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Chair

The Honourable Larry Bagnell

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• (1105)

[English]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good morning. Welcome to the 158th meeting of the Standing Committee on Procedure and House Affairs. Pursuant to Standing Order 108(3)(a) (iii) and the motion adopted on May 16, we are studying several proposed changes to the Standing Orders.

Today we are pleased to be joined by Frank Baylis, member of Parliament for Pierrefonds—Dollard, as well as Elizabeth May, member of Parliament for Saanich—Gulf Islands and leader of the Green Party of Canada. Thank you both for being here.

I would just remind members that we've set some precedents on this committee, new ideas. One is the Simms protocol, and another one for today's meeting is that, probably for the first time ever, we're giving the witnesses unlimited time as opposed to a 10-minute limit.

We're going to start with Mr. Baylis and then go to Ms. May.

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Thank you, Chair.

First of all, I'd like to express my gratitude to PROC for agreeing to look at this motion, to Mr. Christopherson for presenting it and to everybody on PROC who had an open mind. I understand that agreement isn't to say we accept it or we agree with everything in the motion, but that you would have a serious look at it. I'm very grateful for this opportunity. Thank you.

Two things brought me to bring this motion forward. Since I arrived here, I was shocked, and I think anybody I spoke to was shocked, at the lack of civility and decorum in the House and lack of productive debate. I don't believe any one party or one person is to blame. I think we all share a little of the responsibility.

I spent the first year or two asking people, talking to people, trying to cajole people to be a little politer or have better debates. And I realized at some point that it was no longer paying. It was better to have confrontation than collaboration. That had happened over time. There had been changes and things had progressed away from how we used to run the place to a point where now it was better to have confrontation.

We probably need to look at our Standing Orders. This phenomenon of consolidation of power into the centre is not new. It's not unique to Canada. Professors will tell you what they call the third wave of autocratization, as we heard at one of our committees with Ms. Kusie.

In any system, democracy is always in a constant battle with autocracy. As we see right now in the world, many great nations are moving toward autocracy. We can see this in one place where a leader has named himself dictator for life. We see another great nation where a leader is a dictator in all but name because they have the pretenses of elections, and we see another nation where another leader is constantly attacking the very foundations of their democracy. And we see that in so many countries.

Here in Canada we don't have a leader who's done this, but over time power has been centralized, seeped inward towards what we call the PMO or the OLO. With this pulling together of power, many things have happened. The role of the MP has been slightly modified. The role of the Speaker has been drastically changed. Citizens have been disenfranchised.

People often say to me that when we brought the cameras in, that's when it all got bad. I don't believe that for a second. I looked at many ideas. One of the ideas was if we had cameras on everybody all the time, I bet you it would change overnight. It was explained that can't be done because we have certain rules that the camera can only be on a person speaking.

I looked at how they run the audiovisuals. That rule is such that bad behaviour can go unpunished because it's never seen.

For example, the Senate moved and they now have the right to show all camera angles. They said it makes for much better, much more interesting TV, but it's also going to have an impact. One of my ideas was let's put cameras everywhere and if someone is behaving badly all the time, everybody will know that. I didn't use that idea here. Why? Because we're in politics and we look at the art of the possible.

I read all the ideas that had been presented over the last dozen years or so. Then I chewed on it; I thought about it and then I tried to say what is doable. I considered low-hanging fruit. I thought this motion was very simple.

Many people have said to me this is way too big, it's way too much. I don't think it is, and I'm going to challenge all of you in PROC to look at it from that perspective.

Serendipitously, you have just done a study on second chambers, and the majority of this motion turns around the implementation of a second chamber, so I don't think we need to do another study on a second chamber. I believe you have done a good study. If you've done a study on a second chamber, you can now ask yourselves whether you should try or not bother trying it. Or you could say, "Let's do another study again next Parliament", but if you're going to do another study again next Parliament, I would challenge you to ask what questions you didn't ask during this Parliament, in your study right now. I believe we're ready to try something.

What is it that I'm proposing and how did I come to these packages? There are three areas where I want to take power that's been centralized over time and just decentralize it. At this point, I want to say none of these ideas are new, except for one part of one idea, and that's the one I'm getting the most push-back on. That was my idea, so I'm pretty sure it won't make the cut. Having said that, none of these ideas are mine, number one.

Number two, I didn't write most of this motion.

Here I'd like to stop to say thank you to the people who did do it. First of all, I'd like to thank Scott Reid, and especially his assistant, Dennis Laurie. They did the brunt of the work writing the whole section on a second chamber.

I'd like to thank Michael Chong, because he collaborated a lot and he's very knowledgeable on issues of decorum, powers of the Speaker, and how things changed over time.

I'd like to thank Daniel Blaikie and Murray Rankin, because they took the ideas that had been proposed by Kennedy Stewart, who had taken these ideas from the United Kingdom about how to give citizens the right to bring matters of debate into Parliament.

I'd like to thank David Graham, because he looked at ideas for how to make it fairer for people who are doing private members' business to have their chance, because sometimes you may have people who have been elected three times and they never get up, but someone who was elected once gets up. There's a core unfairness in how we do private members' business, and he had ideas about that, which I incorporated.

I'd like to thank Scott Simms, because he studied how the United Kingdom has strengthened its committees and brought those ideas into the package.

Obviously, I'd like to thank Elizabeth May, because as everybody knows, she has been a strong voice for strengthening Parliament overall, for changing—or even, I would say, honouring—our rules. She'll speak a bit about that idea in a moment.

I thank all those people. I also recognize that none of those ideas are new; none of them have not been debated; none of them have not been studied. To hear the argument that it's too much, I tell you now, if you're going to make a second chamber today, tomorrow, in a year or 10 years from now, it'll be a big motion. You can't get around that. You have to write it.

What's inside the actual motion now? The first thing is the Speaker, powers to the Speaker. The Speaker has the name "Speaker" for a simple reason: in every Westminster system, including ours, up until the 1980s and early 1990s, the Speaker has

decided who speaks. It seems pretty reasonable. He's not called "the reader of the list"; he's called the Speaker, because his job is to decide who speaks. It's that simple. I'd like him to do his job. I think we all want him to do his job. If he does his job, two things will happen: decorum will shoot up, because he'll have a carrot and a stick to let people who are behaving speak and let people who are not behaving not speak. The second thing is that debate will improve. This is how it's done in every other Westminster system. We are unique: We are wrong.

I spoke at length with other Speakers—I spoke at length with our longest-serving Speaker, Mr. Peter Milliken—and they all agree that this is a perversion of the system and it should be put back to the way it was.

How did it happen? There was a lady, Madam Jeanne Sauvé, who couldn't see very far, and she asked for help with people at a distance who might be getting up to speak, so they were giving her a few names.

• (1110)

There was another speaker—I won't give his name—who was not that interested in doing his job, and said, "Can you just make it easier for me? Just put them in alphabetical order, or whatever, and just...."

Then, over time, the whips decided we had more power, and the whips got stricter with the lists, until something happened in the previous government where a ruling had to be made about what the powers of the whips, the House leadership and the Speaker really were.

We need to put it back the way it was, and the way it should be. That's number one.

The second thing is powers to the citizens—a simple idea. Bruce Stanton mentioned this when he came and spoke about the second chamber. In the United Kingdom, if they reach the threshold of 100,000 signatures on a petition, it gets debated in their second chamber. Of note is that these are the debates that everybody watches. This is what people care about. This is what their citizens watch.

We took that number of 100,000 and made it 25% higher by population so that we don't have any spurious debates, and we ensured that anything that meets that threshold would still come to PROC to be looked at, to make sure it's not some silly thing, or something that's already been debated. As long as it hasn't, it would get a take-note debate in the second chamber.

That would re-engage our citizens to say, "Hey, I have a say in what goes on. It's not just once every four years that you ask me my opinion. If I really care about, say, the salmon run in B.C., and it's really important to me, and I have 70,000 other Canadians who say it's really important, then I want to hear Parliament express themselves." They'll get a chance to do it. They'll engage themselves. Just like what happened in the United Kingdom, they'll be more engaged in their democracy.

The third thing is powers to the members of Parliament.

