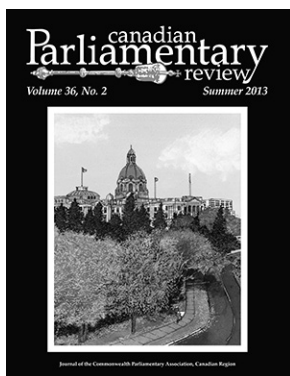# canadian Parliamentary review

About the cover
Alan Nuttall was born in England and studied at the Manchester College of Art before emigrating to Canada in 1982. He has had numerous exhibitions and his work is in private and corporate collections in Canada as well as the United States and Europe. His medium, pen and watercolor, lends itself to his whimsical style. The 51st Canadian Regional Conference of CPA will be held in Edmonton in July 2013.

The Alberta Legislative Assembly

by

Alan Nuttall

(Courtesy of the artist)

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In Social Media Content is King

Hon. Monte Solberg

Marshall McLuhan famously observed in the 1960s that the "Medium is the Message" with different media having their own way of impacting the viewer, listener or reader. This article argues that when it comes to social media and its impact on the political process and public policy we need to pay more attention to content rather than conclude that the medium itself is transformational.

There are a lot, of ways to come at the subject of social media, but let us narrow it down by asking some questions.

- What is social media? For our purposes we should focus on blogs, Twitter, You Tube and Facebook, while also noting that technologies like websites, texting and emails often get lumped in to these kinds of discussions.

- How much do social media users influence party and government issues and agenda's? I am going to argue that it is not nearly as much as some people might think, or at least no more than the traditional methods.

- How much do politicians, political parties and their partisans influence the public via social media? I will again argue that the answer is, not very much. It is just another way of communicating.

- Can we tell from analyzing social media whether leaders and their parties have positions and messages that resonate with the public? I would argue that the answer is-somewhat. But it will never be the definitive analysis that political parties or Members of Parliament rely on.

- What are the best ways to use social media? I think the best way to use it is to think of it as an electronic newspaper doing all the things a newspaper does.

But first a little context. When I was the Member of Parliament for Medicine Hat I had a famous political constituent in the person of Senator Bud Olson, a former MP and Liberal Cabinet Minister. One day I was talking with Bud's wife Lucille about what it was

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like to be the family of an MP in the 1950s. She said that Bud would get on the train to Ottawa in September and they would not see him again until December. She said one time the neighbours stopped by after Bud senior had been in Ottawa for many weeks and asked their very young son Bud Jr. how his dad was. Bud Jr. said, with complete earnestness, "My dad is dead".

Of course Bud was not really dead, it just seemed that way. He just could not easily communicate with his family located 2000 miles away, let alone his constituents. Mailing letters was the primary mode of communication followed by the telephone, though long distance calls were an enormously expensive luxury. Other than that MPs hoped they would get their name in the newspaper for sponsoring a popular private member's bill or commenting on an important issue.

When I first started in Ottawa in 1993 email was in its infancy. People had computers but almost no one had an email account. The mail was still the primary mode of hearing from constituents and Householders and 10 percenters were the most important way to deliver messages. In those days getting 15 or 20 unique letters on a particular issue was an indication that the issue had struck a chord. After all it takes time, effort and more than a little faith to compose a letter, put it in an envelope, mail it and then expect it will do some good. However even twenty years ago MPs discounted the form letters that would start to arrive in bigger numbers if the issue was hot enough and an advocacy organization was behind it. In politics a much smaller number of unique and heartfelt messages of concern about an issue trumps much larger numbers of messages not uniquely composed by a regular citizen, especially if they come from outside your riding.

Today, things could not be more different. MPs in all parties have huge email databases. The have websites,

Facebook pages, blogs, twitter accounts and Linked In profiles. Hundreds of emails, tweets, texts and Facebook messages pour in every day.

So, there has been a sea change in how we communicate, but in some of the most important senses the way we communicate has barely changed at all. MPs and their staff know, as social media skeptic Malcolm Gladwell has pointed out, that the barriers to entry to inputting a point of view to an elected official are so low that elected officials simply cannot afford to take them all seriously.

After all not everyone who sends messages will vote. On some issues the people who are most active are the ones least likely to vote. Pollster Frank Graves calls this "slacktivism". In others words too often social media users either parrot a point of view on Twitter or sign a Facebook petition believing they are participating in democracy.

> *I would argue that there is more "slacktivism" than activism because in many cases people who are active in social media do not go out and campaign for their party or candidate of choice. Very often they do not even vote.*

Harrison Samphir writes on *Rabble.ca*: "On May 2, 2011, the day of Canada's last federal election, close to 2 million young people avoided the polls. Remarkably, only 37.4 per cent of Canadians aged 18-24 voted".

Since then, much has been made of these historically low numbers, ones which suggest general detachment from, and passivity towards, the political process. After all, the last election featured the third-lowest voter turnout in Canadian history at 61.1 per cent.

What can explain such a pronounced disintegration of youth interest in politics and the aloofness with which young people are supposedly responding to their rights of citizenship?"

Samphir goes on to say:

> The nature of modern Internet technologies have thus gravitated many young people toward the luminescent glow of laptop screens and mobile phones. Issues formerly demanding social action and political participation have been reduced to an expression of 140 characters. The consequence has been, in many cases, an implicitly engrained apathy among youth; the type of passivity engendered by online anonymity and the prevailing assurance that, at one's fingertips,

lie the material and social comforts to bypass unwanted conversation or a *vexata quaestio*.

Liberal Leadership candidate Joyce Murray found the same thing when she allegedly won the support of tens of thousands of online activists at organizations like Avaaz and Lead Now. Undoubtedly, they did support Ms. Murray and her progressive views in every way except the way that really mattered. In the end they were more slacktivist than activist. Almost none of them bothered to vote for her.

While we still must wait for the analysis to come from the BC election it seems that environmental groups, unions and other progressives failed to show up to support the NDP despite unprecedented on-line commentary. It seems plausible that the Liberals using old technologies like TV and radio to run negative ads were far more effective than anything we saw on social media.

So, in exactly the same way as occurred when I was first elected twenty years ago elected officials today still must separate and deeply discount what I will call "cheap input" from authentic input. In the old days the cheap input arrived as form letters. Today they are form emails, Twitter re-tweets and Facebook petitions; all methods of communicating with very low barriers to entry.

