

# The New MP and Committees

## Why Think of Committees as a Way to Have an Impact?

Although Members of Parliament must allocate their time in Ottawa between duties in the House, and caucus and committee meetings, it is in committee work that most newly elected Members can add the most value. This note outlines, on the one hand, how Members can be most effective in committees and, on the other, how they can work with colleagues to make committees more effective.

In committees, MPs can exercise each of the three core roles of their parliamentary mandate: **as legislator**, reviewing and amending legislation; **as overseer**, reviewing government policies, programs and expenditures; and **as representative**, hearing the various voices of citizens and working with colleagues to develop a consensus around collective public interests of Canadians. Although these three roles are central, they are not always evident to the ordinary citizen. MPs are at times portrayed in the news media as the rabid partisans of Question Period who rubber-stamp the dictates of their party. However, they also are seen as caseworkers assisting constituents with information and advice on their dealings with government. While working actively with party colleagues and assisting constituents are important parts of the job, the core democratic responsibilities are citizen representation, oversight, and legislation – responsibilities that can be addressed best in committees. A challenge for new Members is not only to make this important part of the job effective, but also to make it more visible to Canadians. Diligently pursuing their work in committees provides a good way for new MPs to contribute to better governance, which may also help to improve the public image of the effectiveness of the Parliament in Canada.

While votes in the House and their coverage in the news media are significant, it is in committees that a Member can thoughtfully deliberate with colleagues to develop positions on legislation and other policy issues, hear the views of ordinary Canadians and experts, and pose

questions to Ministers and officials with a reasonable hope of obtaining relevant information. It is also the forum where Members can develop further expertise in a policy area and work with knowledgeable colleagues. In the 38th Parliament, 18 of the 20 Standing Committees specialized in different policy areas. It is for these reasons that committees are one of the most important mechanisms available for refining legislation in a process that is seen by citizens as legitimate, for making government operations and finances more transparent, and for developing a shared understanding of Canadian interests.

## How Committees Work?

In the Canadian system, there are two main kinds of committees through which the House conducts its business: (For details, consult “*Committees a Practical Guide*, House of Commons, Sixth Edition, 2001)

1. Standing committees are permanently mandated by the House to oversee a government department or departments, or to exercise procedural and other responsibilities related to the House itself. They have extensive powers of inquiry to undertake the detailed consideration of legislation, estimates and other matters in their areas of jurisdiction. Three of these are joint committees with the Senate: Scrutiny of Regulations, Library of Parliament and Official Languages. (Although there are provisions in the Standing Orders for legislative committees, this work is typically handled by standing committees.) Special committees, after completing a particular study at the request of the House, are then disbanded.
2. The Procedure and House Affairs Committee proposes the membership in each committee (as well as lists of associate members, that is, potential substitutes) after consultation with House Leaders. Individual MPs are informally asked for their preferences in terms of membership in a committee, but may not necessarily get their choices. The final membership reflects the party standings in the House, as well as party strategy. For

example, the governing party will usually ensure that the Parliamentary Secretary assigned to the department(s) monitored by that committee is included and each opposition party will assign the relevant critic.

After the adoption of the report on committee membership in the House, each committee as a first order of business elects – by secret ballot since a decision in 2003 – a chair and two vice chairs. Of these three positions, two usually are members of the opposition party and the third a member from the governing party. In minority parliaments, this arrangement may be modified by agreement among parties. Committees then begin to organize their work by adopting a series of routine administrative motions. Most committees create a steering sub-committee, also called a sub-committee on agenda and procedure, which develops the committee’s work plans and recommends them for approval by the full committee. Each committee will have the support of a committee clerk from the Committees Branch of the House, and a researcher from the Library of Parliament.