Again, over time there has been a degradation of power and a degradation of the role of the member of Parliament, who is a representative of her constituents. When she is elected and has to come to Ottawa, she is elected under a banner. We have to always answer the balance. I'm elected as an NDP/Liberal/Conservative/Green Party, but I'm also elected because I'm Frank Baylis, or Elizabeth May or Linda Lapointe. I have to balance what my citizens want with what I think, sometimes, is morally right, and with what the party wants.

But I am not elected as a trained seal, to simply do each and every time exactly what the party demands. If so, then they don't need any of us. We have no role to play, if that is our role. If I say that all I do in my job is to vote 100% the way the party votes, every single time, well, great, they don't actually need me. They'll just take the percentages, do the math and get out of the way.

We have a role to play. We have a role to play sometimes if enough of our constituents.... And this has happened to me. A lot of them wrote to me on a certain subject, and I said, "Okay, I have to listen to them. I'm not going to vote with my party on something here, because I'm going to represent them."

This is our role. We need to give our members of Parliament their power back. How do we do that?

We looked, first of all, at our ability to bring private members' bills forward. Right now, it's fundamentally unfair. If you're lucky, you may get one. If you're unlucky, you won't get one. If you're half lucky, like me, you might get your first hour, which you might blow; but that's another question.

There might a lesson there. I haven't found it yet.

Voices: Oh, oh!

• (1115)

The Chair: Are you proposing a change to the Standing Orders?

Mr. Frank Baylis: My point here is that every person elected within reason, for whom we can see how to do it, should get the chance to get heard. That's just being fair.

Then, if we have a shortened schedule, like let's say, for example, not everybody gets up because there is a minority government and we don't have a four-year cycle, the people who were last and didn't get up should be brought over. It's a very simple thing, a simple idea, but it makes total sense. Someone I talked to who was elected three times and not once had a private member's bill would get one. That just seems fair.

The second thing is the way our system is supposed to work is if it sounds like a good idea we vote to say let it go to committee and let's listen to what the committee has to say. We bring in experts and experts are supposed to tell us you should change this, you should fix that, this is why you brought us in here. Then we report back to Parliament to vote yes or no for these changes.

Committees should be reporting to Parliament, not to the whips, not to the ministers. The idea here is, as was done in the United Kingdom, to say let the committee chairs be elected by Parliament. It's a simple idea.

This set of changes gives the Speaker back his powers, gives the citizens some powers, and gives the MPs some powers, all within reason. How do we do this? This is where the second chamber comes in. I want to point out here do not think for an instance that we are charging or leading the way if we put a second chamber in place. For 25 years they've had it in Australia, and for 20 years they've had it in the United Kingdom. We are not ahead of the curve here. We're not taking a risk here. The whole idea is to implement a second chamber.

Then I took an idea...as Bruce Stanton said, and he said even here in the committee, when they brought these in there was skepticism. People said, you know, I'm not sure. So what they did is they said, let's give it a two-year trial period. That's written right into the motion, try it for two years. If you don't like it take it away, undo everything, nothing ventured nothing gained.

Lastly, if we bring in a second chamber we have to look at the schedule. I looked at the schedule and said, okay, when will it sit? What happens if there are votes going on? What happens if there's something that has to be decided? It doesn't get decided in the second chamber.

The second chamber is there to ensure that private members' business gets done, that members of Parliament get more chances to speak, and with the changes to the Speaker and the Speaker's powers to ensure that the whips don't take that over as well, so that the private members' business gets heard. That's why the package is 19 pages. That's it. It's a simple package. It's nothing in there other than one little thing, which I put in and I'm going to take out, because what I've been doing as well is I've been asking a great many people and I've gotten a lot of great suggestions, little things I didn't think of. For example, when I changed the schedule I said we're going to do away with overnight voting. We don't need it. We should start treating ourselves like human beings, not like animals. If you did what we do to ourselves to an animal, someone would be knocking on your door for animal cruelty. It's true.

Then I spoke to one member of Parliament and he said to me, Frank, the most important thing I think I do as an MP is vote. To vote is my most important thing. You've changed the rules so that there would be no voting overnight, but still from 9:00 to 10:30 straight I've got to go to the bathroom. They said to me that in the labour codes of our country you can't make someone work for four hours without giving them a break. I thought, you know, I didn't think of that. That's an example of a change that I'm going to suggest here, and I brought other ones like that. People have said to me, "Have you thought of this, have you thought of that?" It's a small change, but it's a totally reasonable change and it matches just our labour codes. On this entire package, I've heard from many people who say, too much, too big, too late in the game.

Prior to coming to Ottawa I ran a business and people worked from 9:00 to 5:00. They didn't stop at 4:15 and say the day's over. There's time for you to look at this. You've already done most of the looking at it. You've already done the big part of it, which is the second chamber.

•(1120)

I think there's time. I'm asking you—and this is my ask—to go through it. Do your job. Rip it apart in whatever way you can, but give the members of Parliament and the House of Commons the right and the opportunity to vote on it.

PROC's here to look at these procedures, to study them. I don't think it's hard to say we trust our own members of Parliament enough to express themselves on this package. If they don't like it, that's their right. If they do like it, that's their right. It's how we run ourselves, how we choose to run ourselves.

I say to this too. If you have a family, if you have young kids, if you have a health problem and you don't look at this seriously, don't complain. Don't go home and say to your wife or your husband or your kids, “Well, you know what? I didn't vote for it because my leadership didn't want me to”, or, “You know, that's just the way it is. You don't understand Parliament, but let me tell you, we're going to be voting all night, but don't worry about my illness.” I've talked to a lot of people who had serious illnesses who were aggravated by that overnight voting. It's unacceptable.

It's unacceptable. We are elected here as members of Parliament. We have a say. We are not trained seals. I'm asking for this: any change that's reasonable, anything you see in error in here.... I am not perfect, but I did not write most of it. I do not want to take credit where it's not due. I'm truly asking you, please, before the Parliament's done, to send it up and let our members, our fellow colleagues, express themselves.

With that, I'm going to say thank you very much for hearing me out. I'm very appreciative of that.

I'll pass it over to Elizabeth.

The Chair: Thank you.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

This is such a really wonderful opportunity to have a chance to talk to PROC about some of these fundamental issues. I'm deeply grateful for the chance, and I thank Frank, and there are a lot of you around the table who also helped in working on these proposals.

Frank asked me to speak to this one specific piece, which is around the Speaker and questions and identifying who speaks, and the roles of the whips. I'm just going to back up by saying that I find, now that I'm on the brink of turning 65, that I'm sometimes cursed with a really good memory. I also have the benefit of oral history from MPs who have passed on, so forgive me for being somewhat of a storyteller. Thinking about the continuity of our Parliament and actually knowing how it used to be is something that vanishes very quickly. A newly elected MP has no idea that it wasn't always like this.

I have the great good fortune to have worked in the Mulroney administration—I wasn't a member of the party that was in power at the time—as a senior policy adviser to the minister of the environment. I was frequently in the House and working with the Speaker of the House at the time, John Fraser, to try to see if there was a way to get all-party support for something that we were doing. On a marvellous day, we got unanimous consent through to save the

lower third of what was then called the Queen Charlotte Islands but is now Gwaii Haanas National Park in Haida Gwaii.

I have a bit of institutional memory, and I find myself often feeling that I wish I didn't have such a good memory; it would make it easier to tolerate what's going on.

In any case, I also want to share with you a reminiscence about Flora MacDonald, because I adored Flora MacDonald. She was my role model and hero. For those of you who don't know, she was the Progressive Conservative member for the Kingston area and served in the government of Joe Clark briefly. She would never have tolerated heckling around her, that's for sure. I said to her, Flora, do you think so-and-so is doing a good job as Speaker? She said, “Ha. We haven't had a good Speaker since Lucien Lamoureux.” I went back to figure out who Lucien Lamoureux was and when he was Speaker. It was from 1966 to 1974.