To put it another way, content is king. Convince twenty people that they should each write a thoughtful email that is critical of a stand that an MP has taken and you will get his or her attention in a way you would never get if you had twenty people re-tweet a stinging personal criticism of that MP.

If I was the subject of that personal criticism, and I often am, I brush off the insulting partisans who are not serious about having a discussion. They are the anti-democrats and in my view should be blocked instead of engaged. Unfortunately, on Twitter especially, those kinds of partisan responses are common.

That said if you are willing to devote the time and fly through that flak you can have a measure of success. Treasury Board President Tony Clement frequently engages the public directly via Twitter. Undoubtedly this is true of a few MPs from all parties. Minister Clement will actually have a conversation with his followers though it is questionable how meaningful a conversation can be when it's carried out in chunks of 140 characters. On the other hand some MPs haven't been as successful social media. NDP MP Pat Martin has also had many conversations on Twitter, some of which were widely reported. Pat Martin has now, quite wisely, shut down his Twitter account.

Nevertheless, despite the attention social media gets political parties still get most of their information in

the same way they have for years; they canvass door to door, they poll and they do focus groups. You can certainly learn some things from analyzing social media responses through services like Sysomos but those services and software are not even close to being a replacement for talking to people directly and asking them what they think.

So, what about the other way around? When political parties communicate with the public how impactful is social media? The answer is, no more so than any other media. Again, content is king.

Tom Flanagan writing recently in the *Globe* noted that so far social media really has not had much impact on national Canadian political campaigns compared to the United States. He attributes this to cultural differences and different political systems.

> By contrast, Canadian politicians use social media almost exclusively in a top-down way. They post pictures of themselves, their family members and their pets on their websites and Facebook pages, and put up videos featuring the same cast of characters on YouTube. They tweet to draw attention to their latest speech or to criticize opponents or just to tell their followers what they're doing today. It's an attempt to present their human side to voters, but it's also top-down communication that doesn't energize political participation.

Except for the odd MP like Tony Clement and Matthew Dubé I think Tom Flanagan is correct.

Suffice it to say that, to date, the ways that social media influences Canadian elections or provincial and national agendas are narrow and limited. I can think of only one issue where social media may have caused the current federal government to move on an issue, that being the CRTC proposal to allow large internet service providers to pass on extra charges for heavy internet users. As you may recall the internet exploded at the thought of doing this and the government made it clear that it would not happen. Of course even if the Twitter-sphere had not exploded the government might have said that is a stupid idea and said no. Still, by and large, there are very few examples of social media driving government agendas, certainly not at the federal level.

All of that said social media can be influential in the same way that an old fashioned letter writing activist could be influential. Using social media gives citizen-activists a much larger potential audience then they had before. Anyone can have a blog, a Facebook page and a Twitter account so if you make good and appealing arguments it is possible to spark debates and, perhaps, influence governments. Sometimes it works the opposite way.

In almost every election bloggers dig up unflattering stories about candidates designed to hurt them at the polls. And of course in recent election several candidates have had to withdraw from campaigns because of what they have they have posted on Facebook and on their own Blogs.

So, where does this leave us? Social media is a tool, along with all kind of other tools and it is no better or worse as a communication medium then any of the others. It is just newer. True it empowers individuals to be more broadly heard but so far few people use that power effectively. I believe the issue is less about which medium we are using and it is more about what we are actually saying. Are we making good arguments? Are we honestly attempting to persuade.

Mediums come and go but it is the message itself that will always matter.

Reaching Out to Canadian Women and Youth

Myrna Driedger, MLA

The Commonwealth Parliamentary Association (CPA) and the Commonwealth Women Parliamentarians (CWP) have come together to work for better representation of women in legislatures throughout Canada and the Commonwealth. Created in 2005, the CWP-Canadian Region is comprised of women parliamentarians of the provincial and territorial Canadian legislatures and the Federal parliament. Its aims and objectives are: To provide opportunities for strategic discussion and development for future and present parliamentarians; To increase female representation in our Parliaments; To foster closer relationships between Canadian women parliamentarians; To foster relations with other countries having close parliamentary ties with Canada; and To discuss, strategize and act on gender-related issues in Canada and internationally. The CWP pursues its objectives by means of annual Commonwealth parliamentary conferences and regional conferences, outreach programs and participation in many campaign schools across the country. This article looks at the 2013 Outreach Program held in Québec.

The importance of creating awareness and sharing information with women and girls about the role of parliamentarians, the parliamentary system and the political process is key to increasing engagement of women in politics. Outreach programs provide an invaluable opportunity to encourage involvement and to de-mystify the political world.

The CWP-Canadian Region also participates in many campaign schools across the country – sharing insights and experiences – in the hopes of inspiring women to take that step into politics.

The purpose of our Outreach Program is to increase women's representation in all levels of government. During the program, discussions are held concerning the role of the CWP and the objectives of the CWP Outreach Program; the multiple roles of parliamentarians; increasing youth engagement; the road to election day and the election process; the support available to candidates; increasing women's representation in the public service; and the importance of community and constituency involvement.

The 2013 Program

As Chair of the CWP – Canada, I led a delegation of members from Alberta, Saskatchewan, Manitoba, Prince Edward Island, and the Northwest Territories to attend the CWP Outreach Program in Québec, from March 20-23, 2013.

The sixth annual Outreach Program built on the successful visits to Prince Edward Island, in 2011, British Columbia in 2010, Nunavut in 2009, Nova Scotia in 2008, and the Northwest Territories in 2007.[1]

During the 2013 Program, the delegation met with members of the following institutions and organizations in Québec:

- Group Femmes, Politique et Démocratie;
- Members of the Assembly of First Nations of Québec;
- Students from Neufchâtel secondary school;
- Journalists from the Québec Press Gallery.

The Group Femmes, Politique et Démocratie (GFPD) is an organization that promotes citizenship, education and political involvement. It also provides coaching

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for women interested in entering politics. Since 2004, close to 150 women have attended its École Femmes et Démocratie, offered in cooperation with Québec's national school of public administration (ENAP), and participated in a mentoring pilot project for women in politics.

> *We must open doors and we must see to it that they remain open, so that others can pass through.*
>
> Rosemary Brown
> First African Canadian Women of the
> BC Legislative Assembly

The GFPD developed a program to help women who are interested in entering politics by pairing them with mentors and helping them develop both interpersonal and career-related skills. However, another goal of the pilot project, which was launched in 2004, was to educate women about the steps involved in entering politics. Ms. Hémond described the pilot project, its objectives and the co-development approach to coaching women in politics.

