposed the passage of Bill 28, *An Act to resolve labour disputes involving school board employees represented by the Canadian Union of Public Employees*, which was introduced earlier that day and was being considered by the House. MPP Hunter provided written notice along with copies of news articles, printouts of the Minister's social media accounts, and videos of the Minister's comments to the media. Specifically, MPP Hunter highlighted statements by the Minister stating that "the government is going to pass the Bill" and that "we will pass a law." The Government House Leader (**Paul Calandra**), the Official Opposition House Leader (**Peggy Sattler**), the Member for Ottawa South (**John Fraser**) and the Member for Guelph (**Mike Schreiner**) also provided comments.

On November 3, 2022, the Speaker, **Ted Arnott** delivered his ruling that while MPP Hunter correctly identified the issues as relating to contempt, he was not able to find that a *prima facie* case of contempt had been established. He noted that on a number of occasions, the Minister acknowledged that the Bill had not yet passed. The Minister used conditional language such as "would, if passed, keep kids learning in school" both in his brief comments after the Bill received First Reading and during his lead-off speech on the motion for Second Reading of the Bill. Additionally, the Speaker noted that in one of the Minister's tweets in question, the Minister included the following statement: "... we will have no other choice but to introduce legislation tomorrow, which will ensure that students remain in class to catch up on their learning". When taken as a whole, the tweet does acknowledge the necessary role of the Legislature.

Condolences

The House expressed its condolence on the passing of several former Members, including:

Jim Henderson, Member for the electoral districts of Humber and Etobicoke—Humber (May 2, 1985 to June 7, 1995)

Joe Dickson, Member for Ajax—Pickering (October 10, 2027 to June 6, 2018)

Gordon Irvin Miller, Member for the electoral districts of Haldimand—Norfolk and Norfolk (September 18, 1975 to September 5, 1990)

Douglas Jack Wiseman, Member for the electoral districts of Lanark and Lanark—Renfrew (October 21, 1971 to September 5, 1990)

Lily Oddie Munro, Member for Hamilton Centre (May 2, 1985 to September 5, 1990)

Richard Patten, Member for Ottawa Centre (September 10, 1987 to September 5, 1990, and June 8, 1995 to October 9, 2007)

Julian Alexander Arnott Reed, Member for Halton—Burlington (September 18, 1975 to May 1, 1985)

William Grenville Davis, Premier of Ontario from March 1, 1971 to February 8, 1985, and Member for the electoral districts of Brampton, Peel North and Peel (June 11, 1959 to May 1, 1985)

Ed Thomas Philip, Member for the electoral districts of Etobicoke and Etobicoke—Rexdale (September 18, 1975 to June 7, 1995)

Alan William Pope, Member for Cochrane South (June 9, 1977 to September 5, 1990)

David Rotenberg, Member for Wilson Heights (June 9, 1977 to May 1, 1985)

Government Bills

During the Fall Sitting period, eight Government Bills were introduced, of which seven received Royal Assent. Bill 46, *Less Red Tape, Stronger Ontario Act, 2022*, will be considered by the Standing Committee on Finance and Economic Affairs during the winter adjournment.

These bills cover a wide range of topics including back to work legislation regarding a labour dispute of educational support workers, the powers granted to mayors and municipal governments, housing and infrastructure development, budget measures, and amendments to the *Legislative Assembly Act*.

Notable Bills

Bill 28, *An Act to resolve labour disputes involving school board employees represented by the Canadian Union of Public Employees*

This legislation addressed the labour disputes between school board employees represented by the Canadian Union of Public Employees and the Ministry of Education, by providing new collective agreements and the terms of such agreements. The *Act* required the prohibition of strikes or lockouts during the outlined term of the agreement and included the notwithstanding clause to secure this prohibition. The Bill was introduced on October 31, 2022 and with the use of a time allocation motion, concluded Second and Third Reading on November 3, 2022; it also received Royal Assent on the same day.

Bill 35, *An Act to repeal the Keeping Students in Class Act, 2022*

This legislation repealed Bill 28 in its entirety. The Bill was introduced on November 14, 2022, and with unanimous consent, a motion was passed in the House to allow for the Bill to be called for Second Reading and Third Reading later that day. The motion further indicated that at each stage of the Bill, the Speaker put

every question necessary to dispose of the respective stages without debate or further amendment. As a result, the Bill received all three reading stages and received Royal Assent on November 14, 2022.

Bill 51, *An Act to amend the Legislative Assembly Act*

This Bill makes significant changes to the *Legislative Assembly Act*. The legislation shifts some of the responsibilities for the administration of the Office of the Assembly from the Speaker to the Board of Internal Economy, as well as providing a mechanism for the Board to delegate any of these authorities back to the Speaker. The Bill also provides that, the Lieutenant Governor in Council may, by order, grant a former Clerk of the Assembly the right to use the honorific “Honourable”. Lastly, the legislation changes the appointment process for the Sergeant-at-Arms in Ontario.

The new process involves a selection panel composed of one Member from each recognized party of the Assembly, chaired by the Speaker who is a non-voting member. This panel must have unanimous agreement on the selection of an individual. Once the panel decides on their selection, the Sergeant-at-Arms would be appointed by an Order of the Assembly.

Private Bills

At the end of the previous Parliament, significant changes were made to the Standing Orders of the Legislative Assembly of Ontario with regards to the Private Bills procedure. Previously, Private Bills were immediately referred to a Standing Committee for review after First Reading. In the current process, all Private Bills remain ordered for Second Reading following introduction but can be referred to the Standing Committee on Procedure and House Affairs for consideration if a permanent Member of the Committee or any five Members of the Assembly provide a written request to the Clerk of the House. If no request is received within 16 sessional days, the Order for Second Reading may be called and bills proceed with Second and Third Reading without debate or amendment.

During the Fall Sitting period, six Private Bills received Royal Assent, one of which was requested to be reviewed by the Standing Committee on Procedure and House Affairs.

Highlights from the House

Special Early Morning Sitting

On October 31, 2022, an Order in Council was issued ordering that the Speaker be advised that public interest required the Assembly to reconvene earlier than its scheduled start time of 9:00 a.m. on November 1, 2022. As such, the Speaker provided notice to reconvene the House at 5:00 a.m. on November 1, 2022.

This special early morning sitting was requested for the House to consider Second Reading of Bill 28, *An Act to resolve labour disputes involving school board employees represented by the Canadian Union of Public Employees*.

Naming of Members

On November 2, 2022, 16 Members of the Official Opposition were named by the Speaker and were directed to withdraw from the service of the House for the duration of the sessional day. This was a result of the Members' disregard for the Speaker's warnings during Question Period as Members showed their discontent with the responses given regarding Bill 28 and the labour dispute of educational support workers.

The Sergeant-at-Arms

Ontario's Sergeant-at-Arms, **Jacquelyn Gordon** retired in December 2022. She was the first female Sergeant-at-Arms in Ontario and served the Legislature since January 2017. During her time here, she has overseen the modernization of the Legislative Protective Services and Legislative Precinct. This includes the development of an Armed Response Unit, commission and construction of a new Visitor Entrance, and the challenging task of keeping everyone safe during the COVID-19 pandemic.

Committee Activities

Estimates Consideration

The procedures for reviewing the Expenditure Estimates were changed effective this parliament. This was the first time the six policy-field Committees considered the Estimates following the removal of the Standing Committee on Estimates. With the new process, each committee was able to determine its own timeline for consideration but kept the same deadline of the Third Thursday in November to report all Estimates selected for review back to the House.

As this was an election year in Ontario, the Estimates were not tabled in the House until September 8, 2022. The Legislature was also adjourned from September 14 to October 25, 2022, which resulted in their selection and consideration beginning in late October.

Among six policy field committees, 22 Ministries and Offices were selected to be reviewed. However, due to the shorter time available for their consideration, the Estimates of eight Ministries were reviewed to completion and reported back to the House on November 24, 2022. The remaining Estimates were deemed to be passed by the respective committees and reported back to the House.

Standing Committee on Finance and Economic Affairs

The Committee met in closed session on November 1 to receive a briefing from the Financial Accountability Officer, **Peter Weltman**.

A motion outlining the method of proceeding on Pre-Budget Consultations 2023 was adopted during its meeting on December 7, 2022. The Committee intends to hold public hearings in Kenora, Red Lake, Windsor, Sudbury, Sault Ste. Marie, Timmins, Ottawa, Kingston, Barrie, and Toronto over several days in January and February 2023. This will be the first time since January 2020 that the Committee will travel for Pre-Budget Consultations.

Standing Committee on Procedure and House Affairs

The Committee met in September and October of 2022 to review the Legislative Assembly of Ontario's television broadcast system. The Committee invited the Clerk of the Assembly and the Director of Broadcast and Recording Service to appear, and was given a tour of the upgraded broadcast facilities and control room.

In November, the Committee undertook a study on the lifespan of, and deficiencies with, the building systems in the Legislative Precinct and the need for rehabilitation and restoration. The Committee invited both the Deputy Clerk and the Director of Precinct Properties Branch to appear before the Committee to discuss the state of the Main Legislative Building. The Committee also received a tour of the building, with a focus on areas and items in need of significant repair or refurbishment. The Committee agreed to explore the possibility of holding meetings in Ottawa with the aim of speaking to Government officials, House of Commons staff and Members of Parliament about the planning and execution of the renovation and

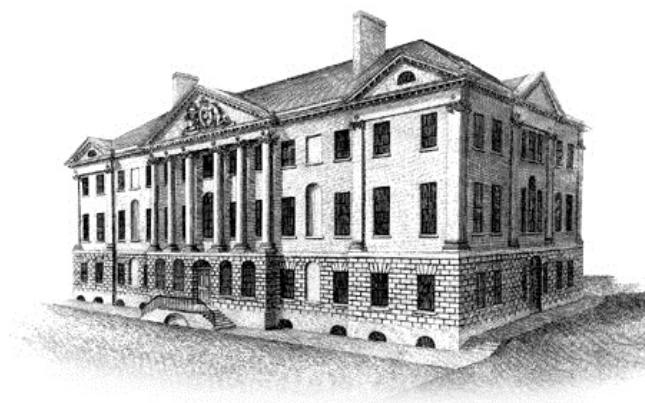
restoration project currently underway in Centre Block on Parliament Hill.

Standing Committee on Public Accounts

The Committee invited the Auditor General to provide in-camera briefings on her Special Report on Laurentian University and the 2022 Annual Report of the Office of the Auditor General of Ontario.

It should be noted, that the Committee has agreed that Members may participate from any seat allocated to Committee Members regardless of party affiliation. This has resulted in “mixed-party” seating which was a recommendation of the Subcommittee on Committee Business to foster the values of non-partisan cooperation on the Committee. The Committee also adopted the practice of requiring all witnesses appearing before the Committee to take an oath or make a solemn affirmation before beginning their testimony.

Tanzima Khan
Committee Clerk



Nova Scotia

Fall 2022 Sitting

The Sixty-Fourth General Assembly’s First Session resumed on October 13, 2022 and adjourned on November 9, sitting for 18 days in total.

Nine of the 18 sitting days departed from the House’s ordinary schedule. For five consecutive meetings, the House sat until 11:59 p.m. The longest meeting was held on October 21, when the House opened at

9:00 a.m. and sat for fifteen hours until 11:59 p.m. Although the House does not normally sit on Mondays, the Fall 2022 Sitting also included two Monday sittings (on October 17 and 24).

At the end of the Fall Sitting, his Honour the Lieutenant Governor assented to 24 Bills: 21 Government Bills, two Private Bills, and one Private Members’ Public Bill.

Noteworthy Procedure

Gender Neutral Rules

On October 13, 2022, the Minister of Finance and Treasury Board introduced Resolution 386 to amend the *Rules and Forms of Procedure of the House of Assembly* by replacing gender-specific nouns and pronouns with gender-neutral ones. Resolution 386 received the House’s unanimous consent to waive notice and to pass without debate.

Rulings on Questions of Privilege

Three questions of privilege were resolved during the second week of the Fall Sitting. All three questions asserted the same individual right to be free from intimidation. Based on the precedent for intimidation, the Rulings applied a two-part test for establishing a *prima facie* breach of privilege. First, viewed objectively, was there an intimidating action? And second, if there was indeed an objectively intimidating action, was there a corresponding impairment of a specific parliamentary duty or function?