So someone who had an even better memory than mine, but who has now passed on, had that view. When you go back and look, you realize that the history of our Parliament and our democracy in terms of the role of MPs and what we do when we come here to serve is one of a continual progression...I wouldn't say that it's democracy versus autocracy, but there is an element of that, of diminishing the role of the member of Parliament at the cost of the rise in the power of organized political parties. Organized political parties, and particularly back rooms, decide that what we actually do in Parliament is just a precursor to when we go back to fighting with each other in election campaigns, so the business of Parliament gets overtaken by the party whips or backroom party people in a way that didn't happen in the 1980s, for example.

Now, focusing on the issue of the Speaker's authority and how we can enhance decorum, improve the quality of debate and restore more power to the individual MP, we can serve a lot of goals all at once by observing a rule that we already have. I want to cover this off very quickly because I know that we all want to talk about these things.

When Lucien Lamoureux was Speaker, the Speaker's control over who was recognized in the House was the Speaker's alone. He also had powers—as the Speakers continue to have, but they have fallen into disuse—and members who ignored the Speaker in the way that happens on a daily basis now would have been named, expelled from the chamber and not allowed to return for a period of time, at the Speaker's discretion—a week, a couple of months, six months.

The Speaker was also massively impartial. One of the things for which Lucien Lamoureux is known is that he tried to follow the British practice. He had been elected as a Conservative. Once he became Speaker of the House, which wasn't then a position that we voted for, he ran for re-election as an Independent. The Liberals and the Progressive Conservatives stood down and did not run against him as an Independent. The NDP did run against him. He was re-elected as an Independent. The next time he ran as an Independent, all the parties ran against him. Over time, he gave up on his effort to replicate what happens in the U.K.: the Speaker should be 100% impartial.

As for what happened under Jeanne Sauvé, who was Speaker from 1980 to 1984, she did have eyesight issues. It was legitimate.

• (1125)

She couldn't quite see. You're supposed to catch the Speaker's eye. That's our rule confirmed by former speaker Andrew Scheer in his ruling on Mark Warawa's question of personal privilege when he was denied his S.O. 31. We know that the rule is that you catch the Speaker's eye. According to former speaker Scheer, there is no party list that must be observed by the Speaker. You just catch the Speaker's eye. You couldn't catch Jeanne Sauvé's eye. She said she couldn't see everybody well enough to know who was standing at the far ends of the chamber. She asked for the list from a party whip just to make it easier for her. That has now become so entrenched that the Speakers don't want to go back to just saying that they don't have to follow the party list.

What happens in the U.K.? John Bercow is Speaker in the U.K. I'm sure we've all watched him for great entertainment. He receives a request to ask a question in writing from a member of Parliament earlier in the day. He decides what questions will be asked. You're not quite catching the Speaker's eye—of course the Parliament of Westminster has over 600 MPs; they can't fit in the space—but you know ahead of time you're going to be able to ask your question. It's the Speaker's call.

Where does power reside, then? With the Speaker. Are you going to thwart the Speaker, break protocol, break the rules or act contemptuously towards the Speaker or the decorum of the House? No. The power in that House resides with the Speaker.

I think we all want to talk about these issues and how you feel about the proposals that we've put together as a group. In closing, I just want to thank some other people who have informed this process. I was very much educated by and enjoyed working with Brent Rathgeber when he was the Conservative from Edmonton—St. Albert. He really stood on these principles of defending the rights of an individual member of Parliament in this place. There's also Kennedy Stewart, who took the lead working with a number of us. I won't list everybody in the book; proceeds go to Samara. Of course, Scott and Michael Chong were involved. We all played some role in turning Parliament inside out.

Out of that book effort—just to share this because this is on the record and Canadians may be interested to know—we actually have an all-party democracy caucus. The thing that brings us together is how we make progress, despite our party affiliations, to reduce the power that political parties have over individual MPs. I think it's a fascinating project. Anita Vandenberg is the current chair of the

democracy caucus, but we are all-party, so anybody who wants to join who hasn't already.... We're already thinking about what we do after the next election, depending on who's re-elected and who isn't. How do we keep this going?

Anyway, PROC is the official committee of democracy, our rules and how we conduct ourselves in this place. I want to thank you for this opportunity to make a public plea in this committee for you to encourage the Speaker to not be afraid of the wrath of the party whip. The Speaker could just decide to say, "I don't need your lists; I can see everyone just fine from where I'm sitting; I know everybody by name and I will decide as Speaker", or we could go to the U.K. practice of submitting the questions to the Speaker in advance and seeing which ones the Speaker chooses.

It would certainly serve multiple goals of improving the independence and the power of individual members of Parliament. It would certainly improve decorum in the House and it would serve the very salutary purpose of rebalancing through no change in the rules because these are our rules. Respecting our rules, I'd love to add "don't read speeches", but that's not part of our current package.

I'd love to dig into this and see what we can do in the remaining days of this session of Parliament to advance the noble effort of respecting the fact that no one gets elected to be a member of Parliament in this country if they haven't already done considerable work of service in their community. I think all of us are people who care about our communities and have a head on our shoulders. We really don't need to check our brains at the door the minute we become a member of Parliament because of the power of the back room.

Thank you.

• (1130)

The Chair: Thank you very much to both of you.

We will go on to questions now.

When you're talking about frustration, you'd be even more frustrated.... In one of our previous studies, we had a witness from another Parliament. I think it might have been New Zealand or some place where there's proportional rep. At times, people don't even stand up to vote; the party whip just stands up and votes for the entire party.

We'll go on to Linda.

• (1135)

[*Translation*]

Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.): Thank you very much, Mr. Chair.

Thank you, Mr. Baylis and Ms. May. I am pleased to have you with us.

Mr. Baylis, I listened to you carefully. You mentioned the reasons that prompted you to introduce this motion. In your opinion, members of Parliament are being discourteous and misbehaving by focusing on confrontation rather than co-operation. It is still a substantial motion. You pointed out that it was not perfect, but that it should still be voted on. You said a number of interesting things.

In your opinion, what would be the benefits of eliminating lists of members submitted to the Speaker by parties? How would this encourage members of Parliament to behave in a co-operative rather than confrontational manner in the House? This is the first point of the motion; the motion deals with five main topics. Ms. May talked about the lists of members, Jeanne Sauvé's arrival and all that. What makes you think that eliminating lists will promote co-operation and prevent confrontation?

Mr. Frank Baylis: Thank you, Ms. Lapointe. That's an excellent question.

I would add this: not only will this promote courteous behaviour, but it will also increase productivity. Those will be two positive effects.

I would like to point out one more thing about bad behaviour or lack of respect during the oral question period. According to all the surveys, this is the main reason why women do not run for office. They do not understand all the work of members of Parliament and do not see what we do in committee. They look at the oral question period with horror and say to themselves that they will never be MPs.

I brought my two daughters to a session of the House, and I was ashamed. One of them has no qualms about telling me when she doesn't like something. She was shocked to see what was happening. I personally never get into this game. You know me well enough to know that, Ms. Lapointe. Never in my life would I behave like that, because I always keep in mind that one of my daughters or my father might be watching me from the gallery.

How will this encourage members of Parliament to be courteous? There is a whole series of things.

We talked about co-operation, as opposed to confrontation.

First, inappropriate behaviour will not help members to obtain the consideration of the Speaker of the House, as the Speaker will prevent them from speaking. If I am a new member of Parliament and I start yelling in the House, the Speaker will ask me to calm down and I will not have the right to speak. That is one thing.

Second, if I'm always yelling at members, they will not support any private member's motion or bill I may have introduced; they will not even talk to me. I will not be able to co-operate with them. If I want their help, it's best if I stop yelling.

Third, we will be freer to support measures by following our conscience, without fear of being punished.

A whole series of things can encourage members of Parliament to act with courtesy.

Members are not stupid; when they come to the House, they see that it's more advantageous to yell than to co-operate, and that is why they do it.

We must consider the whole package that will allow us to change that.

Ms. Linda Lapointe: Okay.

I understood what Ms. May said about the lists of members.

Ms. May or Mr. Baylis, have you spoken to the former Speakers of the House about this issue? Ms. May, you said that one of them was more or less interested in doing this work. Did you talk about the lists with people who were there at the time?