It was pointed out that it is important to create a mentoring agreement that sets out participants' respective roles and objectives, the terms and conditions of the mentorship, and the medium and long-term goals. Having good listening skills and being open, empathetic, trusting and non-judgmental are critical to the success of the partnership/mentoring arrangement. It is also essential to develop a network and have regular meetings to help the participants adjust, ask questions, provide advice, and share knowledge and experience.

The women of the Assembly of First Nations of Québec and Labrador was created in 2007. An objective of the group is to work towards providing supports to First Nations women who are already active in politics, those who are looking to pursue a career in politics, or to those who wish to get involved in their communities.

The group shared with us that all 11 Nations (First Nations and Inuit) in Québec shared similar issues: such as spousal abuse, discrimination and lack of access to higher education. The members of the working group shared their background and their struggles around issues of equality, gender, justice, prostitution, and violence – saying that all of these issues need to be addressed. They feel that education is the key to helping women: they need access to higher education, and they also need the opportunity and/ or the mandate to teach and learn at a higher level, which many felt was not currently available to them.

The working group also said that more women need to get involved in their communities and help

to create a network to promote self-esteem, sports, healthy living and support between themselves and their children. One member pointed out a challenge they face: "The *Indian Act* favours men. Women are treated like minors. We can't get bank loans. How do you expect us to enter politics if we don't even have the most basic rights?" It was also highlighted that the band chief decides who will go to school, and that the only thing First Nations women can do is present resolutions at band council meetings, and very few of those resolutions are ever adopted.

Neufchâtel Secondary School's student model parliament is a leader in its field. This school is the first in the Québec City area and the fourth in Québec to have changed its student council into a model parliament. In 2006, with the goal of increasing young people's knowledge of democracy through education, the Jean-Charles Bonenfant Foundation (a non-partisan organization) proposed a new way of operating high school student councils, inspired by aspects of the National Assembly.

The administration benefits from the initiative because it puts students in a hands-on setting that they like, and enables them to exercise their right to free speech. The model parliament is a consultative body, but the administration considers all its requests and works with students to advance projects deemed to be in everyone's interest. This encourages all students to participate in the decisions that concern them and their school. It allows young people to learn and put into practice democratic values such as freedom of speech, the respect of other's opinions, the art of compromise, solidarity, justice, tolerance, equity, equality, representation, the right to vote, and access to information.

> *Women's presence as public actors confirms, while their absence weakens, the legitimacy of basic democratic principles."*
>
> Professor Sylvia Bashevkin
> University of Toronto

The 1,450 students work hard to be models of commitment. They comply with a code of ethics (respect-rigour-integrity-involvement), and take an enriched program in science and technology, music, physical education/sport, or visual arts – all the while participating in a school-based democratic setting.

Students were curious to learn more about the work of an elected official; how they balance their work and family lives; how they deal with their respective regional issues and party issues; how youth are

Members of the 2013 Outreach Delegation (l-r): Wendy Bisaro (Northwest Territories), Bridget A. Pastoor (Alberta), Myrna Driedger (Manitoba), Nadine Wilson (Saskatchewan), Paula Biggar (Prince Edward Island), Leanne Rowat (Manitoba), Laura Ross (Saskatchewan). Note: Photo taken during a tour of the Québec National Assembly and does not include Québec parliamentarians who participated in the Outreach Program: Charlotte L'Écuyer, Denise Beaudoin, Diane Gadoury-Hamelin and Michelyne C. St-Laurent

involved in their election campaigns; their views on social media; the differences and difficulties of being a woman in politics compared to men; and their advice to young people to encourage them to go into politics.

A very informative conversation took place with a group of women journalists from the Québec National Assembly Press Gallery. We had an opportunity to discuss our views on how the media portrays women in politics, while also engaging in a discussion about the issues and opportunities that women political journalists encounter.

Conclusion

Hosted by Québec MNA Charlotte L'Écuyer, with great support from the staff of the National Assembly, the sixth CWP Outreach Program provided the opportunity to promote engagement in political life, to talk with Québec community leaders and organizations, and to raise awareness of women's issues. Lengthy consultations took place prior to the delegation's arrival in Québec to identify key community organizations,

leaders and potential candidates in each region. Consultation with local networks is imperative to the success of the CWP Outreach Program. Throughout the program, CWP members were able to interact with many accomplished, passionate and engaged women in the community.

Canada's CWP Outreach Program is a true success story. Hundreds of Canadian women have now connected with our women parliamentarians and we hope we have educated, connected, empowered and engaged them to want to take that next step and join us on a political journey.

Notes

1   For information on previous programs see Charlotte L'Écuyer, "The First Outreach Program of the Commonwealth Women Parliamentarians" *Canadian Parliamentary Review*, vol. 30, no. 3, Autumn 2007, pp. 4-5. Gary Levy, "50th Canadian Regional CPA Conference, Québec", *Canadian Parliamentary Review,* vol. 35, no. 2, Summer 2012, pp. 56-57.

Changing the Line of Succession to the Crown

Hon. Rob Nicholson, MP

On October 28, 2011, representatives of the Commonwealth countries for which Her Majesty the Queen is the sovereign head of state, including Canada, agreed to support changes to the rules on royal succession. Prime Minister Stephen Harper signalled Canada's support to end the practice of placing younger brothers before their elder sisters in the line of succession. Second, he signalled support to end the prohibition against heirs marrying Roman Catholics. In December 2012, the government of the United Kingdom introduced legislation to amend the laws governing succession along these lines. The bill has been passed by the United Kingdom House of Commons and the House of Lords. This article outlines the provisions of Canadian Bill C-53 intended to indicate Canada's agreement with the principles in the United Kingdom legislation.

The purpose of Bill C-53 is to provide the Parliament of Canada's assent to the changes to the law governing the succession to the throne that are proposed in the United Kingdom bill. The laws governing succession are United Kingdom laws. It is wholly within the legislative authority of the Parliament of the United Kingdom to alter the body of United Kingdom laws relating to royal succession, including the *English Bill of Rights of 1688* and the *Act of Settlement of 1700*.