The first two questions of privilege were raised by the Member for Bedford Basin and the Member for Cumberland North on the final day of the Spring Sitting (64th Leg, 1st Sess, 22 April 2022 at 2722-2725). Since both questions involved an overlapping set of factual allegations, they were disposed of through one concurrent Speaker’s Ruling (64th Leg, 1st Sess, 21 October 2022 at 3885-3889).

First, the Member for Bedford Basin claimed a breach of privilege from an insulting remark that the Minister of Economic Development (Lunenburg) admitted to uttering towards a group of Opposition Members gathered outside the chamber. The Speaker described the remark as “the sort that would be reprimanded by a teacher in a playground or reproached by a parent in a home.” The remark was therefore not sufficiently grave to meet the high threshold of an intimidating action.

Second, the Independent Member from Cumberland North claimed a breach of privilege from a remark allegedly uttered by the Premier after the Member had risen on a point of order. The alleged remark alluded to an event in June 2021 that occurred in the Member's constituency, which had prompted the expulsion of the Member from the PC Caucus. Although the Speaker found the alleged remark to be objectively intimidating, there was no *prima facie* breach of privilege because there was no discernible impairment of the Member's parliamentary duties or functions.

The third question of privilege arose from events that transpired in the days leading up to the Fall Sitting. Quoting from a media scrum on October 14, the Leader of the Official Opposition (Yarmouth) alleged that a pattern of communications between the Premier and the Speaker in which the Premier had allegedly requested the Speaker's resignation constituted a breach of the Speaker's privilege (64th Leg, 1st Sess, 14 October 2022 at 3315). Given the importance of the Speaker's independence and impartiality to the House, the Leader of the Official Opposition further alleged that all Members of the House were, by virtue of the Premier's alleged intimidation of the Speaker, vicariously impaired from performing their parliamentary duties.

Since the Speaker was a witness in the question, he ceded the Chair to Deputy Speaker **Angela Simmonds** (Preston). After receiving representations and deliberating on the question, the Deputy Speaker ruled there was no *prima facie* breach of privilege (64th Leg, 1st Sess, 18 October 2022 at 3440). The Ruling reaffirmed that the task of determining a *prima facie* breach requires accepting the representations at face value. Accordingly, the Ruling did not definitively find the truth of the matter. The Speaker stated that the Premier never asked him to change his Rulings in exchange for withdrawing the resignation request. The Speaker also stated that he would not change his conduct in office to appease the Premier. In discussing the Premier's request to resign, the Speaker was conscious of the reality that the leader of a majority Government can effectively procure any Speaker's removal through a Resolution passed by a majority of the House, in which the caucus follows their Leader. Based on these representations and the precedent for intimidation, the Deputy Speaker ultimately found that more than a conditional threat to introduce that resolution was required to establish intimidation, such as an action that "compelled the Speaker to behave differently, or a corresponding offer by the Speaker to alter his behaviour."

Three New Deputy Speakers Appointed

On November 3rd, the House passed Resolution 385, which appointed three new Deputy Speakers from the PC Caucus. Deputy Speakers **Lisa Lachance** and MLA Simmonds are now joined by Deputy Speakers **Danielle Barkhouse** (Chester-St. Margaret's), **Kent Smith** (Eastern Shore), and **Nolan Young** (Shelburne). The House's addition of three Deputy Speakers was also accompanied by the enactment of a new Section 40A of the House of Assembly Management Commission Regulations. Instead of dividing the Deputy Speaker salary five ways, the new Section 40A sets the same minimum salary of \$12,500 for each individual Deputy Speaker.

Dilatory Maneuvers

The extended daily hours were punctuated by numerous recorded divisions called by the Opposition and prolonged by filibustering. The filibustering reached a climax on October 25. That day, the maximum 20 hours permitted for the Committee of the Whole House on Bills to consider Bill 196, *Art Gallery of Nova Scotia Act (amended)* expired (Rule 57(2)).

The first hoist motion of the Sixty-Fourth General Assembly was brought to the floor on October 20. The Member for Kings South (Liberal) moved to amend the motion for Second Reading of Bill 208, *Environment Act (amended)* for three months hence. Sixteen other Opposition Members spoke to the hoist motion, which garnered support from the NDP Caucus and the Independent Member. When put to a recorded division a week later, the hoist motion was defeated 32-13.

In substance, Bill 208 replaces the cap-and-trade program with an output-based pricing system for carbon emissions. Coincidentally, the last time a hoist motion was attempted, the dilatory maneuver also targeted a climate change bill (On October 30, 2019, the Member for the former riding of Sackville Beaver-Bank (now Sackville-Uniacke) moved to amend the motion for third reading of Bill 213, *Sustainable Development Goals Act* for six months hence. That hoist motion was also defeated (63rd Leg, 2nd Sess, at 5011-5016)).

Halloween Tradition

A spirit of cooperation overtook the House on October 26. From that day onwards, the pace and productivity of the proceedings improved. A spirit of an entirely different sort, however, appeared in

anticipation of All Hallows Eve and the Gaelic occasion of *Oidhche Shamhna*. On October 28, thunder rolled in the chamber after the Deputy Premier, in his capacity as Minister of Gaelic Affairs, captivated the House with the lore of the evil eye. The House also collectively shivered when the Member for Timberlea-Prospect recounted the ghost story of “A Forerunner from Mabou”. Officers of the House were then spellbound by a blatant violation of the rule against props as the Member for Dartmouth North tabled a bloody letter handed to her on the MacDonald Bridge by the ghost of Helen Creighton.

Legislative Highlights

Government Bills

Bills 196, 214, 215, 216, 219, 222, 223, and 224 restructure and consolidate a variety of agencies, boards, and Crown corporations.

Bill 198, *An Act to Amend Chapter 4 of the Acts of 1992, the Emergency “911” Act, and Chapter 8 of the Acts of 1990, the Emergency Management Act*: the breakdown in critical communications during Hurricane Fiona precipitated the imposition of new obligations upon telecommunications service providers. Companies are now obligated to ensure continued access to 911, and to take reasonable actions to ensure phone and internet services continue uninterrupted during emergency events. Telecommunications service providers who fail to notify customers of disruptions and to rebate bills accordingly are also liable for regulatory offences.

Bill 203, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*, enacts the policy objective initially proposed by Bill 82, *Ruby’s Law*, a Private Members’ Bill (Cole Harbour-Dartmouth). Bill 203 provides protected unpaid leave

for employees who experience a pregnancy loss.

In tandem, Bills 206 and 207 establish the regulatory framework for green hydrogen energy innovation and production.

Bill 212, *An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act* intervenes in Nova Scotia Power Inc.’s rate application before the Nova Scotia Utility and Review Board. The amendments restrict any net rate increase on non-fuel costs for Nova Scotia Power to a maximum of 1.8 per cent over 2023-2024. Nova Scotia Power is also obligated to invest the revenue from that increase exclusively in improvements to the power grid’s reliability.

Bill 225, *An Act to Amend Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter* empowers the Minister of Municipal Affairs and Housing to nullify by-laws that would impact housing or development in the capital region. The Committee of the Whole House on Bills passed an amendment to require the Minister to consult marginalized communities, including African Nova Scotia and Mi’kmaq communities, before nullifying a by-law that affects community ties.

Private Members’ Bills

By the final day of the Fall Sitting, the total number of Private Members’ Bills introduced during the First Session of the Sixty-Fourth Assembly grew to 180. (In Fall 2021, 74 Private Members’ Bills were introduced; in Spring 2022, 57 Private Members’ Bills were introduced; and in Summer 2022, 12 Private Members’ Bills were introduced).

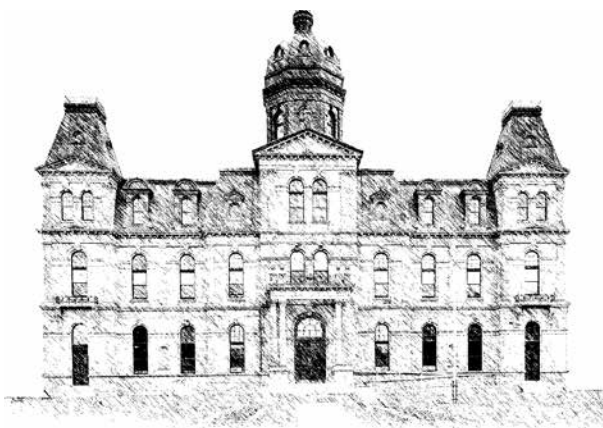
The following chart depicts the proportion of Private Members’ Bills introduced to date during the 1st Session:

Caucus	# of Private Members’ Bills Introduced During 1 st Session	# of Private Members’ Bills Disposed
Independent	28	0
Liberal	69	1 Passed (Bill 94)
New Democratic Party	82	2 Defeated (Bills 3 and 19)
Progressive Conservative	1	1 Passed (Bill 230)

During Opposition Business in the Fall, the House debated six Private Members' Bills: Bill 233, *Need A Family Practice Registry Accountability Act*; Bill 217, *Residential Tenancies Act (amended)*; Bill 209, *Improving Access to Pharmaceuticals Act*; Bill 98, *Equity and Sustainability in Electrical Utilities Act*; Bill 232, *Employment Support and Income Assistance Act (amended)*; and Bill 97, *Social Safety Net Security Act*.

Notably, Bill 230, *the Provincial Lichen Act*, was the sole Private Members' Bill to pass during the Fall Sitting. It was brought forward by **Jill Balser** on behalf of lichen enthusiasts in her constituency of Digby-Annapolis. Bill 230 declares the blue felt lichen (*Pectenia plumbea*) to be the Provincial Lichen. With scallop-like contours, the rare species rests in humid-low lying areas. The blue felt lichen can be spotted along the Atlantic Coast in Digby, Shelburne, as well as on the shores of the Bras d'Or Lake in Cape Breton. Nova Scotia is now the first jurisdiction in the country to designate an official lichen.

Office of the Clerk



New Brunswick

Second Session of the 60th Legislature and Throne Speech

Lieutenant Governor **Brenda Murphy** opened the 2nd Session of the 60th Legislature on October 25, 2022, with the delivery of the province's first Speech from the Throne in two years. The speech focused on New Brunswick's record population growth, its strong economic performance, and how the **Blaine Higgs** government plans to address challenges in the health and education sectors. The speech also outlined the provincial government's legislative and policy agenda with a focus on five priority areas: energizing

the private sector; creating vibrant and sustainable communities; delivering dependable public health care; creating a world-class education system; and protecting the environment.

Reply to Throne Speech

On October 27, Official Opposition Leader **Robert McKee** gave his reply to the Speech from the Throne. He thanked former Leader of the Official Opposition and Member for Dieppe, **Roger Melanson**, for his service and leadership and wished him well in his next endeavours. He also congratulated **Susan Holt**, who is the new Leader of the provincial Liberal Party. Mr. McKee raised concerns about keeping the government accountable, highlighting the need for transparency in decision-making. He also expressed concerns about the government's response to health care, long-term care, and affordable housing.

Lieutenant Governor's Portrait Unveiled

On October 27, a portrait of the former Lieutenant-Governor **Graydon Nicholas** was unveiled in the rotunda of the Legislative Assembly building. The portrait was painted by Wolastoqiyik artist **Natalie Sappier**.

The Queen Elizabeth II Platinum Jubilee Medal Ceremony

The Queen Elizabeth II Platinum Jubilee Medal Investiture ceremony was held on the evening of November 15 at the Legislative Assembly building. The Lieutenant Governor presented the medals to the Speaker and the Members. The medal honours The Queen and her lifelong service to Canada, as well as those residents of New Brunswick who have been exemplary in their service to others.

Auditor General Report

Auditor General **Paul Martin** released Volumes II and III of the 2022 auditor general report on November 29. Overall, the fiscal 2022 financial statement audit of the province revealed that New Brunswick's financial condition continues to improve. The report also contained updates on the status of the implementation of past recommendations at departments, agencies, and Crown corporations. The report drew particular attention to the Environmental Trust Fund, under the responsibility of the Department of Environment and Local Government, which has a surplus of \$41 million. Mr. Martin also highlighted issues in the provincial

government's contaminated sites management process relating to its legislative authority, execution, performance monitoring and reporting.

Preliminary Report from the Electoral Boundaries and Representation Commission

The Electoral Boundaries and Representation Commission, an independent body established by the Lieutenant Governor in Council on recommendation of the all-party Legislative Administration Committee, released its preliminary report on December 12. The report outlined a proposed new electoral map that redraws the boundaries of the province's 49 electoral districts while providing effective representation for all residents. Recommendations from the preliminary report will be open to review as the commission holds a second round of virtual public hearings in January 2023, and a final report will follow.