Mr. Frank Baylis: Yes. I have taken note of all the witnesses who have made presentations on this issue to the Standing Committee on Procedure and House Affairs over the past 10 years. I went to see them or tried to contact them. I spoke to former Speakers of the House, including Peter Milliken. I don't remember the exact number of years, but I think he held the position for 13 years. All the people I spoke to unanimously said that these powers must be given back to the Speaker of the House.

● (1140)

Ms. Linda Lapointe: Okay.

Ms. Elizabeth May: I would like to add that, across the Commonwealth, Canada is the only country in the world where the Speaker of the House has lost his or her own power to political parties. We are the only country in this situation.

I also spoke to John Fraser, who was Speaker of the House. He also used lists of members. Jeanne Sauvé—

Ms. Linda Lapointe: I'm sorry to interrupt, but I have another question.

In terms of the election of the Speaker and the election of committee chairs, what makes you think that an amendment to the Standing Orders will reduce confrontation and encourage co-operation? What will it really bring? Forgive me for having some doubts about that.

Mr. Frank Baylis: Am I allowed to ask Scott Simms to answer that question?

Ms. Linda Lapointe: I know we'll certainly be asking him to appear, but you're the one here today.

Mr. Frank Baylis: Very well.

It started in the United Kingdom, with a few committees, and things worked very well. They thought it was fantastic and decided to apply it to all committees.

There is always the issue of checks and balances. Previously, all decisions were centralized and made by one person. You were following exactly what that person was doing, otherwise it was over for you. Now members can follow the committee chair. I wouldn't say that this offers protection, but there are some checks and balances, even in the case of a minister. If a minister introduces a bill, the committee studies it, but is not forced to support the minister. It is freer to propose and discuss changes. There will be a discussion between the minister and the committee chair. Once again, this promotes dialogue and co-operation. We're no longer in a take-it-or-leave-it situation.

With each item I'm proposing, I keep trying to bring people together. We will have to co-operate and discuss, not only among ourselves, but with all members of Parliament.

[*English*]

The Chair: Peter Milliken was in for 10 years and 124 days.

Mr. Nater.

Ms. Elizabeth May: [*Inaudible-Editor*] was the longest serving.

Mr. David Christopherson (Hamilton Centre, NDP): Longest serving, not longest talking.

The Chair: Mr. Nater.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Mr. Chair.

Thank you, Mr. Baylis and Ms. May, for joining us.

You made the comments about oral history. Being a first-time MP, I've benefited from different people around the precinct who have been able to share stories of the past. I do want to point out one person. He would hate me for having his name recorded here in Hansard, but it's John Holtby. Mr. Holtby has served half a century in parliamentary democracy. He was chief of staff in the McGrath committee, co-editor of Beauchesne's, first clerk assistant of the Ontario legislature. He's a fascinating gentleman with massive experience.

The comment about catching the Speaker's eye and Ms. Sauvé is one story he frequently shared with me and his concerns with that. I wanted to acknowledge Mr. Holtby. He recently retired from this place and I wanted to put that on the record. He is also fond of sharing his story of his beloved dog, Oliver, who met Governor General Sauvé at Rideau Hall, jumped into the fountain at Rideau Hall, and then jumped into the hands of Governor General Sauvé soaking wet. He's fond of that story. I wanted to acknowledge him in that way, and it seemed like a logical point to do that.

I did want to start questions with Mr. Baylis.

This is a slightly touchy subject. You were scheduled to speak on Monday. I say this with some delicacy. We all make mistakes. I make mistakes on a daily basis, I'm sure. Private members' business is debated on Mondays at 11:00 a.m. This has been the process since we were first elected in this place.

I'm giving you the opportunity to address that. This is a large motion, 19 pages. It causes me concern about how the entire process has been thought out, how carefully weighted and considered these ideas were, when you did miss the time of private members' business on the day that you were scheduled.

● (1145)

Mr. Frank Baylis: What happened—and this is 100% my fault, not my staff's or anybody else's—was that I made a mistake in my Google calendar. I had been trading my positions to try to move up so I would get a second hour, which I didn't have, but I was trying to get a second hour. At one point I was in the evening schedule, and that had gotten locked in my head somehow.

I'm normally here anyway, and it wouldn't have mattered, but on this particular day, because I had worked so long on this motion, I got up, and I practised my speech a couple of times, and I said to

myself, “You know what I'm going to do?”, which I've never done before, “I'm going to go to the gym first and work off a bit of my nervous energy, have a sauna and really come out relaxed and ready to deliver my speech this evening.”

Lo and behold, when I came out, my phone.... My relaxed period lasted about 30 seconds, and I found that, yes, as you point out, on Mondays we do it at 11 a.m., and so that error is 100% mine. Then I tried to be philosophical about it, and I thought that maybe wasn't right for me to push forward with it on my own anyway. Maybe God was talking to me or something like that, I don't know. Maybe it should come properly through PROC. That was my hope, anyway, but I was really running two horses, and one was hoping that PROC would study it and bring it up, because I do believe that is the proper way to do it and give people the vote.

I also was really committed to getting on the record and hoping to find a second hour to have people at least vote on it, much as I've asked here. The fault is 100% mine that I did not do that. I apologized to everybody. It's unacceptable; there's no excuse for it. It wouldn't have mattered any other day because I'd be here anyway, and if I had forgotten, they would have just called me to say, “Get your butt over here.” I don't know why these things coalesce, but that's how it happened.

Mr. John Nater: Thank you. I appreciate that explanation.

You touched on running two horses, both in the House and here at committee. Is it your intention now to pursue it solely in this committee, or are you planning to bring it back to the House?

Mr. Frank Baylis: I had been trading up to get my first hour and then hoping that someone would literally give me the second hour so that I would be able to bring it to a vote, but this was a work in motion, and through these processes and changes, that's how my mix-up in the timing came about. I did not have any commitment to a second hour yet. I was in discussions with some people, but it's a big ask. I'm basically asking that they not speak and let me speak a second time.

It would truly be my preferred route anyway to have this committee say to our fellow colleagues, “This is something you can vote on”. I always was hoping for this anyway.

Mr. John Nater: It kind of begs the question. Would it have been preferable in the first place that your motion in the House be a motion for PROC to study? I don't want anyone to go on a fool's errand by working on one thing and being pre-empted by something else. You discussed, I think in iPolitics, that you were considering amendments within the House.

It's always challenging when we're going down two separate routes. We're studying one thing, and the House is studying something different but on a similar topic. I'm just wondering if it was preferable in the first place to have done it through PROC rather than trying to do these two separate—

Mr. Frank Baylis: If there was time, absolutely. The issue we've always had... Even now I've not actually lost my hour; I'm just going to have it some time at the end of June or the beginning of July, when it won't happen.

My problem was always that I wouldn't have enough time. Why won't I have enough time? Because the luck of the draw when I got my PMB was such that it came at the end of the schedule. At least I got an hour. This is why, if these changes were in place, I wouldn't have had to do that.

How I came to the number of hours necessary was by calculating the last 20 years of, on average, how many PMBs got closure, which is either voted for, abandoned or defeated, and I made the calculation backwards.

Absolutely, about having time, you're right. That's the right way to do it, but I was racing against time.

• (1150)

Mr. John Nater: We did have a private conversation in the House of Commons. I'm not going to reveal that, but we did talk about the idea of consensus, so I would offer you this opportunity. What's your viewpoint on the consensus of changes to the Standing Orders? It's something that I think we should be—

Mr. Frank Baylis: I think Ms. Kusie proposed at the beginning, after Mr. Christopherson brought this forward, that it should be unanimous. I mentioned to her that I was very grateful. I would point out, by the way, that I had discussions with people like David de Burgh Graham. He was of the mindset that the way we should do it is as a group. We should try—I know it's very hard—to take the politics out of this. We should try to say that we're doing the right things for the right reasons, and we should respect the issues such as how we treat ourselves.

We ask a lot, when we come up here, of our families, for example, but some things we're doing for no reason. We should respect them and say, "Can we make ourselves better so that we are better for our citizens?" We would get to see our citizens and our families more, and we would be working properly.