Canada is a constitutional monarchy, and it is a fundamental rule of our constitutional law that the Queen of Canada is the Queen of the United Kingdom, or, to put it another way, whoever, at any given period is the Queen or King of the United Kingdom is, at the same time, the Queen or King of Canada. That rule is embodied in the preamble to the *Constitution Act of 1867* and in the provisions of that act. The preamble states that Canada will be "united into one dominion under the Crown of the United Kingdom, with a constitution similar in principle to that of the United Kingdom."

Section 9 of the *Constitution Act of 1867* vests executive government and authority of and over Canada in the Queen. However, as the sovereign of the United Kingdom is also the sovereign of Canada, it is recognized as a matter of constitutional convention that the Parliament of Canada should assent to any changes to the laws of Succession to the Throne or the Royal Style and Titles of Her Majesty. This convention is set out in the preamble to the Statute of Westminster, 1931, which is a part of the Constitution of Canada, and it is repeated in the preamble to Bill C-53.

In this regard, our Canadian bill follows the precedent set by the Parliament of Canada in 1937, when, by the first Succession to the *Throne Act*, our Parliament assented to the alteration in the law of succession to the throne brought about by *His Majesty's Declaration of Abdication Act*, a statute of the United Kingdom Parliament, which gave legal effect to King Edward VIII's intention to abdicate the throne. It also follows the precedents of 1947, when the Parliament of Canada assented to an alteration in the Royal Style and Titles of King George VI, deleting the words "Emperor of India," and of 1953, when, by the *Royal Style and Titles Act*, the Parliament of Canada assented to the issuance of a proclamation declaring the official *Titles of Her Majesty Queen Elizabeth II*.

In moving second reading of that bill, Prime Minister Louis St. Laurent stated:

"Her Majesty is now the Queen of Canada, but she is the Queen of Canada because she is the

Hon. Rob Nicholson, is Minister of Justice and Attorney General of Canada. This is an edited version of his testimony to the Standing Senate Committee on Justice and Legal Affairs on March 21, 2013.

Queen of the United Kingdom and because the people of Canada are happy to recognize as their sovereign the sovereign of the United Kingdom."

It is important to note that Bill C-53 does not amend the Constitution of Canada in relation to the Office of the Queen. The constitutional status of the Queen as the sovereign of Canada and her powers, rights and prerogatives under the Constitution are not affected, in any way, by this bill. Her Majesty continues to be our sovereign and head of state and to exercise the same authorities.

There are some who have tried to argue that, since the enactment of the *Canada Act 1982*, no law of the United Kingdom Parliament can extend to Canada as part of its law and that, therefore, the United Kingdom Succession to the Throne Bill cannot apply to Canada and our Canadian bill has no effect. This is inaccurate.

The United Kingdom Parliament is not making law for Canada, and there is nothing in the United Kingdom bill that purports to extend to Canada. The British bill is amending the United Kingdom laws that define who may become the sovereign of the United Kingdom in the future. It is our Canadian Constitution that provides that the sovereign of the United Kingdom is the sovereign of Canada.

Bill C-53 will simply declare the Parliament of Canada's assent to change ancient rules of succession that favoured male heirs over females, and that disqualified heirs if they married Roman Catholics. Those incremental and progressive changes are consistent with Canada's fundamental values.

The bill is a straightforward approach to signifying this Parliament's assent to changes to the law of royal succession that our House of Commons and fellow Canadians endorse. It is consistent with the precedents established by previous parliaments and with a sound appreciation of constitutional law, principle and convention. We are pleased to be doing our part in this important international endeavour.

More is Needed to Change the Rules of Succession for Canada

Garry Toffoli and Paul Benoit

This article argues that, since the 1931 Statute of Westminster, Canada has developed its own distinct process for amending its constitution. Altering the rules of succession to the Throne, which are fundamental to our constitution, are part of that process. The Succession to the Throne Act, 2013, is an important first step, but one that does not satisfy our current constitutional requirements.

The intent behind the Succession to the *Throne Act, 2013*, passed by the Parliament of Canada is not at issue. Canadians generally agree with the citizens of the Queen's other realms in supporting the changes to the laws of succession, hence the unanimous support in the House of Commons and the Senate.

The problem with the act is not what it does but what it does not do. While it gives moral support to the Parliament of the United Kingdom, its assent is not legally necessary for the British Parliament to change the laws of succession for the United Kingdom, and its assent to a British act does not actually change the laws of succession for Canada. So the act is an acceptable first step as it confirms that Canada agrees with the changes, but more needs to be done.

The assumptions that this act is all that is necessary are:

> (1) that it follows the precedents of 1937, 1947 and 1953;
>
> (2) that, although the Act asserts in its preamble[1] that the Crown of Canada is separate from the Crown of the United Kingdom, the Government claims that the monarch of the United Kingdom is automatically the monarch of Canada by virtue of the preamble to the *Constitution Act, 1867*;
>
> (3) that there is no law of succession for Canada;

(4) because of the first three, changes to the laws of succession are determined solely by United Kingdom legislation.

None of these assumptions are supported by the facts of Canadian history, constitutional development or law. It should be noted that of the four oldest and major realms of the Queen, three (the United Kingdom, Australia and New Zealand) have determined that they must change their domestic laws. Canada is the odd country out.

Let us consider the "precedents" of 1937, 1947 and 1953. Instead of following what happened in those years, the *Succession to the Throne Act, 2013* is fundamentally different because it gives assent to an act of the Parliament of the United Kingdom which it acknowledges does not extend to Canada.

When King Edward VIII abdicated in 1936 the Canadian Government passed an order-in-council requesting and consenting that the United Kingdom Parliament extend its legislation into the laws of Canada, a power held by Westminster at the time but repealed in 1982. Otherwise the abdication would not have applied to Canada.[2] Therefore, when the Canadian Parliament passed the *Succession to the Throne Act, 1937* it did not merely assent to the passage of the British act. It complemented and confirmed the original request and consent by the Canadian Government that the British act be extended into the laws of Canada. The 2013 act cannot do that because we now have a different formula for consenting under the *Constitution Act, 1982*.

In 1947 the Canadian Parliament did not give its assent to an act of the U.K. Parliament at all. It gave its assent directly to the King to his changing his royal style

Garry Toffoli is Executive Director of the Canadian Royal Heritage Trust and Paul Benoit is Vice-Chairman of the Trust. They testified as witnesses on Bill C-53 before the Senate Standing Committee on Legal and Constitutional Affairs on March 20, 2013.

and titles. The U.K. Parliament and the parliaments of the other realms also gave parallel assents to the King. The King then proclaimed the change on behalf of all his realms in one single action.