Capital Budget

The 2023-24 Capital Budget was tabled by Finance and Treasury Board Minister **Ernie Steeves** on December 6 and totals \$1 billion, an increase of \$152.3 million over the multi-year plan tabled last year, which reflects the needs associated with a growing population and the elevated costs of a high-inflation environment. Specifically, the government will invest \$110.2 million in education, to support the infrastructure of public schools; \$50 million in community investment, which includes maintenance and improvements in nursing homes and to address housing challenges; \$477.4 million for the maintenance and improvement of highways, roads and bridges, which represents an increase of 17.9 per cent over the multi-year capital plan; and \$176.6 million in health-care infrastructure, which includes renovations, additions and related improvements, and equipment.

Legislation

As of December 16, 28 bills were introduced during the fall session and 24 received Royal Assent. Some bills of note include:

- Bill 3 – *An Act Respecting Surgical Facilities*, introduced by Health Minister **Bruce Fitch**, allows regional health authorities (RHA) to enter into agreements with health-care providers to administer surgeries in private clinics, in order to free up operating rooms for more complicated procedures.
- Bill 5 – *Missing Persons Act*, introduced by Public

Safety Minister **Kris Austin**, is designed to assist law enforcement agencies in locating a missing person in instances where no criminal investigation is underway. Enacting missing persons legislation was a recommendation of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

- Bill 8 – *An Act to Amend the Elections Act*, introduced by Opposition Leader **Robert McKee**, requires by-elections to be set within six months of a legislative seat becoming vacant, ensuring that all jurisdictions have more timely representation.
- Bill 17 – *Disclosure to Protect Against Intimate Partner Violence Act*, introduced by Mr. Austin, permits individuals who feel they may be at risk to request information from law enforcement on a partner's history of intimate partner violence.
- Bill 23 – *An Act to Amend the Public Service Labour Relations Act*, introduced by Post-Secondary Education, Training and Labour Minister **Trevor Holder**, is intended to ensure essential services remain available during labour disputes while clarifying the rules of engagement between the employer and bargaining agents during the collective bargaining process.
- Bill 25 – *An Act Respecting Residential Tenancies*, introduced by Service New Brunswick Minister **Jill Green**, is intended to help tenants adjust to new market conditions and give them more time to seek help from the Residential Tenancies Tribunal.
- Bill 27 – *An Act to Amend the Employment Standards Act*, introduced by Green Party Leader **David Coon**, was read for a first time and referred to the Standing Committee on Law Amendments for further consideration. Amendments to the Act would legislate paid sick leave for all workers in the province.

Motions

On December 15 the House adopted a resolution, introduced by Opposition Member **Isabelle Thériault**, which directs the Standing Committee on Procedure, Privileges and Legislative Officers to examine the options for a fixed legislative calendar and return to the Legislative Assembly with recommendations.

Committee Activity

The Select Committee on Accessibility in New Brunswick tabled its interim report on December 16. The all-party committee, chaired by **Kathy Bockus**, was charged with conducting consultations with stakeholders, as well as government departments

involved with the disability community, and reporting to the house with recommendations. The interim report entitled *Nothing About Us, Without Us: Moving Together Towards an Accessible New Brunswick*, outlined the committee's support for the development of accessibility legislation, which will be the first step toward creating an accessible province. The committee's final report will be reserved to respond to draft legislation, which the committee has recommended be prepared by the end of May 2023.

The Standing Committee on Public Accounts, chaired by **Chuck Chiasson**, met on November 29 to discuss the Report of the Auditor General of New Brunswick, 2022, Volume II - Performance Audit and Volume Volume III – Financial Audit.

The Standing Committee on Economic Policy, chaired by **Greg Turner**, and the Standing Committee on Climate Change and Environmental Stewardship, chaired by **Ryan Cullins**, remained active in the fall session.

Resignations

On October 21, former Opposition Leader and Member for Dieppe, **Roger Melanson**, announced his resignation, retiring after a 12-year career in politics that included a position as finance minister under Premier **Brian Gallant**. Mr. Melanson will take on new professional challenges in the private sector.

Denis Landry and **Daniel Guitard** resigned their roles as Members of the Official Opposition on November 30, both to seek mayoral positions in their respective communities. Mr. Landry, Member for Bathurst East-Nepisiguit-Saint-Isidore, was first elected in 1995, and occupied several ministerial positions, including that of Minister of Justice and Public Safety under Premier Brian Gallant. Mr. Guitard, Member for Restigouche-Chaleur and a former Speaker, resigned after serving in the legislature since 2014.

Adjournment

The House adjourned on December 16 and is scheduled to resume sitting on March 21, 2023, when it is expected that Mr. Steeves will present the 2023-24 Budget. The standings in the House are 29 Progressive Conservatives, 13 Liberals, three Greens, one Independent and three vacancies.

Shannon Armstrong
Research Officer



Saskatchewan

Prorogation and opening of a new session

On October 25, 2022, Indigenous leaders hosted a pipe ceremony on the invitation of Speaker **Randy Weekes** in the rotunda of the Legislative Building to mark the opening of a new legislative session. The annual ceremony included Elders, Knowledge Keepers, the Lieutenant Governor, the Speaker, and Members of the Legislative Assembly from both sides of the House.

The Legislative Assembly of Saskatchewan reconvened the following morning on October 26, 2022. As the first order of business, the Speaker informed the Assembly that **Nathaniel Teed** had been elected as the new member for Saskatoon Meewasin. Mr. Teed, who had been sworn in earlier that morning, was formally presented to the Speaker and Assembly and subsequently took his seat in the Chamber. Lieutenant Governor **Russ Mirasty** then prorogued the second session of the twenty-ninth legislature.

That afternoon, the Lieutenant Governor opened the third session of the twenty-ninth legislature with the delivery of the Speech from the Throne. This was followed by blessings from Indigenous Elders **AJ** and **Patricia Felix** and Catholic Archbishop **Don Bolen**. During his remarks, Elder Felix blessed the House with a smudge, marking the first time a smudge has been performed inside the Chamber.

Motions of condolence

On October 27, 2022, the second day of the fall sitting, the Assembly passed two notable motions. The first was in response to a shocking tragedy that occurred in Saskatchewan on September 4, 2022, when a mass stabbing took place on James Smith Cree Nation and in the village of Weldon, leaving 11 individuals deceased

and 18 others injured. The condolence motion, which was moved by Premier **Scott Moe** and supported by the Assembly, expressed the Assembly's deepest sympathies and condolences to the families and friends of the victims, its support for their loved ones and communities, and its gratitude to Saskatchewan's first responders, RCMP, community leaders, and medical professionals. In accordance with a subsequent transmittal motion, copies of the motion and debate were then transmitted to the victims' families, the chiefs of James Smith Cree Nation, and the Village of Weldon.

The second notable motion passed by the Assembly that day extended a humble address to **King Charles III** expressing the Assembly's sympathy and sorrow on the passing of **Queen Elizabeth II**. The address welcomed the King's accession to the Throne and pledged the Assembly's continued desire to uphold and support the monarch. Both Premier Moe and Opposition Leader **Carla Beck** spoke to the motion before it was passed, engrossed, signed by the Speaker, and forwarded to the King through the proper channels.

Introductions in the Assembly

The first weeks of the fall sitting saw the introduction of several individuals in the Assembly. **Rob Park** was officially introduced as a Table Officer on October 27, 2022, having been appointed Clerk Assistant earlier in the year. **Danielle Humble-Selinger**, Procedural Clerk, was then introduced on November 1, 2022, and the Assembly was informed that she will gain work experience as a Table Officer on a rotational basis while participating in a professional development program. Finally, **Lyall Frederiksen** was introduced as Deputy Sergeant-at-Arms on November 7, 2022, having served in the role since mid-summer.

Appointment of Ombudsman and Public Interest Disclosure Commissioner

On October 31, 2022, the Assembly appointed **Sharon H. Pratchler** as Ombudsman and Public Interest Disclosure Commissioner (OPIDC), effective November 1, 2022. The Ombudsman's role is to promote and protect fairness and integrity in the delivery and design of government services, while the Public Interest Disclosure Commissioner's role is to provide advice and support to public servants concerned about wrongdoing in the workplace. In Saskatchewan, the OPIDC is an officer of the Assembly who reports directly to the Assembly through the Speaker.

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

The Assembly sat for 25 days throughout the fall. Forty public bills were introduced by the government and three private members' public bills were introduced by members of the opposition. Four bills received royal assent during the fall sitting, including an appropriation bill containing supplementary estimates for various ministries and agencies.

Bill No. 89, *The Income Tax (Affordability) Amendment Act, 2022*, which was passed early in the fall sitting, made changes to the province's income tax legislation to incorporate a tax initiative announced over the summer. The initiative saw all adult Saskatchewan residents who filed a 2021 income tax return receive a one-time affordability tax credit payment of \$500. The bill also extended the small business tax rate reduction for another year and made a corresponding change to the dividend tax credit rate.

Bill No. 119, *The Representation Act, 2022*, was introduced immediately after the Assembly approved and adopted the final report of the Constituency Boundaries Commission of Saskatchewan on December 1, 2022. This commission is established every 10 years to review and adjust Saskatchewan's constituency boundaries in accordance with population changes. Accordingly, the bill adopted the commission's proposals by establishing and fixing the boundaries and names for 61 new constituencies.

Finally, Bill No. 123, *The Election Amendment Act, 2022*, made changes recommended by Saskatchewan's Chief Electoral Officer (CEO) in Volume IV of his report on the twenty-ninth general election. The changes allow the CEO to modernize the election process through numerous directives, such as the use of electronic poll books, voting over the course of an election week period, and flexible, vote-anywhere polling.

On November 28, 2022, Firearms Secretariat Minister **Christine Tell** moved a motion condemning the federal government's amendments to Bill C-21 and calling on the provincial government to explore all options to protect the rights of law-abiding firearms owners. Twenty-four members from both sides of the House spoke to the motion before it was unanimously passed on recorded division. A transmittal motion was subsequently agreed to, ordering the Speaker to transmit copies of the motion and debate to Prime Minister **Justin Trudeau** and New Democratic Party Leader **Jagmeet Singh**.

Transfer of security services

On October 19, 2022, one week prior to the beginning of the fall sitting, *The Legislative Assembly Amendment Act, 2021* came into force, resulting in a transfer of security services in the Legislative Building. Responsibility for security services in the legislative district was transferred from the Sergeant-at-Arms to the newly established Legislative District Security Unit (LDSU), which is part of the Ministry of Corrections, Policing and Public Safety. The LDSU is composed of eight officers, one administrator, and one supervisor, in addition to its director, **Dani Herman**. The Sergeant-at-Arms remains responsible for the security of the legislative precinct, which now consists solely of the floor of the Chamber.

Rule changes

The transfer of security services necessitated changes to rules 160(4), (5), and (6) of the *Rules and Procedures of the Legislative Assembly of Saskatchewan*, which concern the jurisdiction and responsibilities of the Sergeant-at-Arms. The Standing Committee on House Services met on November 1, 2022, and made a recommendation to the Assembly to omit the aforementioned rules and replace them with revised versions. The committee's report was concurred in by the Assembly later that day.

A second rule change took place one month later, on December 5, 2022, with respect to privilege. In recent years, a practice had developed whereby members provide the Speaker with written responses to questions of privilege prior to the Speaker's ruling on the matter. Rule 12, in its previous form, provided no authority or structure for the Speaker to consider such responses. The Government and Opposition House Leaders agreed that rule 12 should be updated to accommodate this practice.

A subcommittee of the Standing Committee on House Services was therefore established to study the issue and its recommendations were presented to the full committee on December 5, 2022. The committee's proposed rule changes were outlined in a report, which was presented and concurred in by the Assembly later that day. The Assembly subsequently passed a motion formally adopting the changes to rule 12, and the *Rules and Procedures of the Legislative Assembly of Saskatchewan* have been updated accordingly.

New political party in Saskatchewan

On November 30, 2022, the Saskatchewan United Party (SUP) was registered as an official political party by Elections Saskatchewan. **Nadine Wilson**, MLA for Saskatchewan Rivers, subsequently informed the Speaker on December 2, 2022, that she is the new party's leader. Ms. Wilson had been sitting in the legislature as an independent since resigning from the Saskatchewan Party in September 2021.