All those things led me to this process, but why I had to have two horses.... As you well know, I came in, and I spoke to every single one of you individually, and I asked the same thing: Please look at it. I was very grateful, and I think that's the first thing I stated here. I'm very, very grateful that you agreed to do so, and I agree with your approach.

Mr. John Nater: Great.

Thank you.

The Chair: Now we'll go to Mr. Christopherson.

Mr. David Christopherson: Thank you, Chair.

Thank you both for being here. I appreciate it.

I want to pick up on the last item about the private member's bill, just to close that circle.

I was one of those who was kind of taken aback when I heard. I'll be straight up that my first thought was that they got to him. They got to him. The election's coming and they said to him if he wants to even see anything from the central campaign, he'd better be dropping this PDQ. We were having a little discussion in the backbenches, where I reside, and we weren't sure how to read it.

I have to say that I was very pleased when my motion, M-170, was up last night. It speaks to the issue of the executive—the cabinet

—still controlling the hiring process for Parliament's agents and recognizes that Parliament is supreme. Government is not Parliament; government is secondary to Parliament. I'm sure it didn't escape anybody's notice that I didn't even lose it by a close one. I lost it by a country mile.

That speaks to a couple of things. The first thing it speaks to is the fact that both our presenters stood up and voted for it. In particular, Frank, I turned to my colleagues the second you did that and said that this puts paid to the issue of whether this was a mistake or whether they got to him because nobody's that stupid to cave on the one hand and then stand up and get himself in trouble on the other.

Mr. Frank Baylis: Can I say thank you?

Mr. David Christopherson: Yes.

I have absolutely no doubt that that's the case. Again, I had the benefit of speaking to you before, a number of months ago. I was impressed by the fact that you were using your private member's spot to improve Parliament.

It was one thing for me to do it, but I'm not running for re-election. If I were running for re-election, make no mistake, I would have been looking at how I could use it to make sure that I was messaging to my constituents that I have their backs, that I'd be a good choice to stay here for them. However, you are going to run again, and you gave that up because you believed in the importance of this.

Mr. Chair, it also speaks to the challenge.

I have to tell you, colleagues, that I thought—and it's not the fact that it was mine—the notion of our taking back control was pretty straightforward and was motherhood. Do you know what stopped it? The very power structure that I was trying to break through.

I wasn't surprised. It just indicated that I failed. To me, that also means that there will likely, and I would hope—hope springs eternal—be another colleague who runs and comes into Parliament, or a veteran who has been around and has a vested interest in this, who would grab it and run with it. I have to tell you that, in terms of the low-lying fruit for democratic reform, taking back control of what is already ours is as easy as it gets. We don't need to pass a new law. We don't need to amend the Constitution. All we have to do is say, "Yes, we will take control of this process." That's it.

I lost. I got maybe five—I'm being generous to myself—non-New Democrats on the main motion, which really wasn't even as effective as the amendment because it spoke to the vacancy that's now created by the untimely death of Michael Ferguson. I'll be honest: I thought I could play on the idea that if I couldn't play to the respect that members should have for themselves as parliamentarians, maybe I could play to their heartstrings—that we could do this in Michael's memory. There are documents that aren't that old—from over the last few years—that have been signed by every agent of Parliament saying, "Take back control, Parliament, please."

And yet, the power structure that.... The reason that I'm tying this in, Mr. Chair—I know that you know why—is that the challenge of what's in front of my colleagues is enormous. If anybody has any doubt, just look at the vote result last night. I don't believe that there's a single parliamentarian in the House who gets up every day and says, "How can I give away my relevancy today just a bit more?" In fact, I think most parliamentarians get up thinking, "I'm going to try to make the world a better place. I'll start by making sure that Parliament is a better place."

However, the power of the current whip-House leader structure is such that I couldn't break through except for a very small handful of courageous members who felt strongly enough that they were going to take their stand.

I was very pleased to move the motion. Like you, I appreciate the gratitude of my colleagues for allowing this to be aired and talked about. Oftentimes what happens with these kinds of things is that they don't even see the light of day. You snuff it out early so that you don't have to deal with it. It's now getting an airing. Again, I'm an optimist. I do believe that, over time, we'll get there.

This is a major challenge. If the motherhood issue of hiring our own agents isn't enough to do it, I'm not sure about the good arguments that are here. It's going to take a political shift of enough parliamentarians who don't just want to talk the talk of reform, but are actually prepared to put their asses on the line to defend that principle. That's easier said than done—just go look at the recorded vote last night.

I see Madam May squirming in her seat, anxious to join in this discussion. I would just invite her thoughts. I've done a good job of saying how difficult it is, so it's not so much to do that, but to maybe affirm that it exists.

Give us your thoughts, Elizabeth, on why you remain optimistic. You're running again, and I think there's a really good chance that you're going to come back.

• (1155)

Ms. Elizabeth May: Thank you.

Mr. David Christopherson: Well, hey, I don't have to be as partisan as I used to be. That's the beauty of having those things unleashed. You get the chains off. You can state what you actually think. I think you have a very good chance of getting re-elected. How radical.

Given that, what are your thoughts on all this, at the tail end of this Parliament as we head into the next one?

Ms. Elizabeth May: Number one, I just want to say that even though we may not get this motion.... I mean, with getting those first-hour and second-hour debates, I'm fighting to try to find a second hour for getting Bill S-203 through, for example—which is widely supported—on ending the keeping of whales in captivity.

The goal of what we all worked on here, as far as I was concerned, was to get a good chance at procedure and House affairs committee to talk about it and work on it and to try to do it together. I'm happy about that. That's one reason for optimism: We're talking about it here.

The other is that Canadians want it, but I don't think.... When I'm knocking on doors, people don't say, how is it that the Speaker doesn't have control over who gets recognized in question period? It doesn't come up. They do say, how can you stand it when people all around you are yelling all the time and banging on their desks? That doesn't look right. I know we've all had this experience of school groups coming in, and they took the kids out because they they didn't want them to see that. They were horrified.

We want high voter turnout. We want a healthy democracy. We want respect for the institution. We would also rather that people didn't think the fact that we are politicians means we were a subclass of human beings, somewhere below—I don't know—the paparazzi. I mean, I was a lawyer and now I'm a politician. It just doesn't get worse. Where do I go from here?

It would be nice to feel we have done something that our voters wanted us to do to elevate the discourse and make them proud of what they see, as Canadians, happening in Parliament.

We know the mechanics that can make that happen, so I think if we work for our constituents in the way that they would like to have the House be more respectful, have our work be more productive.... And for me, the single biggest issue—and there are a number of places that aren't even in this motion where I'd love to see the change—is to reduce the power of the back room over the conduct of what happens on the floor.

• (1200)

The Chair: Thank you.

Now we'll go to Mr. Simms.

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): Thank you, Chair. Thanks everybody.

Thank you to our guests.

I will go on a bit of a rant.

Obviously I'll put my bias on the table. I'm co-author or partial author of this particular motion. I hope to get a chance to talk about my aspect of it. I know it was brought up earlier.

I'll answer your question when I get to there I guess, Madame Lapointe.

Ms. Linda Lapointe: I will ask the question again.

Mr. Scott Simms: I don't doubt it.

I want to talk about catching the Speaker's eye. This goes to Ms. May's thing, but before I get to a question, there comes a point when it becomes so obvious that something is wrong here that it behooves us to actually look at this and say, "Come on; this is a bit much."

I spoke about this when we had a press conference about what Frank is doing here.

Frank, thank you for being here.

I'll give you one example in the day, which is called S.O. 31s. We all call them S.O. 31s. People come me and they say, "Oh, you mean members' statements." No, I mean party statements, because that's what they are, right?

Now, I have no problem with any recognized party or non-recognized party stating it's where we're all in the House. Obviously the party mechanism is really what controls the functions of government and it's how we relate to each other. It's even a part of my proposal on committee chairs. But for 15 minutes of a day, can we not have the freedom by which I get to say, "I represent my constituents, and here's what I have to say"? The retort to that from the office is this, "But we balance it: we do this, we do that", and I can say congratulations, but that's not the point.