Standing committees, in addition to reviewing legislation referred to them, are empowered to study and report on all matters relating to the mandate, management and operations of the departments of government assigned to them. The most complete and updated documentation on departments is the package called the annual Estimates. The government’s expenditure plans for the forthcoming three fiscal years, a part of the Estimates, are referred automatically to the relevant standing committees. This is where members can best develop a thorough understanding of what the government is actually doing and spending within the committee’s area of oversight. It also provides to committee members a direct role in exercising stewardship of the “public purse” by analysing budgets and scrutinizing allocation of resources, as well as reviewing departmental performance.

Other powers of a standing committee include matters such as: a) initiating inquiries and preparing reports and recommendations on any public policy issue related to its mandate; b) reviewing order-in-council appointments; c) sending for persons, papers and records; and d) publishing papers and evidence. Although committees can also retain professional and support staff in addition to the regular staff assigned to support their work, this

power is constrained by the budgets allocated to committees, a matter handled by the Liaison Committee. The Liaison Committee, which includes the chairs of all committees, allocates resources to committees. It also, on occasion, undertakes studies of matters related to the collective interests of House committees.

### **Dealing with the Practical Constraints**

The key constraints on committees, as identified by participants and expert observers, include: strong party discipline, particularly that of the governing party; time; and resources. However, the skill of chairs in handling committee management and operations, and the approach of individual members to their participation on committees are also important. Party discipline, although broadly seen as the most important impediment, and the skills of chairs cannot be usefully addressed in this note, which focuses on newly elected Members. The other matters, however, can be influenced by individual committee members.

**Time and resources:** While there are real time constraints on committee meetings, some time is poorly used by procedures that the committee can change, as well as by the behaviour of individual members. Questions and other interventions by committee members at hearings sometimes disrupt a fair and complete hearing of witnesses. Procedures can be established to reduce the time used by witnesses repeating material already provided in documentation or by ineffective committee questioning practices. Time also is used inefficiently if each committee study or activity is treated as a separate item. A policy study often covers material that could be addressed in a review of Estimates expenditure plans or performance reports. Developing a work plan for the entire sitting or for a full year is one way to make better use of the time devoted to hearings. While it might be difficult for a new member to change committee time management procedures, it might be possible to get the agreement of your colleagues on the committee to hold a meeting a couple of months downstream to review such matters. You might also suggest that the committee seek to establish a couple of objectives and subsequently monitor and discuss (and perhaps report on) its performance related to those objectives.<sup>1</sup>

While resources in the short run might be less amenable to adjustment, there might be opportunities to change the way assigned resources are used or to access

additional resources. In some situations, it is in the interest of departments to ensure a good understanding of certain issues. The Parliamentary Secretary on the committee might be able to arrange for briefings by departmental experts. Party resources are sometimes provided to members sitting on specific committees. A periodic look at resource availability and actual usage might help.

**Your personal approach:** While getting value from a poorly performing committee can be very difficult, it is important that leadership on a committee not be seen as solely the job of the chair or the governing party. Particularly at the opening of a new Parliament, there is greater openness to working positively with all colleagues on committee, at least in part because there are other new members eager to undertake the important role they have acquired. Moreover, there often will be colleagues, not just from your own party, who are anxious to take extra steps to make Parliament work better. With energy, skill, a positive approach and a little luck, you will find colleagues to work with on the committee to make it more effective.

The principal criticism of witnesses about appearing before committees is a combination of either inadequate preparation by members (they did not seem to know what information they wanted), or that members did not appear to want any information (they were more interested in taking verbal jabs at each other). Three suggestions have been offered by members and observers. First, members should prepare themselves so they know what information they are seeking, and they should provide guidance to Library of Parliament staff about what briefing material is needed. Second, committees should meet before calling witnesses, and discuss the range of issues they wish to cover and ask staff to convey their interests to witnesses. This helps witnesses prepare and it helps members to clarify in their own minds exactly what they are seeking. Third, members should be diligent in attending meetings and in arriving on time. Lack of continuity in a series of meetings or a single meeting can lead to repetition of questions and the frustration of your colleagues.