Portrait hanging of former Premier

The official portrait of former Premier **Brad Wall** was unveiled in the rotunda of the Legislative Building on November 30, 2022. The portrait, painted by Canadian artist **Phil Richards**, joins those of all former Saskatchewan premiers which are displayed in the Saskatchewan Gallery of the Legislative Building. The unveiling was attended by Mr. Wall, Premier Moe, dignitaries, current and former MLAs, and friends and family members of the former Premier.

New Clerk of the Legislative Assembly

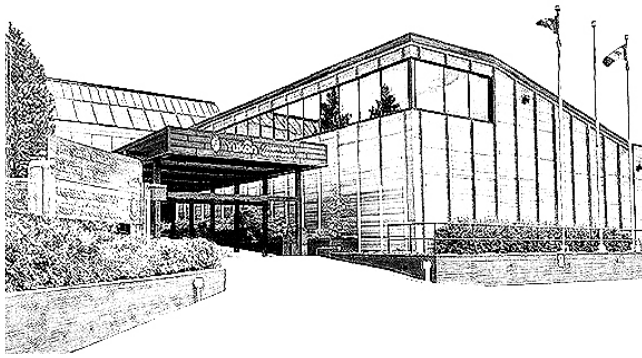
On January 1, 2023, **Gregory Putz** retired after serving the Legislative Assembly of Saskatchewan for nearly 36 years, including 16 years as Clerk. On December 6, 2022, the Assembly passed a motion recognizing Mr. Putz's service to the legislature, expressing its appreciation, and designating him as an honorary officer of the Assembly with a seat at the Table on all ceremonial occasions.

Iris Lang became the Clerk of the Legislative Assembly of Saskatchewan following Mr. Putz's retirement, having been appointed Clerk Designate on November 15, 2022. Ms. Lang, who was Deputy Clerk of the Assembly at the time of her appointment, has served the Legislative Assembly Service in a variety of positions over the past 37 years and brings a wealth of knowledge and experience to her new position.

Adjournment of the fall sitting

The Assembly adjourned on December 7, 2022. It will reconvene on March 6, 2023, in accordance with the parliamentary calendar.

Miranda Gudereit
Procedural Assistant



Yukon

New Premier

On January 14, 2023, **Ranj Pillai** (Porter Creek South) was sworn in as Yukon's new Premier. When out-going premier **Sandy Silver** (Klondike) stepped aside from the role, he had been the longest-serving among Canada's current premiers.

As noted in Yukon's previous legislative report, Mr. Silver announced on September 9 that he would step aside as Premier once a Yukon Liberal Party Leader successor was named. A November 26 Liberal party news release announced that the leadership convention date had been set for January 28. At the close of nominations, Mr. Pillai was the sole candidate; the following day (January 8), he was acclaimed by the party's executive as the new party leader.

On January 14, Mr. Pillai was sworn in as Yukon's 10th Premier by **Adeline Webber**, the Administrator of Yukon, at a public ceremony in Whitehorse. The entire Cabinet was also sworn in during the ceremony, which took place at the Jim Smith Building. While the seven individuals making up Cabinet are the same MLAs who comprised the preceding Cabinet, some portfolios have shifted. Among these changes, the role of Deputy Premier is now held by **Jeanie McLean** (Mountainview).

Mr. Pillai was first elected in Yukon's November 7, 2016 general election, and was re-elected in the April 12, 2021 general election. During his first term as an MLA, Mr. Pillai was the Deputy Premier, the Minister of Energy, Mines and Resources, the Minister of Economic Development, and the Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation.

In his second term in Mr. Silver's administration, Mr. Pillai had served as the Minister of Economic

Development and the Minister of Tourism and Culture, as well as the Minister responsible for the Yukon Housing Corporation, the Yukon Liquor Corporation, and the Yukon Lottery Commission.

As Premier, Mr. Pillai is also the Minister of the Executive Council Office. Additionally, he has retained the Economic Development and Yukon Housing Corporation portfolios.

Before moving to territorial politics, Mr. Pillai had been the Executive Director of the Champagne and Aishihik First Nations government. From 2009-2012, Mr. Pillai served as a Whitehorse City Councillor. Going back further, as a point of interest, Mr. Pillai had attended the same Antigonish, Nova Scotia high school as Mr. Silver.

2022 Fall Sitting

The 2022 Fall Sitting of the First Session of the 35th Yukon Legislative Assembly began on October 6 and concluded on November 24, 2022, after 28 sitting days.

Government bills assented to

During the 2022 Fall Sitting, the following government bills were assented to by Yukon Commissioner **Angélique Bernard**:

- Bill No. 16, *Second Act to amend the Legal Profession Act, 2017 (2022)* – **Tracy-Anne McPhee**
- Bill No. 17, *Clean Energy Act* – **John Streicker**
- Bill No. 18, *Midwifery Integration Amendments Act (2022)* – Ms. McPhee
- Bill No. 19, *Technical Amendments Act (2022)* – Ms. McPhee
- Bill No. 20, *Animal Protection and Control Act* – **Nils Clarke**
- Bill No. 21, *Carbon Price Rebate Amendments Act (2022)* – Mr. Silver
- Bill No. 206, *Second Appropriation Act 2022-23* – Mr. Silver

Supplementary Budget Bill

Six of the seven government bills introduced during the 2022 Fall Sitting were assented to prior to the final sitting day. The seventh government bill – the supplementary appropriation bill – was assented to on November 24. On that final day of the Sitting, the only government bill on the Order Paper was Bill No. 206, *Second Appropriation Act 2022-23*, which was still in Committee of the Whole.

Pursuant to the Sessional Order adopted on October 31, 2022, the application of Standing Order 76 (known as “the guillotine clause”) was restricted to appropriation bills during the 2022 Fall Sitting (as had also been the case during the 2022 Spring Sitting). Accordingly, at 5:00 p.m. on November 24, Bill No. 206 was expedited through the remaining stages and was assented to.

Private Member’s bill assented to

During Opposition Private Members’ Business on Wednesday, November 23, Bill No. 305, *National Day for Truth and Reconciliation Act* (**Annie Blake**, MLA for Vuntut Gwitchin) received second reading, was considered in Committee of the Whole, and was reported without amendment. With the unanimous consent of the House, Ms. Blake, as a member of the third-party caucus, also moved third reading of the bill that day. Bill No. 305, which establishes as an annual general holiday September 30, the National Day for Truth and Reconciliation, passed third reading (18 yea, nil nay). On the next day, which was the final day of the Sitting, Bill No. 305 was assented to by Commissioner Bernard.

Private Member’s bill defeated

On October 18, **Kate White**, Leader of the Third Party, introduced Bill No. 306, *Act to Amend the Oil and Gas Act* (2022). During Opposition Private Members’ Business on Wednesday, October 26, Bill No. 306 passed second reading and consideration of the bill began in Committee of the Whole. On November 9, consideration of Bill No. 306 resumed, and the bill was reported to the House without amendment. Third reading debate also took place that day. As described by Ms. White in her remarks at third reading, Bill No. 306 sought to “reinstat[e] the right to consent for First Nations without a final agreement for oil and gas dispositions within their territory.” The motion for third reading of Bill No. 306 was defeated (3 yea, 15 nay) on November 9.

Liberal-NDP Confidence and Supply Agreement

As previously noted, after Yukon’s last general election, a confidence and supply agreement (CASA) was reached between the Yukon Liberal Party caucus and the NDP caucus. The CASA, which was signed on April 28, 2021, is set to expire on January 31, 2023.

Among other things, the CASA provides that the Yukon Liberal Leader will not ask for a dissolution of the Assembly, and that NDP MLAs “will neither move

nor vote non-confidence,” and “will vote in favour of the government on confidence motions.”

The breakdown in Yukon’s 19-member House remains the same as it was following the April 12, 2021, general election: 8 Liberal MLAs (now led by Premier Pillai), 8 Yukon Party MLAs (led by **Currie Dixon**), and 3 NDP MLAs (led by Ms. White).

Premier Pillai has indicated his willingness to negotiate an extension of the CASA with NDP Leader Ms. White, which would see the status quo – a Liberal minority government – remain in place until the general election in November 2025.

2023 Spring Sitting

As per Standing Order 75(10), the 2023 Spring Sitting will begin during the first week of March. The Standing Orders also provide that the Spring Sitting will be between 20 to 40 sitting days in duration. A 30-day Sitting would see the House rise by the end of March.

Linda Kolody
Deputy Clerk



House of Commons

Introduction

This account covers key highlights of the period from October to the end of December 2022. The House adjourned on December 14, 2022, and was scheduled to next sit on January 30, 2023.

Legislation

Bill C-30, an Act to amend the Income Tax Act (temporary enhancement to the Goods and Services Tax/Harmonized Sales Tax credit)

On October 3, 2022, the Parliamentary Secretary to the Leader of the Government in the House of Commons, **Kevin Lamoureux** (Winnipeg North), sought and obtained unanimous consent to establish provisions for proceedings on the bill at report stage and third reading. Pursuant to that order, on October 4, 2022, the bill was reported to the House without amendment by the Standing Committee on Finance, deemed concurred in at report stage without amendment and was considered at third reading during the same sitting.

Bill C-31, an Act respecting cost of living relief measures related to dental care and housing

On October 17, 2022, Minister of Health **Jean-Yves Duclos** (Québec) moved a motion (Government Business No. 20) concerning how the House would dispose of Bill C-31. The motion governed the timeline and proceedings for all stages of the bill. It also stipulated that the Standing Committee on Health should have priority use of House resources during its consideration of the bill and provided for the cancellation of Private Members' hour on October 27, 2022, to allow for the consideration of the bill at report and third reading stages. After a closure motion, the order was adopted the next day.

Accordingly, on October 19, 2022, the bill was adopted at second reading and referred to the Standing Committee on Health. On October 25, 2022, the committee reported the bill back to the House with amendments. Later that day, the Speaker declared null and void two amendments adopted by the Standing Committee on Health during its consideration of Bill C-31 because they infringed upon the financial prerogative of the Crown and lacked the required royal recommendation. On October 27, 2022, the House concurred in the bill at report stage with further amendments and the bill was read a third time and passed. The bill was passed by the Senate and received royal assent on November 17, 2022.

Committees

On October 5, 2022, Mr. Lamoureux sought and obtained unanimous consent for a motion extending the deadline for the final report of the Special Joint Committee on Medical Assistance in Dying to February 17, 2023. On October 6, 2022, a message was received from the Senate, indicating that it had also agreed to the change of deadline for the final report.

On December 14, 2022, the Chair of the Standing Committee on Procedure and House Affairs, **Bardish Chagger** (Waterloo), presented the 19th report of the committee entitled, "Protecting the Parliamentary Precinct: Responding to Evolving Risks." The report re-evaluated the boundaries of the parliamentary precinct and considered expanding them with a view to exploring options for robust safety protocols following the Freedom Convoy protest that occurred in January and February 2022.

Procedure / Privilege

Questions of Privilege

On October 4, 2022, the Speaker ruled on the question of privilege that had been raised by **John Nater** (Perth-Wellington) on September 28, 2022, regarding a witness who appeared before a Senate committee considering Bill C-11, *An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts*. The Speaker reminded members that the question stemmed from the deliberations of the Senate, not the House and, therefore, it did not fall under the Speaker's authority. The Speaker also reviewed the facts and was not convinced that the conduct in question was an attempt to intimidate a committee witness or an act of reprisal and that there was no *prima facie* question of privilege.

On December 14, 2022, the Speaker ruled on a question of privilege that had been raised by **Leslyn Lewis** (Haldimand—Norfolk) on December 13, 2022. Ms. Lewis had said that she categorically denied allegations made against her by Minister of Families, Children and Social Development **Karina Gould** (Burlington) during a point of order on December 8, 2022. Further, Ms. Lewis argued that the allegations attacked her reputation and credibility and constituted a violation of her privileges as a member of Parliament. Ms. Lewis called for the House to hold Minister Gould in contempt of Parliament. The Speaker observed that members presented differing accounts surrounding the allegations in question. Moreover, the Speaker was not convinced that this matter was interfering with Ms. Lewis' parliamentary duties and, as a result, there was no *prima facie* question of privilege.