In 1953 the divergence of the realms was further recognised. The Canadian Parliament gave its assent for a new royal style and titles directly to the Queen solely as Queen of Canada, not as the Commonwealth's shared Queen. The other realms also acted unilaterally. The Parliament of the United Kingdom was not involved with the Canadian action at all.

So, since 1931, when the Statute of Westminster recognised the equality of Canada, and the other realms, with the United Kingdom, there has been no example of the Canadian Parliament assenting to an act of the United Kingdom Parliament affecting the Crown for Canada, without it having to become part of Canadian law.[3]

Secondly, is the monarch of Canada in fact determined solely by whoever is the monarch of the United Kingdom? In 1936, King Edward VIII sent a separate instrument of abdication to the Canadian Government from the one he sent to the British Government, with his original signature, not a copy; and he sent it directly to the Governor-General, not through the British Government.[4] In 1952 the Queen's Privy Council for Canada proclaimed Queen Elizabeth II's accession as Sovereign of Canada before she was proclaimed Sovereign of the United Kingdom. Neither of those procedures would have been possible if the Canadian monarch was determined by whoever was the British monarch and not by Canadian law.

Nor does the preamble of the *Constitution Act, 1867* in fact establish that the Queen of Canada is whoever is the Queen of the United Kingdom. It does not refer to a Queen of Canada at all, because in 1867 the British North American provinces were colonial provinces being federated into a self-governing colonial dominion. There was no concept then that the one Crown of 1867 might multiply into the now sixteen Crowns of the Commonwealth, as happened in the twentieth century. The preamble states rather that Canada is subject to the sovereignty of the United Kingdom. Either the preamble has been redefined by constitutional evolution and statutory enactments to mean that Canada is now under the sovereignty of its own Crown, or Canada is still a colony under the Crown of the United Kingdom. Either the Crown of the United Kingdom has constitutionally evolved into the Crown of Canada, for all purposes of Canada, or there is no Crown of Canada. There is no provision in Canadian or British law that created a second

"Canadian" Crown determined by, or subject to, the United Kingdom Crown, as is now being implied.

In 1949 the Parliament of the United Kingdom passed the *British North America Act (No. 2), 1949*, which amended the *BNA Act, 1867* by adding a new Section 91 (1) transferring from the Parliament at Westminster to the Parliament at Ottawa the authority to amend the Constitution of Canada in matters of Dominion jurisdiction. In 1953 the Canadian Parliament utilised this new authority to effectively amend the preamble of the 1867 act. Citing in its preamble that it was taking the action necessary to "secure the appropriate constitutional approval", the *Royal Style and Titles Act, 1953* provided for altering the *Interpretation Act* of Canada to define "the Crown" in all laws in force in Canada as it was now being defined by the Sovereign of Canada and the Canadian Parliament, i.e. as the Crown of Canada, not as it was defined previously by the Sovereign of the United Kingdom and the United Kingdom Parliament.

Louis St Laurent's 1953 speech in the House of Commons, stating that the Sovereign of the United Kingdom was recognised as the Sovereign of Canada, was quoted by the Minister in his testimony to the Senate. But the next sentence in Mr St Laurent's speech stated, "It is not a separate office."[5] This is critical to understanding Mr St Laurent's position. If the Queen of Canada and the Queen of the United Kingdom are in fact separate offices, then his contention that the Queen of the United Kingdom is recognised as the Queen of Canada loses its validity. In 2013 it is clearly understood, and it has been maintained by the Government and Parliament of Canada for decades, that, as a result of the constitutional evolution of Canada, particularly after the 1953 act was passed, and culminating in the patriation of the Constitution in 1982, the Queen of Canada and the Queen of the United Kingdom are indeed separate offices, though held by one person.

The changes to the laws of succession affect the office of the Queen much more than they affect the person of the monarch since they are meant to liberalise access to the office. Each jurisdiction of the Queen must therefore take responsibility for enacting those liberalising changes in accordance with its own amending provisions.

Is there a succession law in Canada to amend? The Ontario Superior Court of Justice, in 2003, upheld by the Court of Appeal of Ontario in 2005, maintained that the *Act of Settlement* and other laws of succession are indeed part of the constitutional law of Canada by the principle of received law. In addition, by the extension

of the amendments to the laws of succession into the laws of Canada in 1937, the *Canadian Succession to the Throne Act, 1937* created a Canadian law of succession by Canadian statute if one did not already exist by received law.

Therefore, unless and until the domestic laws of Canada governing succession to the Throne are altered, either by the Senate and House of Commons in conjunction with the legislative assemblies of the Provinces under section 41(a), or by the Parliament of Canada alone under Section 44, of the *Constitution Act, 1982*, the rules of succession to the Throne for Canada remain unchanged by passage of the *Succession to the Throne Act, 2013*, even though they are amended by the United Kingdom and other Commonwealth realms for their own countries.

It would therefore be a real possibility, in a future generation, that a different member of the Royal Family would succeed to the Throne of Canada than succeeds to the Throne of the United Kingdom. Then the person, as well as the office, of the Sovereign would become separate, despite the present Government's contention that the Canadian monarch must always be the British monarch.

Notes

1   "Whereas representatives of the Realms of which Her Majesty is Sovereign agreed on October 28, 2011 to change the rules of succession to, and possession of, **their respective Crowns**..."

2   Order in Council (PC 3144) of the King's Privy Council for Canada, December 10, 1936 reads as follows:

"a) That the enactment of legislation by the Parliament at Westminster, following upon the voluntary abdication of His Majesty the King, providing for the validation thereof, the consequential demise of the Crown, succession of the heir presumptive and revision of the laws relating to the succession to the throne, and declaring that Canada has requested and consented to such enactment, be hereby approved;

"b) That the proposed legislation, in so far as it extends to Canada, shall conform as nearly as may be to the annexed draft bill;

"c) That the legislation, enacted as aforesaid, shall be submitted to the Parliament of Canada, immediately after the opening of the next session, so as to enable the Parliament of Canada to take appropriate action

pursuant to the provisions of the Statute of Westminster;

"d) That His Majesty's Government in the United Kingdom shall be informed accordingly."