The point is this. If Ms. Kusie wants to do a one-minute statement about carbon pricing and anti-government, then that should be her choice. If somebody comes to Ms. Kusie and says, "I want you to do this nasty little bit of work toward the government", and she says no, that slot goes to Mr. Nater or Mr. Reid or Mr. Chong or whoever's next. That's not a member's statement, is it? Not at all. Ms. Kusie has every right to stand up and hammer the government in a one-minute statement. She also has the right to talk about a local charity in her riding, and so on and so forth.

That's 15 minutes of the day. This goes to what Ms. May said about the proliferation of control from a centre that exists within this Parliament more so than any other parliament around. We can't even get 15 minutes.

In saying that, let me go back to catching the Speaker's eye. There's also another side to that as well. Let's say you catch the Speaker's eye for members' statements, question period, government debates. There comes a point where there's going to be a little bit of chaos in there because you do have this dilatory motion that a member be now heard. You've heard that before. We've had motions where, when someone gets up to speak, someone gets up, moves a motion that someone else be heard, the whole thing shuts down, we vote. It's a delay tactic, but it happens.

If we had the entire day, do you think that would happen?

Ms. Elizabeth May: "Let the member now be heard", "that this House do now adjourn"—dilatory motions of that type are not the individual member's choice. Again, it's the party whips deciding, "This is warfare. This is not Parliament. We want to get the other guy. We want to catch them off guard. We want to waste time, mess up the government's agenda."

I would say another piece that isn't in this package but I would like to mention is not in our rules—actually, it's against our rules—is to read a speech in the House. People read speeches in the House.

By the way, we're the only country in the Commonwealth that has this notion of "recognized party". In other parliaments in other democracies, you don't have to have a minimum number of seats, but never mind. Because of that rule that was created in 1963, which was about giving larger parties money that they voted for themselves and smaller parties wouldn't get the money, over time these other rights accrued to those who were in parties with more than 12 seats.

It means I'm not in the House leaders' meetings, so this is massive speculation. What I assume is going on in the House leaders' meetings, when the House doesn't function very well and we are able to spend five or six hours debating Canada-Latin friendship week or month—what was it we were debating for five hours one night, not long ago? It was Canada-Latin friendship month. People were down

to reflecting on how much they like sombreros and tacos. They had nothing to say. But there was no time for bills that really matter. The House leaders in the back rooms are able to say, "Well, we can put up any number of speakers, but we won't tell you." If we didn't have that, if we updated our rules that you had to actually speak without notes, only people super-knowledgeable on that issue would take the chance to rise to speak and try to fill 10 minutes.

To your question if it would happen, as long as the party whips, in the back rooms of political parties, are able to dictate what happens on the floor of the House, it would still happen, but it's a modest step toward recreating our real system. Sir John A. Macdonald used to refer to the members of his own caucus as loose fish. He never knew where they were going to go. Our fish are really nailed down—sorry about that, Scott.

● (1205)

Mr. Scott Simms: Yes, it's an endangered species sort of thing.

I agree with many aspects of it. I'm just trying to find.... I don't want drastic changes as part of this; I want modest changes. My goodness, the example I gave at the top of my question is just a modest one.

I also agree with you on the speech part. I believe that in other chambers, the members take it upon themselves to heckle people if they start reading from notes exclusively. I've always said, if you can't stand in the House of Commons and talk without notes for 10 minutes, you shouldn't be there, but that's a whole other issue.

How much time do I have?

The Chair: None.

Mr. Scott Simms: Oh, I thought you said "some".

Some hon. members: Oh, oh!

The Chair: No.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): Catch his eye.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Can I propose a motion by unanimous consent to give Scott some more time? I'm sure what he's going to do next will be really good.

The Chair: Okay, go ahead, Scott.

Mr. Scott Simms: There's no pressure now, whatsoever.

Mr. Baylis, where does the next Parliament start, with what you've presented here? What do you want to see the next Parliament do, in changing the Standing Orders?

That's a question for both of you.

Mr. Frank Baylis: I have a quick aside. I did read up on, "You're not allowed to read." You can have notes. I decided not to put it in here. I do think we should go there, but we need to bring all of our colleagues along. They're not going to be trained to do that.

I want to challenge one other thing, before I answer your question, Scott. Our constituents care. Don't doubt that for a second. I challenge you, please: If any of you knock on doors over the next couple of weekends, ask, "Do you care about civility and the carrying on in the House of Commons? Does it matter to you?"

I had constituents talk to me about it, and I mentioned to them that I'm working on something. I name-dropped Michael Chong, because he's very well known and respected. I said to a guy, "Mr. Chong is collaborating with me," and he was two thumbs up on that.

What do I hope comes out of it? I started, I have not deviated and as Mr. Nater asked me, I'm really hoping that you choose to bring this up to Parliament now, so that we start the next Parliament with these changes in place.

Written into the motion is a two-year trial period for the second chamber. If, after two years, you don't like it, and you want to change or get rid of it, you can unwind everything. It's very simple. I don't think we're asking for a lot. I know you say it's a big motion, but this turns around a second chamber. If you pull the second chamber out, the private member...has to go away and the citizens' rights for take-note debates have to be taken away, because there's no time in the main hall. All these things get unwound.

I will still go around and talk to any colleague who will talk to me about it. I'm asking you, as PROC, to let your colleagues pronounce themselves on it. If they say, "No, it's not good enough," or, "We don't like it," that's their right.

I don't think PROC should say, "We're denying the right of colleagues to speak." I think your job is to say, "This is no good, and we're going to radically change it, or just update or tweak it." Whatever you choose to do, that's your right, but I don't think it's your right to say, "Ah, you know what, we're just going to stop it from going up, because we don't want it."

That's my hope, and I'm not entertaining other thoughts, honestly, Scott.

• (1210)

Ms. Elizabeth May: My hope, and this is a big hope, is that we can actually discuss this in an election campaign, so that after the election, when people are back, we are able to say to whoever is running for Speaker—and I assume our current Speaker will run again—that we have public support for you to, for instance, tell the whips that you don't need their lists. You heard it in the election campaign.

I know it's a very obscure topic, but I think the notion of, "Would you like to see us work to create greater decorum, when we get back to Parliament?".... Political parties after an election, should go away. Let the people who are elected do their work. It will never happen completely, but it used to be a lot more like that. Even in the eighties, it was a lot more like that. In the nineties, it was a lot more like that. It's the hyper-partisanship of day-to-day life in Parliament that is an obstacle to progress, on a wide range of issues.

For me, it's about a lot more than decorum, but the decorum is a part of how we have a Parliament that functions in all of our interests, instead of in the interests of inventing a fake wedge issue for use later.

The Chair: Thank you.

Now we'll go to Mr. Reid.

Mr. Scott Reid: Thank you.

I've been urging flexibility on these things, but did you want me to try to be seven or five minutes? What are we aiming for here?

The Chair: You are on a five. I've been a little flexible, and all the speakers have gone over a bit.

Mr. Scott Reid: Okay. I will try to honour tradition as opposed to making up for everybody else.

Some things being suggested I think are utopian. I want to spend a minute on reading speeches. I know that's not part of the proposal.

Tonight is the night of my private member's motion. I've been waiting for almost four years. It's very exciting. And I have 15 minutes to talk about why January 29 should be a national day of solidarity with victims of anti-religious violence.

I happen to have my speaking notes here, which I will be reading word for word. You will notice there's a little 9 and a little 10. That indicates it takes me a minute to get from there to there. I have it timed so it's exactly long enough. If I don't use a script, I won't get all the information I packed in there. I can't do it extemporaneously, even though I am a big fan of extemporaneous talk when available. I even have little notes here because it turns out that when I redid it I forgot to edit some material and my numbers were off and I've got to go back and... I'm not going to keep on adjusting, partly because I read more slowly in French than in English.

A mechanistic application of the no-reading rule would have some consequences that I don't think those who advocate it had in mind. That's a concern to me.

I know S.O. 31s didn't originate here; they originated with Scott, but I think we've identified a real problem.

Right now as I understand it, the theory, which has been abused, is that whoever catches the Speaker's eye will give an S.O. 31, but it has come to be divided up fairly among the parties, and the parties have used it to assign to us. I only know my own party, but I think every party has adopted a process of saying the last couple are reserved for party business, and the rest are on some kind of rotation. I just checked with my staff. I am up on our rotation for an S.O. 31 on the Tuesday after next.