Additional powers until June 2023

On November 14, 2022, the Leader of the Government in the House of Commons **Mark Holland** (Ajax) moved a motion (G-22) to govern the sittings and proceedings of the House until June 23,

2023. The motion would allow the government to move the ordinary hour of daily adjournment for a subsequent sitting to midnight (12:00 a.m.) with the agreement of another party; it would give the Speaker the power to combine motions to concur in the votes for which a notice of opposition was filed for voting purposes during consideration of the estimates on the last allotted day of each supply period; and, it would allow for the consideration of a motion for third reading of a government bill during the same sitting in which the said bill had been concurred in at report stage. After adopting a closure motion, the House adopted the order on November 15, 2022.

Dividing a bill pursuant to Standing Order 69.1

On November 22, 2022, **Peter Julian** (New Westminster—Burnaby) and the House Leader of the Official Opposition, **Andrew Scheer** (Regina—Qu'Appelle), each rose on a point of order to request that Bill C27, *An Act to enact the Consumer Privacy Protection Act, the Personal Information and Data Protection Tribunal Act and the Artificial Intelligence and Data Act and to make consequential and related amendments to other Acts* be divided for the purposes of voting, pursuant to Standing Order 69.1. They argued that the first two parts of the bill did not share common elements with the third part of the bill. On November 23, 2022, Mr. Lamoureux pointed out that the entire bill shared the common theme of privacy protection and argued that it should be considered as a whole.

On November 28, 2022, the Speaker determined that dividing the bill for voting at second reading was justified. Accordingly, the Speaker ruled that two votes would take place at the second reading stage: the first vote would be on parts 1 and 2 of the bill, and the second vote on part 3. The bill remains on the Order Paper awaiting resumption of debate at second reading.

Financial procedures

On October 28, 2022, the House agreed by unanimous consent to allow the Deputy Prime Minister and Minister of Finance **Chrystia Freeland** (University—Rosedale) to present the 2022 fall economic statement on November 3, 2022, and to allow one member from each recognized opposition party and a member of the Green Party to reply within a set time, followed by a period of questions and comments for the minister. On November 3, 2022, Ms. Freeland presented an economic statement, and

the Leader of the Official Opposition **Pierre Poilievre** (Carleton), as well as **Gabriel Ste-Marie** (Joliette), **Daniel Blaikie** (Elmwood—Transcona) and **Elizabeth May** (Saanich—Gulf Islands) also made statements in response to the Minister's statement. The House then adjourned to the next sitting day.

Private Members' Business

Managing Private Members' Business and the Royal Recommendation

On September 26, 2022, the Speaker made a statement regarding the management of Private Members' Business and the need for a bill to be accompanied by a royal recommendation. He informed the House that Bill C-285, *An Act to amend the Canadian Human Rights Act, the Canada Labour Code and the Employment Insurance Act*, standing in the name of **Dean Allison** (Niagara West), and Bill C-290, *An Act to amend the Public Servants Disclosure Protection Act*, standing in the name of **Jean-Denis Garon** (Mirabel), might each require a royal recommendation, and encouraged members to make any arguments pertaining to the matter at the earliest opportunity.

On September 28, 2022, Mr. Garon argued that Bill C-290 did not generate any expenditures beyond what was already set out in the existing legal framework and, therefore, did not require a royal recommendation. On November 3, 2022, the Speaker informed the House that he had examined the bill and determined that the new definition of "public servant" proposed by Bill C-290 would, among other things, allow for the payment of compensation or the reimbursement of expenses or financial losses to contract employees who are found to have been subject to a reprisal following an investigation. The Speaker ruled that the implementation of Bill C-290 would infringe on the conditions of the initial royal recommendation that accompanied the current act and accordingly a royal recommendation was required before the bill could proceed to a final vote in the House at third reading. The bill remains on the Order Paper awaiting the resumption of debate at second reading.

On October 4, 2022, Mr. Lamoureux rose to speak to Bill C-285. He said that the provisions to amend the *Employment Insurance Act* provide for an exemption for disqualification or disentitlement for employment insurance benefits. Further, this proposed amendment to the *Employment Insurance Act* would seek to authorize a new and distinct charge on the

consolidated revenue fund that is not authorized in statute and, therefore, a royal recommendation was required. On December 1, 2022, the Speaker informed the House that he was of the view that the bill imposed a new charge on the public treasury and infringed on the financial prerogative of the Crown. As a result, the Speaker ruled that the bill must be accompanied by a royal recommendation if it were to receive a final vote in the House at third reading.

On December 13, 2022, the House agreed by unanimous consent that the order for the second reading of Bill C-285 shall be discharged and the bill withdrawn and be replaced in the Order of Precedence by Bill C-278, *An Act to prevent the imposition by the federal government of vaccination mandates for employment and travel*, originally standing in the name of Mr. Poilievre but would thereafter stand in the name of Mr. Allison. As a result, the order for the second reading of Bill C-285 was discharged, the bill was dropped from the Order Paper, and Bill C-278 took its place.

Bill C-228, an act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Pension Benefits Standards Act, 1985

On November 14, 2022, Mr. Lamoureux rose on a point of order and drew the Speaker's attention to a committee stage amendment to Bill C-228, explaining that the amendment had been ruled inadmissible by the chair of the Standing Committee on Finance on the grounds that it went beyond the scope of the bill. A majority of members on the committee had voted to overturn the chair's ruling and adopt the amendment. As a result, the amendment appeared in the most recent version of the bill, dated November 3, 2022. Mr. Lamoureux requested that the Speaker order a reprint of the bill, without the amendment in question. On November 16, Mr. Blaikie rose on a point of order and argued that the amendment in question should remain in the bill on the grounds that the sponsor of the bill considered it appropriate, that it was discussed during the debate at second reading and that the committee had overturned the ruling of the chair. The sponsor of the bill **Marilyn Gladu** (Sarnia—Lambton) also rose on a point of order and agreed with Mr. Blaikie and argued that the government should not be able to overrule the will of the committee. On November 16, 2022, the Speaker ruled that the amendment in question was inadmissible on the grounds that it went beyond the scope of the bill and ordered that the amendment be struck from the text of the bill and that the bill be reprinted.

Other

Tributes for former member Bill Blaikie

On October 17, 2022, the House agreed by unanimous consent to pay tribute to former member of Parliament (1979–2008) and former Deputy Speaker of the House of Commons (2006–2008) **Bill Blaikie**. The Speaker rose and made remarks, followed by Mr. Lamoureux, **James Bezan** (Selkirk—Interlake—Eastman), **Louis Plamondon** (Bécancour—Nicolet—Saurel), **Jagmeet Singh** (Burnaby South), and Ms. May. Bill Blaikie's son Daniel Blaikie was the last to speak, and he thanked his colleagues and paid tribute to his late father by sharing some memories of him. After these statements, the Speaker asked the members to observe a moment of silence.

Extra-parliamentary committee of parliamentarians to examine the Public Health Agency of Canada

On November 1, 2022, Mr. Holland tabled a memorandum of understanding to create an ad hoc extra-parliamentary committee of parliamentarians to examine documents from the Public Health Agency of Canada relating to the National Microbiology Lab in Winnipeg. The ad hoc committee will contain one representative from each recognized party, as designated by party leaders. Members of the committee will have access to an unredacted version of all documents produced by the Public Health Agency of Canada in response to orders of the Special Committee on Canada-China Relations of March 31, 2021, and May 10, 2021, respecting the transfer of Ebola and Henipah viruses to the Wuhan Institute of Virology in March 2019, and the subsequent revocation of security clearances for, and termination of the employment of, **Xiangguo Qiu** and **Keding Cheng**, with measures in place to ensure that confidentiality be respected. Support for this extra-parliamentary committee will be provided by public servants with appropriate subject-matter expertise and security clearance, as well as by a panel of arbiters composed of three jurists approved by government and opposition signatories.

Selected Decisions of Speaker Geoff Regan

On December 5, 2022, the Speaker tabled *Selected Decisions of Speaker Geoff Regan*, which is the 10th in a series that brings together, in a comprehensive collection, the significant rulings of Speakers of the House of Commons. The purpose of this volume is to present highlights of Speaker **Geoff Regan's** procedural legacy. Speaker Regan was first elected

to Parliament in 1993 and was re-elected seven times between 2000 and 2019. His election to the Speakership of the 42nd Parliament in 2015 was notable for the fact that he was the first Speaker to be elected from Atlantic Canada in nearly 100 years and the very first to be elected by single preferential ballot. Speaker Regan's decisions formed the first body of jurisprudence guiding the application of the new Standing Order 69.1, which provides the Speaker with authority to divide the questions on omnibus bills, for the purposes of voting on the motions for second reading and referral to a committee, and for third reading and passage of the bill. Also under Speaker Regan's mandate, the House recognized the use of Indigenous languages in the Chamber, in accordance with a process set out by the Standing Committee on Procedure and House Affairs. This new practice, since being implemented, has enhanced members' ability to exercise their right to speak in the Chamber.

Naming of a member

On December 8, 2022, disorder arose in the Chamber during Oral Questions and **Raquel Dancho** (Kildonan—St. Paul) was heard accusing the Parliamentary Secretary to the Minister of Indigenous Services **Vance Badawey** (Niagara Centre) of lying. After she withdrew her statement but refused to apologize, the Speaker named Ms. Dancho and ordered her to withdraw from the Chamber for the remainder of the sitting, pursuant to Standing Order 11. As a result, Ms. Dancho was barred from the physical Chamber and was not allowed to join the virtual parliament (zoom session) for the remainder of the sitting day, since no procedural distinction is made between members participating virtually and those present in person.

Death of a member

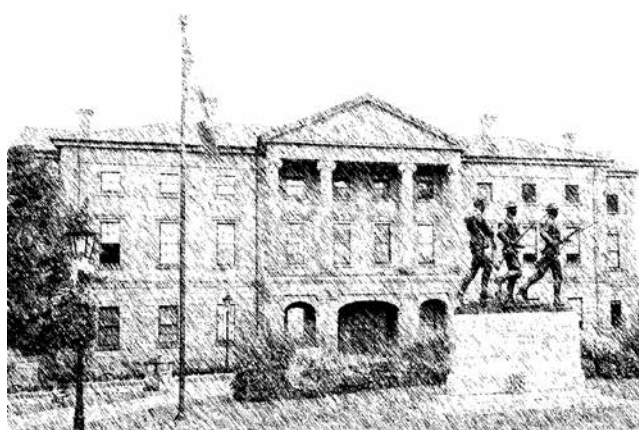
On December 12, 2022, Mr. Lamoureux informed the House of the death of **Jim Carr** (Winnipeg South Centre) who had died earlier that day. Mr. Lamoureux sought and obtained the unanimous consent of the House to observe a moment of silence and adjourn the sitting. On December 14, 2022, Prime Minister **Justin Trudeau** (Papineau), **Marty Morantz** (Charleswood—St. James—Assiniboia—Headingley), **Kristina Michaud** (Avignon—La Mitis—Matane—Matapédia), **Richard Cannings** (South Okanagan—West Kootenay), Ms. May, and the Speaker made statements paying tribute to Mr. Carr, following which the House observed a moment of silence in Mr. Carr's memory.

Changes to the House of Commons Administration

On October 5, 2022, at the end of Statements by Members, the Speaker made a statement on the retirement of **Heather Bradley**, Director of Communications in the Office of the Speaker.

On December 7, the Clerk of the House of Commons **Charles Robert** announced his retirement effective January 13, 2023. Mr. Robert served as Clerk of the House since 2017 and led the House Administration through several important initiatives, including a new and integrated "One House, One Team" client service model. On December 13, 2022, the Speaker made a statement following Oral Questions on Mr. Robert's retirement.

Leif-Erik Aune
Table Research Branch



Prince Edward Island

2nd Session, Sixty-sixth General Assembly

The Second Session of the Sixty-sixth General Assembly resumed on November 1, 2022, and adjourned to the call of the Speaker on December 1, for a fall sitting total of 17 days. The Second Session began in February 2021 and now totals 103 sitting days.

Capital Budget

On November 2, Minister of Finance **Mark McLane** tabled a Capital Budget consisting of \$308 million in planned 2023-2024 spending on capital projects such as roads, bridges, buildings and equipment.

The largest expenditures were planned for the departments of Transportation and Infrastructure (\$80.2 million), Social Development and Housing (\$64.7 million), and Education and Lifelong Learning (\$60.3 million). Major projects highlighted by the Government include bridge replacement and repair; new or ongoing construction, renovation and repair of schools; and creation of additional social and affordable housing units.