3   The differences between the assents given by the Parliament of Canada in 1937, 1947 and 1953 are evident in the wordings of the relevant sections of each act.

a) The *Succession to the Throne Act, 1937*; Section 1. "The alteration in the law touching the Succession to the Throne set forth in the *Act of the Parliament of the United Kingdom* entitled 'His Majesty's Declaration of Abdication Act, 1936' is hereby assented to."

Schedule 2 of the Canadian act, being the text of the British act, states: "And whereas, following upon the communication to His Dominions of His Majesty's said declaration and desire, the Dominion of Canada pursuant to the provisions of section four of the Statute of Westminster, 1931 has requested and consented to the enactment of this Act, … Be it therefore enacted …"

b) The *Royal Style and Titles Act (Canada), 1947*; Section 2. "The assent of the Parliament of Canada is hereby given to the omission from the Royal Style and Titles of the words 'Indiae Imperator' and 'Emperor of India'"

c) The *Royal Style and Titles Act, 1953*; Section 1. "The assent of the Parliament of Canada is hereby given to the issue by Her Majesty of Her Royal Proclamation under the Great Seal of Canada establishing for Canada the following Royal Style and Titles, namely …"

4   "… It was early on the morning of the day following, Thursday, December 10, that we received the actual word from Buckingham Palace that the King had executed an instrument of abdication and had communicated his intention to renounce the throne for himself and his descendants. That word was sent from Buckingham Palace to His Excellency the Governor General by cable. It was immediately communicated by His Excellency to his ministers. Subsequently that information was sent by mail also from His Majesty the King. Both the instrument of abdication and the communication were signed in His Majesty's own hand. … Perhaps I should make it clear that His Majesty sent the original of the abdication and the original of his communication announcing his intention, not only to both houses of parliament at Westminster, but to each of the governments of the self-governing dominions. The documents which came to Canada are now in the safe custody of the privy council." William Lyon Mackenzie King in Canada, House of Commons, Debates, January 14, 1937.

5   Canada, House of Commons, *Debates*, February 2, 1953.

A New Participatory Policy Model

The Edmonton Citizens' Jury on Internet Voting

Kalina Kamenova and Nicole Goodman

The weekend of November 23 to 25, 2012, seventeen Edmonton citizens took part in a Citizens' Jury, which deliberated on whether to introduce Internet voting as an alternative voting method in future municipal elections. This unique public engagement process was modeled by the University of Alberta's Centre for Public Involvement and is the first of its kind in Canada. The Jury heard testimony from expert witnesses, evaluated the evidence presented and, after extensive deliberation, delivered a verdict in favour of Internet voting. This article summarizes the Jury process, analyzes its outcomes, and discusses lessons learned from this approach to participatory policy development and decision-making.

I n recent years, Canadian governments at all levels have looked to public consultation to help bring the voice of citizens into policy decision-making processes. Most notably, the province of British Columbia made history in 2005 by developing and deploying the world's first-ever Citizens' Assembly to help weigh in on electoral reform. Ontario followed in 2007 by convening its own Citizens' Assembly to obtain public insight on the same topic. Although the recommendations of these citizen initiatives were never passed, they helped establish a new tool to foster public participation in policy processes that are typically dominated by elected representatives. Since then, other deliberative public engagement models have been introduced to gain citizen perspective on policy issues or proposed legislative changes. One such event is the Edmonton Citizens' Jury on Internet voting, implemented by the City of Edmonton in collaboration

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with the University of Alberta in November 2012, to advise local officials whether to proceed with the introduction of Internet voting as an option in future elections, beginning with a pilot in 2013. Much like the Citizens' Assemblies, albeit smaller, the Edmonton Citizens' Jury sought to tackle a complex policy topic using a novel approach to citizen engagement.

What is a Citizens' Jury?

Citizens' Juries are an innovative, deliberative method of political participation, which promote direct involvement of citizens in policy development, strategic planning, or technology assessment. The major assumption of this approach is that lay people make well-reasoned decisions on complex problems when they participate in focused, deliberative processes.[1] Juries rely on the participatory representativeness of a small group of citizens, rather than statistical representativeness achieved through more traditional consultation approaches such as polling a larger group of people.[2] They are usually composed of 12-24 members who are randomly selected from the general public. Selection criteria reflect the need to achieve a demographically diverse group—a "mini-public" representative of the larger population. In many cases, additional attitudinal screening is conducted to ensure the jury is reflective of a broad range of societal views.

The most distinctive characteristic of this process is that decisions made by participants are evidence-

based and, in many ways, similar to the jury verdict delivered in a court of law. This deliberative process includes the following steps:

- jurors hear evidence from expert witnesses;
- they question the witnesses;
- the information presented is critically reviewed and evaluated;
- the group engages in sustained discussions and deliberation; and
- a "verdict" on the issue or question ("the charge") under consideration is achieved.

Like a legal jury, the Citizens' Jury method follows the conventional reasoning that if a small group of citizens, representative of the population, is presented with evidence, their subsequent deliberations and recommendations will reflect the wisdom of the whole community. It is a unique consultative tool that enables the direct representation of citizen views to policy-makers. Juries are particularly effective when there is a commitment on the part of government to affirm the Jury's verdict, or when this participatory policy model becomes an institutionalized aspect of lawmaking.[3]

A Citizens' Jury in Edmonton

In Canada, Citizens' Juries had previously been deployed for participatory technology assessment as part of a nationwide public consultation in 2001 on regulatory challenges presented by xenotransplantation.[4] In Alberta, a pilot project was developed in 2008 to evaluate the use of Citizens' Juries for engaging citizens in priority-setting for health technology assessment.[5] In both cases, citizens were asked to form an opinion and provide policy advice concerning the introduction of a particular technology, but the process outcomes were not directly linked to decision-making (e.g., the jury's recommendation was not delivered to a body of elected representatives). By contrast, the verdict and recommendations of the Edmonton Citizens' Jury on Internet voting were presented directly to City Council, making it the first of its kind in Canada.

The idea to use a Citizens' Jury came from researchers at the University of Alberta's Centre for Public Involvement (CPI). The fact that this method provided participants with a systematic, evidence-based education made it an ideal approach to tackle a technical topic like Internet voting. In recent years, the municipal government in Edmonton has worked to increase public involvement and was supportive of a participatory model for decision-making on Internet voting. In 2009, the city collaborated with the University of Alberta to jointly establish the Centre for Public Involvement, an academic centre whose goals are to promote research and learning related to public involvement and to enhance traditional decision-making processes through public participation. Since its emergence, CPI has partnered with the city to develop joint public involvement initiatives on issues such as municipal budgeting, urban planning, food and agriculture, and energy and climate challenges in Edmonton. The complexity and controversy associated with the subject of Internet voting, however, suggested a more thorough citizen-involvement and learning process may be appropriate. In particular, research conducted by city officials indicated that meaningful engagement of citizens beforehand was necessary to achieve public acceptance and had been instrumental in the success of Internet voting models elsewhere.