I think the only way we could make sure the S.O.31s are 100% about private members' business would be to make it a formal rotation; private members' bills are a lottery. You get put in there, and then after that you go through it. It's systematized that way in the Standing Orders.

Now that I've thought it through, your instigation to try putting that in I think is not a bad idea. It would resolve the problem. I think the reason my side puts in partisan attacks, and your side puts in partisan attacks and the NDP does too in all fairness is we're in an arms race with each other. If you create a situation where we're all disarmed, I think the problem would go away and return to its original purpose.

I wanted to get that one on the record.

●(1215)

Mr. Frank Baylis: I want to reflect on two of your points.

I read the rules on reading, and they are quite flexible. They would allow for the first person speaking to...it does take into account situations like yours or the ministers'. They understand if the minister is giving a budget, he's not going to say he's doing this.

Mr. Scott Reid: That's a good example. A Speech from the Throne would be even better.

Mr. Frank Baylis: But those things are written in the rules. It's not as if you're not reading at all. The rules are quite clear. Let's say you have to quote someone, wondering what that quote was, or if you're presenting a bill or a motion you would have the right to read it. They understand that.

I want to make the reading part clear even though it's misunderstood. That's why I wanted to clarify.

The second thing on the S.O. 31 is the last two reserved.... As I said, there has been degradation. It was understood the Speaker does whatever. The last couple were reserved because things come up, and the parties need to have it. Over time, that got taken over. Then this concept of rotation did happen for a while, at least in the Liberal Party, where you had four.... You knew months ahead that this was the day, get ready. It's the nature of the beast that over time things get centralized, and at some point we have to hit the reset button and say we're pushing it back out.

Mr. Scott Reid: I know that, with S.O. 31s, people do actually trade, to the extent that they are still on a rotation—the trend for some of them has been to go toward being on a rotation. They're also tradeable, at least in my caucus. I traded my last one with Larry Miller, who wanted to honour someone who was in the gallery on the day. I had an S.O. 31 and he didn't, and that's why I'm going in his former slot.

The question I had is this. It's for both of you, and I think you may have different answers. On the issue of consensus, how much consensus ought there be before the Standing Order change arises—not just the package we have here but any significant standing order? I'd be interested in knowing how much consensus you think is appropriate—whether it's unanimous consent being required or whether it is something equivalent to, let's say, the consent of all of the recognized parties, which are not quite the same thing, or whether we should just go on a straight majority vote.

Just tell me where you are in there. There may be other options I haven't mentioned.

The Chair: Do you mean in committee?

Mr. Scott Reid: No. I mean in the House.

Ms. Elizabeth May: Let me, first of all, say that your contributions to democracy in this place, Scott, are much appreciated by me personally. I love working with you. You are one of the people who have their eye on the ball and have a historical framework for understanding what we need to do to protect parliamentary democracy, and I appreciate that.

I love the fact that Scott's idea around S.O. 31s is that, as you mulled it over, there is a solution—we make it a lottery, they all come in order and then everyone gets their own S.O. 31. I just wanted to say that was great.

I did propose changes to the Standing Orders in response to those put forward by the government House leader back at the beginning of this session of Parliament. It was frustrating for me that, having put a ton of work into something....

I happened to be travelling to the U.K. for another reason. I spent some time in their Parliament, met with my colleague, the only member of the Green Party in the Parliament of Westminster, and found out how they did things there. It was fascinating, really fascinating, not just reading the book but asking what it's like.

I would have loved to have had some response from anyone to the work I put into my 26 pages of suggestions for how we could improve our Standing Orders.

How do we actually do it? I think it would be best to have real consensus, which is very hard to get to. To stop the parties from having the control to stop us from reducing the power of the parties is the problem. So where is the consensus? Where does it really lie? Is the consent with the individual member? Or is the consent with the party brass that really does not want to relinquish control over how much they're able to dictate the way bills go through the House? It's more than just when we get to speak. The ultimate thing is the control, a lack of productivity in the effort to create kabuki theatre—and that's a credit to Michael Chong for this particular phrase about what we do in Parliament.

I would love to see, maybe, an anonymous ballot, some really good workshops at the beginning of Parliament. As I said, we have newly elected people. They have no idea what these issues mean day to day. The reason we're all here is that Frank came in and said, "This isn't good. I don't like this. I'd like to see it changed." So maybe workshopping it through with individual MPs, and then testing for consensus, which is.... The Green Party makes decisions by consensus. We wouldn't usually put it to a secret ballot, but given the role of political parties overseeing everything the other—

●(1220)

Mr. Scott Reid: How do you determine—

The Chair: You're four minutes over time already.

Ms. Elizabeth May: Sorry.

Mr. Scott Reid: I just want to ask.... This is actually really important.

The Chair: Okay.

Mr. Scott Reid: You say you determine things by consensus, but there is some point at which you say, "Aha, we've got consensus." And just a tad before, you didn't have it yet. What is that point?

Ms. Elizabeth May: The secret ballot is what I was suggesting as a way to test for consensus in this situation. What we do in the Green Party is say, “Okay, we’ve fought this thing out. People were in vicious and violent disagreement. Are we now at a point where we’ve heard each other enough that we have to compromise here?” Then we test for consensus. Do we have consensus, which is basically unanimous?

If we don’t have consensus, then we ask people, “Would you stand aside to allow the consensus to be accepted?” Then generally speaking, when people realize that the hill they want to die on is occupied by only themselves, they’ll generally say, “I will stand aside”, and this is accepted by consensus.

Mr. Scott Reid: Thank you. That helps a lot to understand how that works.

The Chair: Thank you.

Mr. Graham.

Mr. David de Burgh Graham: I’d like to retain the right to read, and I’ll tell you why: I think a lot better in writing than I do extemporaneously. It’s a quirk of my character, which I have quite a few of. The issue for me is not so much if you have notes or speeches; it’s who writes them. Do you know in advance that you’re going to give a speech? Do you know what you’re going to say? Are you really giving your own speech? I’ve given some speeches that I’ve written myself and that people have had a good chuckle at. I’ve put a lot of effort into them. I’ve also been provided speeches where it was, “Here, can you speak in three minutes?”, and I’ve had to ask what I’d be talking about.

That’s what’s wrong with the system. That’s where the breakage is. Do you agree with that?

Ms. Elizabeth May: Yes, but the easiest way to make sure that people are delivering their own words is if they’re not reading a speech. I would go to Scott’s point about the timing. For instance, in the British Parliament, the Speaker is more flexible about the time, but we have these hard and fast rules around timing. It’s 30 seconds to ask your question in question period. That’s not what happens in the Parliament of the U.K. So a bit more flexibility on the part of the Speaker would allow for someone to actually speak extemporaneously.

The only time I ever read anything in the House was when I did a very detailed point of order, with loads of quotes, in the 41st Parliament to try to stop Bill C-38, that it wasn’t truly an omnibus bill. The only time I read something is when I have a detailed legalistic point. I have a little clock in front of me. When I start speaking for my 30 seconds and then it gets to 20 seconds, I know I have to wrap. When I start speaking for 10 minutes and it gets to nine minutes, I know I have to wrap. So I don’t ever read; I’m lucky that way.

Mr. David de Burgh Graham: Nine minutes down and not nine minutes left, correct?

Ms. Elizabeth May: Nine minutes gone and one minute left.

Your question is a good one, David, about there being a way to verify that you wrote the speech yourself and didn’t just get it handed to you. I mean, when I hear members reading speeches and

mispronouncing words, I know they’re not familiar with the concept and that’s why it’s coming out all funny like that.

• (1225)

Mr. David de Burgh Graham: You’re right.

Mr. Frank Baylis: Could I add a little bit there, David?

Mr. David de Burgh Graham: Yes.

Mr. Frank Baylis: This touches on two points here. We talked about how this thing should be done when we get a new Parliament. I would not have been in a position, newly elected, to espouse these things. I had to read the rules, but I also had to experience the rules. People say it should be redone in a new Parliament. I actually think it should be done now. I would again make the argument that because we’re seasoned now, we can make that change.