Legislation

During the fall 2022 sitting 31 bills were reviewed. Of these, 25 originated from Government, two were introduced by a member of the Official Opposition, one was introduced by a member of the Third Party, and one was introduced by private member of the governing party. Two bills were introduced by the Deputy Speaker on behalf of the Standing Committee on Legislative Assembly Management as they were concerned with matters under the jurisdiction of that committee. Ultimately, 19 Government bills and the two bills promoted by the Deputy Speaker received Royal Assent.

Among Government bills, Bill 87, *Residential Tenancy Act* received the most debate. This bill replaced the *Rental of Residential Property Act*, which had regulated the residential rental system in PEI for several decades. Significant changes in the new *Act* include prohibiting tenants from charging subletters more than the tenants pay in rent, a greater notice period for evictions without cause or for the purpose of renovations, and recognition of housing as a human right. The new *Act* also caps the allowable annual rent increase, as set by the Island Regulatory and Appeals Commission, to three per cent, while allowing landlords to incorporate any allowable annual increases that were not charged to a previous tenant into the new rental rate after a unit is vacated. The new *Act* had been in development for several years, and just prior to its introduction Government introduced an amendment to the previous *Act* to nullify the Island Regulatory and Appeals Commission's order setting the 2023 allowable rent increase to 5.2 per cent and 10.8 per cent for non-oil heated and oil heated premises, respectively. Bill 87 received Royal Assent on December 1 after being debated over six days in Committee of the Whole House, though it is to be proclaimed at a later date when regulations are developed.

Three private member bills spurred a significant amount of debate. Bill 128, *An Act to Amend the Employment Standards Act* (No. 4), introduced by

Official Opposition member **Trish Altass**, would provide employees with 10 paid sick days per calendar year, while enabling the establishment of a temporary financial support program to help employers adapt to this change. It was debated over three days in Committee of the Whole House, with the committee ultimately not recommending it. Bill 127, *Election Signage Act*, introduced by Third Party member **Hal Perry**, would impose limits on the size, placement and number of signs used by candidates and parties during elections. It was debated on two occasions in Committee of the Whole House; upon it being amended, the bill sponsor chose not to proceed further with the bill, though it remains on the Order Paper. Bill 130, *Zero-emission Vehicles Act*, introduced by Government Private Member **Sidney MacEwen**, would establish a vehicle manufacturer credit and charge system in order to encourage a greater supply of zero-emission vehicles to be offered for sale on PEI. This bill was introduced late in the sitting and only debated on one day, without the committee coming to a decision on it.

Parliamentary Language

Following Oral Question Period on November 30, Speaker **Colin LaVie** reminded members to be aware of words used in the Chamber and cautioned members for the use of the words "inaccurate," "fear mongering," and "flipper."

Pandemic Measures and Virtual Proceedings

The general public and members of the Press Gallery were able to attend proceedings in person during the fall sitting. Members' desks were arranged in a fashion similar to pre-pandemic times, without additional spacing and glass dividers. Mask-wearing continued to be encouraged. Virtual proceedings remained in effect, which meant that some members chose to appear by video on some days, but most attended in person.

Committee Activities and Reports

In 2022, the five subject-area committees of the Assembly met 78 times and tabled 12 reports. Most reports summarized committee activities and contained recommendations based on the topics the committees examined. Post-tropical storm Fiona (September 23/24) had a major impact on committee work, first by necessitating the cancellation of meetings for a two-week period while power was restored across the Island, then by causing three committees – Education and Economic Growth, Health and

Social Development, and Natural Resources and Environmental Sustainability – to interrupt their existing work plans in October and November in order to examine the storm’s impact through the lens of their diverse mandates. The Standing Committee on Health and Social Development also reported the results of its study and consultation on Bill 49, *Supported Decision Making-Agreements Act*, as referred to it by the House in March. After consultation with multiple stakeholders, the committee put forward seven recommendations to strengthen the bill. These were adopted by the House in November; no further debate on Bill 49 has been held to date. All committee reports and recommendations were adopted by the Assembly.

In addition to the above reports, the Standing Committee on Legislative Assembly Management also tabled a report on Bill 127, *Election Signage Act*, on November 4. This committee is required under the Rules of the Legislative Assembly to review any bills relating to the Assembly itself or the administration of its offices. The committee concluded that while the bill would have implications on the operations of the Legislative Assembly, the committee will determine how to exercise its powers and duties as outlined in the Rules of the Legislative Assembly and the *Legislative Assembly Act* in the event that the bill passes in the Assembly.

Ryan Reddin

Director of Parliamentary Research



The Senate

Legislation

Three Senate public bills were adopted at third reading and sent to the House of Commons on October 6: Bill S-208, *An Act respecting the Declaration on the*

Essential Role of Artists and Creative Expression in Canada, Bill S-222, *An Act to amend the Department of Public Works and Government Services Act (use of wood)*, and Bill S-224, *An Act to amend the Criminal Code (trafficking in persons)*.

Six government bills received Royal Assent by written declaration during the quarter. Bill C-30, *An Act to amend the Income Tax Act (temporary enhancement to the Goods and Services Tax/Harmonized Sales Tax credit)*, was adopted by the Senate at third reading, without amendment, and received Royal Assent on October 18. Bill C-5, *An Act to amend the Criminal Code and the Controlled Drugs and Substances Act*, and Bill C-31, *An Act respecting cost of living relief measures related to dental care and rental housing*, were passed, without amendment, and received Royal Assent on November 17. On December 15, Bill C-32, *An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022*, and Bill C-36, *An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023*, were passed by the Senate without amendment. Later that day, Bill C-32, Bill C-36, and Bill S-4, *An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures)*, received Royal Assent.

The following Senate public bills also received Royal Assent by written declaration during this quarter: Bill S-206, *An Act to amend the Criminal Code (disclosure of information by jurors)*, on October 18, as well as Bill S-219, *An Act respecting a National Ribbon Skirt Day*, and Bill S-223, *An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs)*, on December 15. On the latter date, Bill C-235, *An Act respecting the building of a green economy in the Prairies*, was also passed by the Senate, without amendment, and received Royal Assent.

Chamber and Procedure

On October 6, the Speaker read a message from the House of Commons indicating that it had adopted a motion to extend to February 17, 2023, the deadline for the Special Joint Committee on Medical Assistance in Dying to submit a final report on its review of the provisions of the *Criminal Code* relating to medical assistance in dying and their application, including a statement of any recommended changes. The Senate adopted a corresponding motion later that day and a message was sent to the Commons to acquaint that House accordingly.

On November 3, during debate at 3rd reading of Bill S-236, *An Act to amend the Employment Insurance Act and the Employment Insurance Regulations (Prince Edward Island)*, as amended, the bill was referred back to the Standing Senate Committee on Agriculture and Forestry for further consideration.

The sitting of November 16 was suspended immediately after its start because of a power outage. Hydro was not restored before the automatic adjournment of the Senate at 4 p.m. pursuant to a sessional order. As a result, the Speaker recalled the Senate for November 17 to sit one hour earlier than normal.

On November 29, the Senate adopted a motion, as amended, stating that the Senate is of the opinion that the Governor General should take the necessary steps to revoke the honorific style and title of “Honourable” from: (a) any former senator having been convicted of a criminal offence proceeded with by way of indictment; and (b) former Senator Don Meredith, in light of reports of the Senate Ethics Officer and the statement made by the chair of the Standing Committee on Internal Economy, Budgets and Administration regarding his misconduct.

On December 13, the Senate adopted a motion, as amended, that modified the Senate’s sitting schedule and the items of business to be called and dealt with from December 13 to 15. As a result, on those dates, once the Orders of the Day were called, the Senate only dealt with Government Business and Commons Public Bills. The motion also provided that, notwithstanding a motion adopted on September 21, the sitting of December 14 would continue beyond 4 p.m., if necessary, and adjourn at midnight unless earlier adjourned by motion. Finally, the motion authorized Senate committees to meet for the purpose of considering government business, as well as the committee to which Bill C-235 was referred, if that happened, even though the Senate may then be sitting.

Speaker’s Ruling

On October 4, Senator **Scott Tannas** raised a question of privilege about a series of events surrounding the appearance of a witness at a meeting of the Standing Senate Committee on Transport and Communications, which was studying Bill C-11, *An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts*. He argued that the timing and content of a newspaper article

prior to the appearance constituted an attempt to intimidate the witness. According to the article, a request put to the Commissioner of Lobbying by a member of the House of Commons alleged that the witness, representing an organization opposing the bill, had failed to disclose funding from private organizations when he appeared earlier in the year before a Commons committee.

In his ruling on October 20, the Speaker focused on the nature of the concerns raised as they related to the second and third of the four criteria (rules 13-2(1)(b) and (c)) that must be met to find a *prima facie* case of privilege. These require that the question of privilege be directly related to the privileges of the Senate, a committee of the Senate, or a senator, and that a question of privilege be raised to correct a grave and serious breach of privilege.

The Speaker noted that during debate on the question of privilege, numerous references were made to proceedings in a committee of the House of Commons and concerns were expressed about how the witness was treated there. He emphasized that the two houses of Parliament are autonomous self-governing institutions and that the Senate has no role in reviewing how the other place chooses to conduct its business. Citing past cases of possible obstruction of witnesses where the actual or potential actions that may have negatively affected the individuals involved were clearly identified, the Speaker stated that, in contrast, in the present case no clear indication was provided as to how the witness before the Senate committee was affected.

The Speaker concluded that the Senate’s privileges were not involved, and the concerns raised were not sufficiently grave or serious to require that the Senate interfere with the interaction between parliamentary autonomy and that of the media. Since the second and third criteria outlined earlier were not met, the Speaker ruled that a *prima facie* case of privilege had not been established.

Committee of the Whole

Further to a motion adopted on October 4, the Senate resolved itself into a Committee of the Whole on October 6 to consider the subject matter of Bill C-30, *An Act to amend the Income Tax Act (temporary enhancement to the Goods and Services Tax/Harmonized Sales Tax credit)*. The Committee heard from **Chrystia Freeland**, MP, Minister of Finance and Deputy Prime Minister, accompanied by officials.

Committees

On October 6, the Senate adopted the fourth report of the Standing Senate Committee on Human Rights, entitled *The Scars that We Carry: Forced and Coerced Sterilization of Persons in Canada - Part II*, and requested a complete and detailed government response at the same time.

On November 15, the Standing Senate Committee on Legal and Constitutional Affairs presented its eighth report on Bill S-210, *An Act to restrict young persons' online access to sexually explicit material*, with amendments. The report was adopted on December 1.

On November 22, the Senate adopted the sixth report of the Standing Senate Committee on Agriculture and Forestry, entitled *Treading Water: The impact of and response to the 2021 British Columbia floods*, and requested a government response.

On December 14, three committee reports on government bills, one on a Senate public bill and one on a Commons public bill, were presented. The Standing Senate Committee on Transport and Communications presented its third report on Bill C-11, *Online Streaming Act*, with amendments. The report was adopted with leave later that same day. The Standing Senate Committee on Legal and Constitutional Affairs presented its tenth report on Bill S-11, *Federal Law–Civil Law Harmonization Act, No. 4*, without amendment. The Standing Senate Committee on National Finance presented its eighth report on Bill C-32, *An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022*, without amendment.

The Standing Senate Committee on Legal and Constitutional Affairs also presented its ninth report on Bill S-205, *An Act to amend the Criminal Code and to make consequential amendments to another Act (interim release and domestic violence recognizance orders)*, with amendments. As of the time of writing, the adoption of the report had yet to be proposed. Finally, the Standing Senate Committee on Agriculture and Forestry presented its seventh report on Bill C-235, *An Act respecting the building of a green economy in the Prairies*, without amendment.

Senators

Senator **Flordeliz (Gigi) Osler**, who was appointed to the Senate on September 26, was introduced and took her seat in the Senate Chamber on October 18.

On November 14, **Margo Greenwood** was appointed to the Senate, and on November 21, **Sharon Burey, Andrew Cardozo** and **Rebecca Patterson** were appointed.

Senator Greenwood, who was appointed to represent British Columbia, is an internationally recognized Indigenous scholar of Cree ancestry, with more than 30 years of experience in health fields. She is an author and a longtime professor at the University of Northern British Columbia who has worked extensively in health research, particularly Indigenous health and well-being. She is an Officer of the Order of Canada and has received many awards for her academic, community and advocacy work. Senator Greenwood was introduced and took her seat on December 1.