The Citizens' Jury was part of a robust consultation programme carried out concurrently with a pre-trial evaluation of Internet voting by city officials. In addition to the Jury component, the project included a security test that involved a mock "Jellybean election", which allowed citizens to register and cast an online vote for their favourite colour jelly bean. As part of the public involvement process, CPI also conducted roundtable advisory meetings with stakeholders (e.g. electors with special needs and seniors), and a series of online questionnaires. A total of six surveys were designed to measure a range of public attitudes toward Internet voting. Two of the surveys were administered to the general public, two to Jury participants (one during the selection process and the other afterward), and two were devised to survey citizens who participated in citizens' roundtables. These roundtables offered additional members of the public, particularly seniors, feedback opportunities to express their thoughts and opinions regarding the possibility of using Internet voting in Edmonton. Taken together, these initiatives were carried out during a four-month consultation process, which took place from September 2012 to December 2012.

Development of the Citizens' Jury began in the late spring when the Centre's Research Director recruited academics to partake in a Research Committee, responsible for crafting the attitudinal surveys and designing an inclusive, balanced deliberative process. The committee of six was formed at the end of May 2012 and held eight meetings leading up to the Citizens' Jury in November 2012. Half of the committee members were affiliated with CPI and the remaining members with other Canadian universities. Members were selected based on their expertise in elections, Internet voting, local politics and decision-making, deliberative democracy, and public participation.

As part of her role on the Research Committee, Nicole Goodman prepared an *Issues Guide*, which provided an overview of key issues and debates associated with Internet voting. This document was based on current scholarly research and the experiences of jurisdictions in Canada and Europe with electronic voting technology. A shortened version of this Guide was distributed to Jury members to help inform their participation in the Citizens' Jury process. A Citizens' Jury Advisory Committee, consisting of nine representatives from academia, government, and other relevant organizations, was also created to provide oversight of decisions as the Jury process unfolded. In addition to these two committees, a Project Team composed of CPI staff and City of Edmonton senior administrators worked together to spearhead the overall Internet voting public consultation programme, including the Citizens' Jury component.

Member Selection

Citizens' Jury member selection was planned in the summer of 2012 and officially took place from October 1 to November 15, 2012. A third party research company, EKOS-Probit, was hired to administer the attitudinal survey of Edmonton's population and conduct the random selection of jury members. The final recruitment and appointment of jurors was carried out by the CPI Project Team in consultation with its advisory and research committees .

The selection process was conducted carefully to ensure participants were a close reflection of the Edmonton public in both demographic and attitudinal respects. Demographic representation focused on characteristics such as age, gender, race and ethnicity, level of education, presence of a disability, household income, number of children in the household, occupation, and residence in Edmonton's twelve wards (see Table 1). Attitudinally, questions probed a range of opinions regarding trust in local government, external and internal efficacy, electoral participation, Internet voting, and confidence in technology (see Table 2). CPI and its advisory committees were careful to choose potential jurors whose attitudes toward Internet voting were representative of the broader Edmonton public, but who also indicated they were open to changing their opinions about online ballots. A survey of 1,349 residents administered by EKOS-Probit from November 6 to 12, 2012 collected demographic and attitudinal profile information of potential jurors. Survey respondents were chosen based on a list of randomly generated landline and cell phone numbers and contacted using an automated calling method.

Potential jurors were then selected based on the data obtained through this process and sent an information package compiled by CPI, which explained process details, including eligibility and expectations. Citizens' Jury participants were required to be eligible Edmonton electors, able to attend all Jury sessions, and could not be employees of the City of Edmonton. Once a reasonable composition was achieved, jurors were approached by CPI and provided an additional information package and welcome letter. Of the 18 selected, all but one agreed to serve on the Citizens' Jury. Jurors were compensated with an honorarium of $400 dollars, for their participation in the Jury weekend, which was about 20 hours of work. Meals were provided throughout this time. Travel assistance and childcare were also available for those who required it.

Overall, a variety of groups were represented by the Citizens' Jury. Although target percentages were not always met, a conscientious effort was made to ensure representation was as equitable as possible. Jurors between the ages of 30-49, for example, were more challenging to attract, while the 50+ age group remained slightly over-represented. In all, jurors represented eight of twelve geographic wards and a range of ethnic groups. Persons with disabilities and those belonging to Aboriginal, Inuit, Métis, and First Nation groups were in fact, slightly over-represented.

Attitudinally, jurors exhibited slightly more positive orientations toward the political system, reporting higher levels of trust and faith in their personal ability to have a say. It is likely that citizens who exhibit positive political orientations would be attracted to participate in a public involvement process. Jurors also had somewhat greater confidence in computers, were more likely to believe that the city was ready for the introduction of Internet voting, and that voting must be kept private and secret than the Edmonton public. Reported likelihood of using Internet voting and accessibility to the Internet, however, were exact matches between the general public and the chosen jurors. In as many ways as possible, the Citizens' Jury was a close approximation of the Edmonton public (see Table 1 and Table 2 for demographic and attitudinal breakdown).