When it comes to reading, I did it once. I’m a team player, and I was new and didn’t understand. Someone asked me, “Will you do this?” I said, “Yes, I’m part of the team.” I read it—once, and once only. When I realized what I had done, I said I would never do it again, because it’s not right. I am speaking as a member of Parliament, and if I’m going on record, I should at least be putting my words down and I should at least know what I’m talking about. I had to experience that to realize that it’s not right.

Michael Chong once related to me a very funny anecdote about how one time in their party, by error, the exact same speech was read twice—verbatim.

Ms. Elizabeth May: Well, I put it in my point of order to the Speaker at the time—this was with regard to why Bill C-38 wasn’t in proper form—that I’m there all the time, and I heard whole paragraphs read verbatim the same. This is embarrassing for MPs, but these weren’t just any old MPs; these were ministers. It wasn’t deliberate plagiarism, but someone in the back room was just trying to spit out the speeches. I was hearing the same text over and over and over again from people who obviously had not written it themselves and didn’t really know what they were talking about but were prepared to read a speech.

I think Parliament is about talking.

[*Translation*]

We are here to say what we mean in our own words.

[*English*]

You’re not supposed to read somebody else’s work.

Mr. David de Burgh Graham: Right.

I’m running out of time already—

Ms. Elizabeth May: Sorry, David.

Mr. David de Burgh Graham: That’s okay. It’s always fascinating. I wish we had many more hours.

I would propose that what we need is a 15-minute slot where you speak as long as you feel like up to 10 minutes, and all the remaining time goes to Qs and As. If you want to have a conversation, and have a two-minute speech and 13 minutes of Qs and As, go for it. That’s what I would prefer. I’d much rather have a conversation than a speech.

But I don't want to belabour that point. I'm already probably past my time, and I just started my list.

The first time I met you, Elizabeth, was in 2008 at the Guelph Mercury community editorial board. One of the first questions I asked you was about whether our politics work because of or in spite of the parties. Your answer was very clear and very direct: It's very much in spite of the parties. So how do we fix anything when at the core, no candidate exists in any election if the party leader doesn't approve them and then has complete control over the membership at committee and all sorts of things? At the end of the day, there's always that power at the end. We can change everything we want, but we still have to do what they want if we want to come back at the next election.

Ms. Elizabeth May: Michael Chong's original version of the Reform Act that he brought forward was to take that away. We have to remember that the rule that the party leader must sign the nomination papers was an unintended consequence of saying that the parties' names would be on the ballot along with the candidates' names. Between 1867 and the seventies, we didn't have the parties' names on the ballots, just the candidates' names.

My party, if you want to know how do it, has passed a bylaw that I'm not allowed—no leader of the Green Party is allowed, it's not particular to just me—to refuse or decline to sign a nomination paper without the support of two-thirds of the elected federal council. With regard to the misuse of the leader's power to pull nominations from really good candidates and to stick in somebody they like better, I would just say that reducing that power is something that we could do legislatively. Michael Chong did try.

Mr. Scott Simms: I'd be remiss if I didn't say that the only person who has actually followed the time here has been Madame Lapointe.

The Chair: She didn't actually follow the time either.

We have time for one more question and I'll give it to Madame Lapointe.

[*Translation*]

Ms. Linda Lapointe: Thank you very much, Mr. Chair. In my opinion, I have complied with the seven minutes allotted to me. Everything always starts with following the rules. I must say that I personally like it when everyone follows the rules we set up.

[*English*]

The Chair: Sorry, you had seven minutes and 56 seconds.

[*Translation*]

Ms. Linda Lapointe: Mr. Baylis, earlier, you talked about the reasons why women do not get involved in politics. Everyone has given their opinion on a number of things. However, I am a woman and I have spoken to many women who were considering becoming involved in politics. You said that women do not want to get involved because of the behaviour in the House, but that is not the main reason. Women think more about the quality of life they will lose on a personal level. However, if you ask a man whether he would like to get involved in politics, he will not think twice about it. If you tell him he'll do a good job, he'll go for it without hesitation. Women think much more about the consequences. Most of the time, they are the backbone of the family. That's more the sort of thing the women I have talked to told me.

In terms of decorum, the purpose of the motion is to establish co-operation rather than confrontation. That's what you said at the outset. Frankly, it's a very good objective. Yes, we need to work together, and yes, we have things to do.

That being said, it is a very substantial motion, which is divided into a number of separate items. If you ask me to vote for or against the motion at the end of the session, I would point out to you that we will not have had time to debate it and check whether it will accomplish exactly what it is supposed to accomplish. I'm not convinced of that yet. I will have some questions for my colleagues about that when they are here. For the time being, the motion is too substantial for us to make a decision.

I would like to know how you think we could proceed with such a lengthy motion.

I do not agree with the motion in its entirety. However, I am very much in favour of certain aspects. No, it is not normal to have voting marathons. No, it's not appropriate. It's not healthy. No one can impose that on anyone. However, our rules allow opposition parties to do so.

Everyone here at present was elected on the basis of an election platform. In principle, you, Frank Baylis, represent the riding of Pierrefonds—Dollard, but you were elected under the Liberal banner. The folks opposite are members of the opposition and have promised to do certain things. When you are in the House, you represent the people of Pierrefonds—Dollard, and I represent the people of Rivière—des—Mille—Îles, but under the Liberal banner. We cannot ignore that aspect when we are in the House. We promised to do things.

Could you comment on that?

• (1230)

Mr. Frank Baylis: You make some very good points, Ms. Lapointe.

First, I want to clarify one thing in terms of women's involvement in politics. It goes without saying that we have women in our ranks. My comments were based on an article about a survey of all female provincial premiers across the country. That's where I got that statement from. They were asked about their experience and why so few women held those positions. Those women are the ones who said that the main obstacle to encouraging more women to get involved in politics was what they saw during the oral question period. I just wanted to share that with you.

Let me reiterate that this will also help productivity. I sincerely believe in courtesy and productivity.

Furthermore, you are saying that the motion is too substantial. However, if we are talking about making changes to create a parallel chamber, we will not be able to get around it being substantial. It's written down, and it's up to you to decide whether or not you want to proceed.

Finally, I completely agree with maintaining a balance with the electoral platform. We are elected as Liberal members of Parliament. As a Liberal member of Parliament, when the work was done, I asked for an appointment with our Prime Minister, who is also from the Liberal Party. I explained the process to him and asked him whether it could be a free vote. He did not answer 100% yes, considering that he had just been briefed on my entire proposal, but in his opinion, it met the criteria he had previously established to determine when it could be a free vote. It is not against our platform or the charter, and it is not a vote of confidence. That is what our Prime Minister told me.

So in terms of the balance that needs to be maintained, it is maintained in this case. I would ask you to check with our Prime Minister.

[English]

The Chair: Can we have your closing comment, Elizabeth?

•(1235)

Ms. Elizabeth May: Thank you.

I want to say that the work Frank initiated here is already proving its worth in that we're having this conversation. I would love to encourage all of my colleagues to think more about it.

I hear what you're saying, Linda, but it's very important that we remember that the only job description that we have in law is in the

Constitution of Canada. The Constitution of this country doesn't mention the existence of political parties. We are here to represent our constituents, and Westminster parliamentary democracy says that all members of Parliament are equal, and that the Prime Minister is basically first among equals, *primus inter pares*. We are not here as cogs in the machines of our respective political parties. To remedy this, to say the pendulum has gone too far in the direction of MPs being mere cogs in a larger machine that exists to attain power for no other purpose, I think we are in a good position as members of Parliament in 2019 to start making the change that says let's push the pendulum back even a bit, because it's gone too far.

The Chair: Thank you very much.

Thank you both for coming. You've obviously opened up a lot of topics that people have very interesting and passionate views on, as David Graham said—

Mr. David de Burgh Graham: We've opened Pandora's box.

The Chair: I was thinking that.

As David Graham said, we could discuss this for hours and hours, and I'm sure we'll discuss it more.

We're going to suspend for a few minutes while we change to the next section of the meeting.

[*Proceedings continue in camera*]

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