Senator Burey will represent Ontario in the Senate. She is a pediatrician and recognized leader for the health and well-being of children in Ontario, who has dedicated her career to equality, and to justice for those living in poverty, visible minorities, and other marginalized communities. Dr. Burey has practiced as a behavioural pediatrician in Ontario for over 30 years and has been an adjunct professor of pediatrics at Western University since 2009. Senator Burey was introduced and took her seat on December 13.

Senator Cardozo, who was appointed to represent Ontario, is a recognized expert on public policy, a columnist, and artist. A think-tank leader, his public policy areas of expertise span Canadian government and politics, multiculturalism, anti-racism, diversity and equity, broadcasting and cultural policy, and skills development and the future of work. Prior to his appointment to the Senate, he was the president of the Pearson Centre for Progressive Policy for nearly 10 years. Senator Cardozo was introduced and took his seat on November 29.

Senator Patterson was also appointed to represent the province of Ontario. Rear-Admiral Patterson is a Canadian Armed Forces leader, Defence Champion for Women, and the first person with a military nursing background to ever lead at the rank of Flag (General) Officer. A registered nurse by training, she has held various leadership roles within the Canadian Armed Forces and also has international experience on military deployments to the Persian Gulf, Somalia, and Afghanistan. Senator Patterson was introduced and took her seat on December 13.

Senator **Vernon White** resigned from the Senate on October 2. He was appointed to the Senate on January

6, 2012, on the advice Prime Minister **Stephen Harper**, and represented the province of Ontario. Prior to joining the Senate, he served 24 years in the ranks of the Royal Canadian Mounted Police, served as chief of police for the Durham Regional Police Service, and was chief of the Ottawa Police Service from 2007 to 2012. He served on several committees during his 10-year tenure as a senator, including the Standing Senate Committee on Legal and Constitutional Affairs, the Standing Senate Committee on National Security and Defence, and the Special Joint Committee on the Declaration of Emergency. He was also a member of the National Security and Intelligence Committee of Parliamentarians.

Max Hollins
Procedural Clerk



Québec

Proceedings of the National Assembly of Québec

General election

The October 3, 2022, general election resulted in 90 seats going to the Coalition avenir Québec, 21 to the Quebec Liberal Party, 11 to Québec solidaire and three to the Parti québécois. The Coalition avenir Québec, therefore, formed a majority government for a second consecutive term. A record number of women were elected in this general election. There are now 58 women in the National Assembly of Québec, for a total of 46.4 per cent of the MNAs.

On October 20, 2022, Premier **François Legault** announced the composition of his 30-Member Executive Council, which is a near-parity Cabinet as it includes 14 women. An Indigenous woman was appointed Minister for the first time in Québec. **Katéri Champagne Jourdain**, Member for Duplessis, is now Minister of Employment.

On the same day, on the advice of the Executive Council, the Lieutenant-Governor summoned the National Assembly to meet for the First Session of the Forty-Third Legislature at 2:00 p.m. on November 29, 2022.

Composition

On October 12, 2022, the Quebec Liberal Party announced the appointments of **Filomena Rotiroti**, Member for Jeanne-Mance-Viger, as Chief Whip; **Marc Tanguay**, Member for LaFontaine, as House Leader; **Monsef Derraji**, Member for Nelligan, as Deputy House Leader; and **Enrico Ciccone**, Member for Marquette, as Caucus Chair.

On October 20, 2022, the Government announced the appointments of **Simon Jolin-Barrette**, Minister of Justice, as House Leader; **Eric Lefebvre**, Member for Arthabaska, as Chief Whip; and **Mario Laframboise**, Member for Blainville, as Caucus Chair. In addition, **Éric Caire** and **Mathieu Lévesque**, Members for La Peltrie and Chapleau, respectively, were both appointed Deputy House Leaders, and **Nancy Guillemette**, **Geneviève Hébert** and **Claude Reid**, Members for Roberval, Saint-François and Beauharnois, respectively, were appointed Deputy Whips.

On October 27, 2022, **Marie-Claude Nichols**, Member for Vaudreuil, was expelled from the Quebec Liberal Party caucus and became an independent Member. **Dominique Anglade** resigned as Leader of the Official Opposition on November 7, 2022, and was officially replaced by Mr. Tanguay on November 10, 2022. Ms. Anglade also resigned as Member for Saint-Henri-Sainte-Anne on December 1, 2022.

In consequence, the National Assembly is now composed of 124 MNAs: 90 from the Coalition avenir Québec, 19 from the Quebec Liberal Party, 11 from Québec solidaire, three from the Parti québécois and one independent. Since the Quebec Liberal Party has fewer than 20 MNAs, Mr. Ciccone, Member for Marquette, may no longer hold the position of Caucus Chair of the Official Opposition.

On November 14, 2022, the Quebec Liberal Party announced changes to the parliamentary functions of some of its members. Mr. Derraji, Member for Nelligan, was appointed Official Opposition House Leader and **Virginie Dufour**, Member for Mille-Îles, was appointed Deputy House Leader of the Official Opposition.

Oath of allegiance

On October 11, 2022, the Member for Camille-Laurin, **Paul St-Pierre Plamondon**, wrote to the Secretary General requesting that he be allowed to hold office without taking the oath of allegiance provided for in section 128 of the *Constitution Act, 1867*. On October 13, 2022, the Secretary General replied that he could not respond favourably to the request.

At their respective swearing-in ceremonies on October 19 and 21, 2022, the 11 Québec solidaire MNAs and three Parti québécois MNAs took the oath of office as provided for in section 15 of the *Act respecting the National Assembly*. However, they did not take the oath of allegiance provided for in the *Constitution Act, 1867*.

On November 1, 2022, outgoing President **François Paradis** (who had not sought re-election on October 3 but was still in office as President) issued a private ruling to the parliamentarians in which he stated that the oath of allegiance was a requirement for taking part in parliamentary proceedings. He ruled that if the Members of Québec solidaire and the Parti québécois did not take the oath, they would not be allowed to take their seats in the National Assembly or in parliamentary committees.

On November 3, 2022, the Québec solidaire MNAs announced that they would take the oath before the resumption of proceedings, which they did, allowing them to take part in the parliamentary proceedings at the start of the new legislature.

On December 1, 2022, the new President of the National Assembly, **Nathalie Roy**, Member for Montarville, said she would enforce the ruling that her predecessor, Mr. Paradis, had made on November 1, 2022. Since they had not yet taken the oath, the Parti québécois MNAs were not allowed to take their seats in the National Assembly or serve on parliamentary committees.

On December 6, 2022, Bill 4, *An Act to recognize the oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly*, was introduced in the National Assembly. It was assented to on December 9, 2022, thus making it possible for MNAs who had not taken the oath provided for in the *Constitution Act, 1867*, to participate fully in parliamentary proceedings.

Remote administration of the oath

As they were expecting their first child at any time, the Member for Saint-Laurent, **Marwah Rizqy**, and the Member for Jacques-Cartier, **Gregory Kelley**, were authorized to be sworn in remotely. The ceremony took place on October 18, 2022. It was recorded and shown later that day during the swearing-in ceremony for the other Members from the Quebec Liberal Party.

Oath in the Innu language

The Member for Duplessis, Champagne Jourdain, was authorized to take her oath in Innu. During the swearing-in ceremony of the Coalition avenir Québec parliamentarians on October 18, 2022, she took the oath first in French, then in Innu.

Opening of the 43rd Legislature

The First Sitting of the 43rd Legislature opened with the election of the President and Vice-Presidents. Ms. Roy, Member for Montarville, was elected President without opposition. **Chantal Soucy**, Member for Saint-Hyacinthe, **Sylvain Lévesque**, Member for Chauveau, and **Frantz Benjamin**, Member for Viau, will serve as First Vice-President, Second Vice-President and Third Vice-President, respectively.

The second sitting was devoted to the Lieutenant Governor's address and the Premier's opening speech. At the end of his speech, Premier Legault moved that the Assembly approve the Government's general policy.

The following sittings were devoted to the debate on the Premier's opening speech, which ended on December 9, 2022, after over 23 hours of debate and 111 speakers.

Agreement and amendments to the Standing Orders

On November 29, 2022, the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance was tabled. The Agreement was made in particular "to recognize, for the duration of the 43rd Legislature, Québec solidaire as the Second Opposition Group and the Parti québécois as the Third Opposition Group, subject to certain terms and conditions". It also provides that the Assembly administration be mandated to set up an electronic voting system in the Assembly Chamber no later than

the beginning of the fall 2023 session. The bill to ratify the Agreement was passed on December 2, 2022.

The agreement also led to the adoption of temporary and permanent amendments to the Standing Orders and Rules of Procedure of the Assembly on November 30, 2022. The permanent amendments included increasing the number of statements by Members per sitting to 12 and making the digital tabling of documents official. The temporary amendments included the adoption of a new sitting schedule for the regular sitting period, namely, the same schedule that was adopted during the pandemic.

Legislative agenda

Between November 28, 2022, and the end of the sessional period on December 9, 2022, 10 bills were introduced in the Assembly. Three of these bills, all Government bills, were passed and assented to:

- Bill 1, *An Act to limit the indexation of several government tariffs*;
- Bill 4, *An Act to recognize the oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly*;
- Bill 5, *An Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance*.

Proceedings of the committees

Here are some highlights regarding parliamentary committee proceedings for the period from October to December 2022.

43rd Legislature agreement

As previously mentioned, the parliamentarians entered into an agreement that led to temporary amendments to the National Assembly's Standing Orders (SO) and Rules of Procedure. The amendments concerning committees related to the following, in particular:

Ordinary hours of meeting: the schedule that was applied during the pandemic will now be valid for the entire duration of the 43rd Legislature. The number of hours that committees may sit remains similar to that of past legislatures, but there are a few differences from the original schedule in the Standing Orders. The main changes are as follows:

- On Tuesday, committees may meet from 9:45 a.m. to 7:15 p.m., with the proceedings being suspended from 12:30 p.m. until the end of Routine Proceedings at approximately 3:30 p.m., instead of from 10:00 a.m. to 6:00 p.m. and from 7:30 p.m. to 9:30 p.m., with the proceedings being suspended from noon until the end of the Routine Proceedings;
- On Wednesday, committees may meet from the end of the Routine Proceedings (around 11:30 a.m.) until 6:30 p.m., with the proceedings being suspended from 1:00 p.m. to 3:00 p.m., whereas previously committees could sit until 6:00 p.m.;
- On Thursdays, committees may meet from the end of the Routine Proceedings (around 11:30 a.m.) until 4:30 p.m., with the proceedings being suspended from 1:00 p.m. to 2:00 p.m., whereas previously committees could sit until 6:00 p.m., with the proceedings being suspended from 1:00 p.m. to 3:00 p.m.

Members of parliamentary committees: the committees are each composed of 10 members: six from the parliamentary group forming the Government, three from the Official Opposition and one from the Second Opposition Group. If an independent MNA serves on a committee, then an additional member is appointed from the parliamentary group forming the Government, and the committee's membership increases to 12.

Vice-chairs: the Committee on Public Administration and the Committee on Citizen Relations each have a second vice-chair.

Temporary chairs: the list of temporary committee chairs is composed of 13 MNAs from the parliamentary group forming the Government and three MNAs from the Official Opposition. The temporary chairs are authorized to replace the chair of a committee when no vice-chair is available.

Virtual meetings: if the committee room has the required technology, witnesses are heard by video conference unless they expressly request to be heard in person. With the unanimous consent of the committee members, MNAs may also sit in a hybrid or fully virtual mode during public hearings held during any period outside the sessional periods when the National Assembly is sitting. During the virtual meetings, the MNA who chairs the committee and the committee secretariat staff must be present at the Parliament Building. The Committee on Public Administration is allowed to hold its deliberative meetings virtually.

Allocation of Speaking Time: speaking time for public hearings and for resumption of the debate on the Budget Speech is allocated as follows:

- 50 per cent to the committee members from the parliamentary group forming the Government
- 50 per cent to the committee members from the opposition, distributed in a way that reflects the proportion, in terms of numbers of committee members, of each opposition group represented on the committee, taking into account any independent Member.

Estimates of Expenditure: consideration of the annual estimates of expenditure in committee is reduced from 200 hours to 120 hours, of which the Members in opposition have 100 hours to speak and the parliamentary group forming the Government has 20 hours.