Some stress has developed in recent years regarding witnesses from the public service. The public service interpretation of its members' role at committees can be at variance with the expectations of committee

members. Officials represent their Minister before a committee. They feel able to answer questions of fact and to explain the kinds of analysis and debate around an issue. They, however, should not be expected to justify the government's policy, a question that should be addressed to the Minister. However, some officials give committees the impression that they are unwilling to provide information. Whether this is due to lack of experience, Ministerial direction, or a lack of understanding of Parliament's role is difficult to determine.<sup>2</sup> Whatever the reason, committees through their chairs should seek to convey their dissatisfaction with such behavior to the Minister either directly or through the Parliamentary Secretary.

### Closing Observation

Committee members have expressed a high level of frustration in recent years. It is not so much a case of committees not producing worthwhile results. Rather, it appears to be a case of producing less than they feel they could. Committees have enormous potential to make the parliamentary arm of government more effective. They provide a formal forum for engaging citizens on public policy, for sorting out essential differences and forging consensus on an appropriate balance, and can be an instrument for making government transparent in a balanced manner. There are many ideas on how to bridge the expectations-reality gap and broad agreement among members on these matters. Many of these ideas are described in the resource documents listed in the next section. But from the perspective of a new MP, the words below of Reg Alcock at a May 10, 2000, meeting of MPs on the Hill (see Document 3 below) are particularly constructive:

*“ . . . The truth is that we own the place. If we want these changes to occur, we can make them occur, regardless of what others want. I was just thinking, you know, it would be possible for us to implement these changes. It just takes a majority of the Members of the House. . . . ”*

### Further Documentation

In addition to the expertise and documentation available from the Library of Parliament, a number of papers are available through the Parliamentary Centre website [www.parlcent.ca](http://www.parlcent.ca).

1. *Parliamentary Government, Report of the Liaison Committee on Committee Effectiveness*, June 1993. This

report, although prepared more than 10 years ago, contains a number of recommendations and some relevant information on committee activity at that time. As such, it provides an excellent base for comparison with more recent assessments.

2. *Parliamentary Government, Committee Effectiveness*, September 1997. This is an update of the previous Liaison Committee report, and includes a number of additional recommendations.
3. Institute for Research on Public Policy, Policy Matters, *Reforming Parliamentary Practice*, December 2000, by Peter Dobell.
4. *Parliamentary Government, MPs' Views on Committee Organization*, March 2001. Although it is not a formal committee report and doesn't contain formal recommendations, it does include updated impressions of committee effectiveness and the

recommendation of experienced MPs, most of whom were still active in the 38<sup>th</sup> Parliament.

5. Institute for Research on Public Policy, Policy Matters, *Parliament's Performance in the Budget Process: A Case Study*, May 2002, by Peter Dobell and Martin Ulrich.
6. Parliamentary Centre Backgrounder, *The New Member of Parliament and Committees*, 2005, by Amelita Armit. This is a more detailed version of the current note prepared for new Members in the 38<sup>th</sup> Parliament.
7. Parliamentary Centre Backgrounder, *Public Accounts Committee: An Interim Summary Report on its Roles, Products and Results*, 2005 by Martin Ulrich. This is an exploratory evaluation of the Public Accounts Committee during the 37<sup>th</sup> Parliament, as requested by that committee.

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<sup>1</sup> Tracking and reporting on committee performance is a matter of particular interest to the Parliamentary Centre. It would be willing to brief the committee or individual Members to suggest how that might be pursued.

<sup>2</sup> Particularly interesting and a likely contributing factor in some cases is the attitude officials take to Parliament. In a poll of public servants, reported by Peter Dobell in IRPP Policy Matters, *Reforming Parliamentary Practice*, 2000, on the relevant importance of various influences on policy development, parliamentary committees and MPs ranked almost at the bottom of 13 different sources of influence and, at times, were referred to as a minor process obstacle.