Finally, it should be noted that for the purposes of parliamentary committee proceedings, the MNAs

belonging to the Third Opposition Group are considered independent Members. The Agreement (French only) is available on the Assembly's website.

Formation of the committees and elections

In accordance with Standing Order 127, the Committee on the National Assembly met on December 2, 2022, to form the parliamentary committees. During the meeting, the members of the Committee determined the composition of the various committees, adopted the list of temporary chairs and set the date for the committees' first meeting to elect their chairs and vice-chairs. On December 6, 2022, the committees held the elections. The officers elected for each committee are in the table below.

Émilie Caouette

Sittings and Parliamentary Procedure Directorate

Sabine Mekki

Parliamentary Committees Directorate

COMMITTEE	CHAIR	VICE-CHAIR(S)
Committee on Public Administration (CPA)	RIZQY, Marwah (Saint-Laurent)	CARON, Vincent (Portneuf) LABRIE, Christine (Sherbrooke)
Committee on Agriculture, Fisheries, Energy and Natural Resources (CAPERN)	CICCONI, Enrico (Marquette)	ST-LOUIS, François (Joliette)
Committee on Planning and the Public Domain (CAT)	SCHNEEBERGER, Sébastien (Drummond-Bois-Francis)	KELLEY, Gregory (Jacques-Cartier)
Committee on Culture and Education (CCE)	FORTIN, André (LaFontaine)	DIONNE, Amélie (Rivière-du-Loup-Témiscouata)
Committee on Labour and the Economy (CET)	D'AMOURS, Sylvie (Mirabel)	BEAUCHEMIN, Frédéric (Marguerite-Bourgeoys)
Committee on Public Finance (CFP)	SIMARD, Jean-François (Montmorency)	CADET, Madwa-Nika (Bourassa-Sauvé)
Committee on Institutions (CI)	BACHAND, André (Richmond)	GARCEAU, Brigitte B. (Robert-Baldwin)
Committee on Citizen Relations (CRC)	LECOURS, Lucie (Les Plaines)	CARON, Linda (La Pinière) MASSE, Manon (Sainte-Marie-Saint-Jacques)
Committee on Health and Social Services (CSSH)	PROVENÇAL, Luc (Beauce-Nord)	MORIN, André Albert (Acadie)
Committee on Transportation and the Environment (CTE)	MACCARONE, Jennifer (Westmount-Saint-Louis)	JACQUES, François (Mégantic)

Sins of Commission:

A Royal Commission to Investigate Abolishing Parliament?

THE REPORT OF THE ROYAL COMMISSION

*Appointed under Order in Council P.C. 4,576,893;
(sub-order in council XIXXXXXXLDMCVIII not
counting the secret ones) of April 1, 1949.*

TO INVESTIGATE THE PROPOSAL THAT PARLIAMENT
BE ABOLISHED

A 1949 “Royal Commission” contemplated the unthinkable: the abolition of Parliament. Fortunately, for parliamentarians past and present, the resulting report was a Parliamentary Press Gallery parody that was “disrespectfully submitted” and not a real prescription for shuttering the Parliament Buildings. In this article, the author explores this elaborate joke text. He notes that while some of the humour probably still holds up today, the racism and sexism within the document means most readers will not shed any tears in learning this text has been long forgotten and gathering dust – just like some of the real commission reports it parodied.

Forrest D. Pass

Reading royal commission reports is either a perk or an occupational hazard for parliamentarians and historians alike. I have thumbed through my fair share over the years, from the Kellock-Taschereau Commission report on the Gouzenko Affair of 1946, which reads a little like a John Le Carré novel, to the *Report of the National Transcontinental Railway Investigating Commission* (1914), which reads like, well, the *Report of the National Transcontinental Railway Investigating Commission*. Still, when I came across one such report at an Ottawa estate sale, it took me a moment to realize that I was holding a long forgotten parody rather than the genuine article.

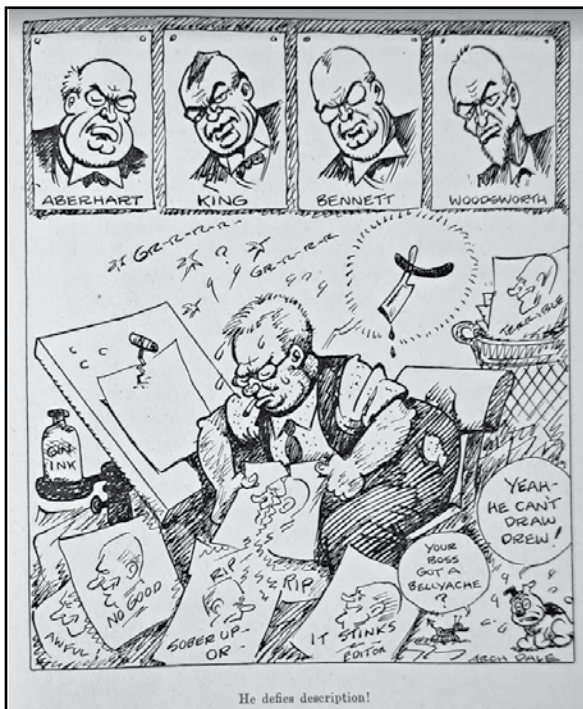
Even in these days of digital deep fakes, there is much to appreciate in the analog artistry of this mid-century prank. As an object, the *Report of the Royal Commission to Investigate the Proposal that Parliament be Abolished* painstakingly mimicked the look and feel of genuine royal commission reports, from its blue cover and its typeface down to the printing block used for the coat of arms on the cover and title page. Perhaps the King’s Printer was in on the joke. Besides the title, the date of the order-in-council appointing the commission – April 1, 1949 – is the clearest indication that the proposal to abolish Parliament was not made entirely

in earnest. The culprit was the Parliamentary Press Gallery, which prepared the “report” as a keepsake for its annual dinner.

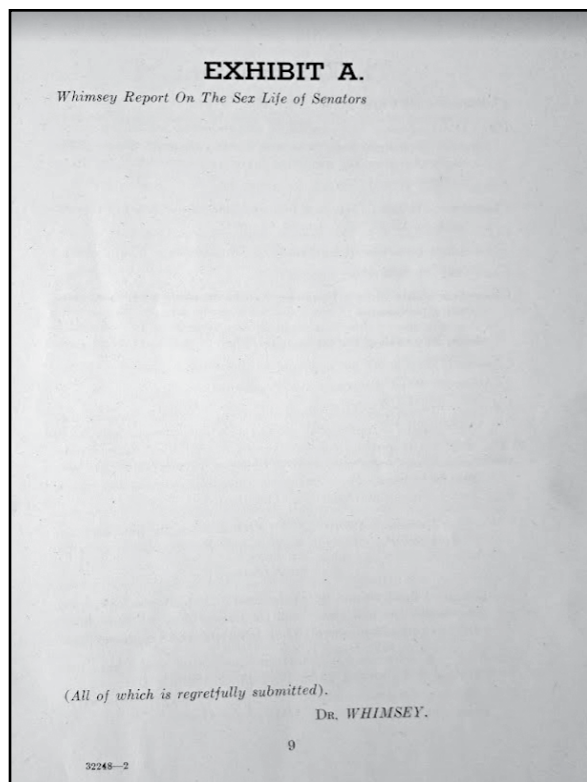
At a mere 46 pages, the *Report* was, by its own admission, a little smaller than a typical royal commission deliverable. “You will find it short, as Royal Commission reports go,” the commissioners apologized in their letter of transmission, before quipping, “Where do they go, incidentally?” However, noting that “this brevity has been a matter of concern,” the commissioners noted that they were appending to the report the entire contents of the Library of Parliament. They anticipated that the appendices to the report would be available at the same time as the fulfillment of the Gréber Plan. That ambitious project for the improvement and beautification of the national capital had been published in 1948 and has never been fully implemented.

Like any historical document, the report is a product of its time, and its timeliness sometimes leaves modern readers scratching their heads. Take, for example, the names of the commissioners. “Honourable Mr. Justice Charles I” is clear enough: no friend of Parliaments, the seventeenth-century Stuart king might well be expected to preside over such an inquiry. The other commissioners would have been well-known to the report’s contemporaries. Hepburn was former Ontario Premier Mitchell “Mitch” Hepburn, a long-time thorn in the side of the federal Liberal party; Houde was Camillien Houde, the former Montreal mayor who had

Forrest D. Pass is a curator in the Programs Division at Library and Archives Canada. He has a penchant for unusual Canadian ephemera.



Above: Cartoonist Arch Dale pokes fun at his own shortcomings and inability to draw federal Progressive Conservative leader George Drew. Below: The entirety of Dr. Whimsey's report to the Commission.



been interned during the Second World War and emerged as an unwelcome booster of the Progressive Conservatives during the 1949 election campaign.

The final commissioner, C.B.C. Rawhide, was a rising, and controversial, Canadian icon. A plain-talking and acerbically opinionated ranch hand, "Rawhide" was the alter ego of CBC broadcaster Max Ferguson, who hosted a weekly cowboy music program called *Breakfast Breakdown*. Originally conceived for CBC Halifax, Rawhide made his national network debut early in 1949 and not all listeners were impressed. In a question to the Minister of National Revenue, then responsible for the CBC, on March 3, 1949, Toronto-St. Paul's MP Douglas Ross condemned Rawhide's "meaningless ravings and tripe, couched in the poorest possible illiterate English, an insult to the intelligence of the Canadian people." Surely a figure who had been so maligned on the floor of the House of Commons would have strong opinions on the value of the institution.

The "testimony" that Rawhide and his fellow commissioners heard was replete with inside jokes and groan-worthy puns. For example, the leaders of the opposition parties, George Drew of the Progressive Conservatives and M.J. Coldwell of the Cooperative Commonwealth Federation (CCF), became "George Drewl" and "M.J. Hotwell" respectively. The contributions of the latter consisted mainly of alternate meanings for the CCF acronym, "Come Clean, Fellows", "Cheap Crook's Foes", "Catch Conservatives Flatfooted", and "Cash, Comrade, First."

Verbal and visual shenanigans also permeated the written submissions. A brief from the Province of Newfoundland included an acrostic on the correct pronunciation of the province's name. The lampooning of the new province was ironic, as Newfoundland's entry into Confederation had been deliberately moved up a day so that it would not coincide with April Fools Day – the Press Gallery clearly did not get the memo. Exhibit A, the "Whimsey Report On The Sex Life of Senators," might still provoke a chuckle, playing as it did on persistent stereotypes about the Red Chamber. On the other hand, the racism of a submission purportedly from a First Nations chief makes the twenty-first century reader cringe. Similarly, a number of sexist jokes remind us that both Parliament and the press gallery were, in the 1940s, old boys' clubs with limited space for women.

Illustrating the report were a half-dozen cartoons, the work of some of the best-known Canadian editorial cartoonists of the period, including Jack Boothe of the *Globe and Mail*, Les Callan of the *Toronto Star*, Gordie Moore of the *Montreal Gazette*, and Bob Chambers of the *Halifax Chronicle-Herald*. In most cases, they were drawn specifically for this publication; one cartoon, by *Winnipeg Free Press* cartoonist Arch Dale, illustrates commission "testimony" and pokes

fun at the cartoonist's own shortcomings. As Peter Kuch, a Dale mentee, would recall after Dale's death, the cartoonist would frequently call upon Kuch to "pencil in" George Drew's face in his cartoons. In his cartoon for the *Report*, Dale depicts a hard-drinking cartoonist growing increasingly frustrated because, as a small dog in the corner notes, "he can't draw Drew!"

Like some of the commission reports it parodied, the *Report of the Royal Commission to Investigate the Proposal that Parliament be Abolished* was ephemeral and soon forgotten. Only a few copies survive. Library and Archives Canada has two copies, and there is one at

the Thomas Fisher Rare Book Library at the University of Toronto. There are, no doubt, a few others collecting dust in private attics and basements.

In the end, the commission granted Parliament a reprieve, with conditions. The commissioners "disrespectfully submitted" that the House of Commons chamber be redecorated with "a boulevard café motif at afternoon sittings," and in the evenings with "seats arranged cabaret fashion." Needless to say, no one has ever acted on these recommendations - yet. Perhaps there is still time to incorporate them into the plans for the newly renovated Centre Block.



R.K. Taylor, *Toronto Star* and Evelyn Tufts, *Halifax Herald*, in the Parliamentary Press Gallery offices in 1948. (Library and Archives Canada, 3192277)