The Jury Process

The Citizens' Jury process took place for two and a half days from November 23 to 25, 2012, and was facilitated by two independent moderators. At the outset, jurors were well briefed on the Jury concept, the timelines of the process, and the outcomes required at the end of the Jury. The timeline of the Jury process was designed to enable the jurors' to confidently provide an answer to the question, "*Should the City*

Table 1: Demographic characteristics of Citizens' Jury members compared with the population of Edmonton			
Demographic trait		**Citizens' Jury**	**Edmonton population**
Age group	18-29	22% (4 Jurors)	25.35%
	30-49	22% (4 Jurors)	36.82 %
	50+	50% (9 Jurors)	37.83%
Sex	Male	44% (8 Jurors)	49.85%
	Female	50% (9 Jurors)	50.15%
Education	High School or less	33% (6 Jurors)	43.43%
	College or apprenticeship	39% (7 Jurors)	30.06%
	University certificate or degree	22% (4 Jurors)	26.51%
Ethnicity	South Asian or Chinese	6% (1 Juror)	11.57%
	Aboriginal, Inuit, Métis or First Nation	17% (3 Jurors)	5.28%
	Other visible minority	11% (2 Jurors)	11.34%
	Not a visible minority	78% (14 Jurors)	77.09%
Disability (activity difficulties/reduction)		28% (5 Jurors)	17.60%
Households with children		17% (3 Jurors)	41%
Personal income	$0 - 29,999	28% (5 Jurors)	50.96%
	$29,999 - 59,999	39% (7 Jurors)	30.01%
	$59,999+	19% (3 Jurors)	19.03%
Wards 1-12		1 Juror from each ward	8/12 represented

Table 2: Attitudinal characteristics of Jury members compared with the population of Edmonton[6]			
Attitude	**Not much (1-3)**	**Some (4)**	**A lot (5-7)**
Trust in municipal government	11% (24%)	33% (33%)	50% (41%)
External efficacy	6% (38%)	39% (32%)	50% (29%)
Internal efficacy	6% (28%)	11% (32%)	78% (38%)
Likelihood of using Internet voting	17% (28%)	11% (4%)	67% (67%)
Confidence in online ballots	11% (27%)	33% (18%)	50% (55%)
Confidence in computers	11% (25%)	11% (19%)	72% (56%)
Use tax dollars for Internet voting	6% (28%)	33% (37%)	56% (43%)
Edmonton ready for Internet voting	0% (23%)	11% (30%)	83% (46%)
Vote must be private and anonymous	6% (9%)	6% (12%)	83% (77%)
Access to Internet	22% (17%)	17% (26%)	56% (56%)
Fraud prevention methods needed	6% (4%)	0% (13%)	89% (81%)
Cost ($) worthwhile	6 % (10%)	0% (23%)	89% (65%)

of Edmonton adopt Internet voting as an option in future general elections?" Although the question addressed on the potential of offering Internet ballots in future elections, if the proposal were successfully passed by council, a pilot would have been introduced in the October 2013 municipal election.[7]

Throughout the Jury process members were apprised with the *Issues Guide* and heard evidence, supportive and critical of Internet voting, from a series of expert witnesses, including the Chief Electoral Officer of British Columbia, leading scholars in election studies and e-democracy, computer security experts, business representatives, and municipal administrators from across the country. Witnesses were selected on the advice of the Research Committee and upon review by the Advisory Committee. All experts made presentations, sharing their expertise and informed opinion on a wide range of issues, from the security of Internet voting systems to studies addressing specific jurisdictional experiences with Internet voting

in Canada and Europe. Periods of expert testimony were followed by considerable time for questions and discussion. Follow-up questions with expert witnesses were also permitted on the final day.

Throughout the weekend, the moderators engaged jury participants in many small group activities that allowed them to reflect on the evidence presented, develop their thinking about the topic, and devise any further questions. The group as a whole engaged in extensive deliberation, particularly during the second and third days of the Jury process. The information and complementary exercises enabled the jurors to formulate a well-reasoned, evidence-based verdict and develop recommendations by the end of the process. The final verdict and accompanying recommendations were presented to the City Clerk at the end of the third day.

The Final Verdict

The Citizens' Jury reached a positive conclusion (a "yes" verdict), voting 16 to 1 in favour of adopting Internet voting as an alternative voting method in municipal elections. After further deliberations, however, the decision was achieved by consensus since the juror opposing Internet voting stated he was not entirely antagonistic to the idea and agreed to consent. This juror justified his initial opposition by arguing that the population was not ready to accept this technological change, there were too many knowledge gaps, and, finally, that he did not see any particular advantage of adopting electronic types of voting.

The sixteen jurors who supported the adoption of Internet voting pointed out that they believed Edmontonians were technologically savvy and ready to accept online ballots as a voting option. These jurors perceived Internet voting as a step toward Edmonton becoming a leader in citizen-centered service delivery and e-government. Increased accessibility, especially for people with disabilities, was also cited as a primary rationale for support. The inclusion of online ballots as an additional method of voting was seen as an added convenience for voters who may be busy or absent from Edmonton on election day. Internet voting was perceived to be an extension of existing online services in different spheres of everyday life, and an example of the trend toward automation and growing influence of digital and mobile technology. While jurors supported the introduction of online ballots in Edmonton municipal elections, they did not recommend its adoption for federal elections at this time.

In addition to the supportive verdict, the jurors developed nine recommendations regarding the

implementation of Internet voting in Edmonton's municipal elections. These included:

- Developing a registration system that is simple, quick, and easy for users;
- Adopting an online voting system that has capability to accommodate smart phone and tablet use;
- Conducting further research and evaluation to measure success of Internet voting and improve e-government;
- Using propriety software as a short-term solution, but working to develop an open-source software system for future elections (in collaboration with the University of Alberta);
- Improving accessibility of the voting process for electors (e.g., offering public Internet voting stations that are accessible; offering multiple language options for online registration and online voting, including Braille; adding a telephone line or link that would allow voters to speak with a support agent for assistance);
- Developing a robust communications and education strategy that outlines the security risks of Internet voting and how they are addressed;
- Including telephone voting as an additional voting option alongside Internet voting by 2017;
- Creating measures to improve security and ensure privacy of the vote and;
- Adopting Internet voting in the advanced voting portion of the election only, and for a period of 14 consecutive days prior to election day.

Impact on Decision-Making

Prior to the verdict, city administration announced that they would advise council proceed according to the recommendations made by the Citizens' Jury. This statement was made based on the confidence of senior administrators in the deliberative process and their commitment to follow through with the Jury's decision and recommendations. The administration also committed to provide Jury participants with formal feedback regarding whether their recommendations would be implemented.

City council met on January 23, 2013 to review the Internet voting proposal and make a decision, but resolved to wait to vote on the matter until February 6, 2013 given that a member of the public, a computer programmer from Edmonton, Chris Cates, had requested to speak to council. On January 28, 2013, an Executive Committee of six councillors heard presentations from two members of the Citizens' Jury, who elaborated on the Jury's rationale for supporting Internet voting, and Cates, a public opponent of Internet voting who claimed to have voted twice in the mock Jellybean election. On this basis, Cates' presentation criticized the safety of the Internet voting system, framing online ballots as a threat to democracy.

While the voting portion of the mock election had been tightly controlled and its security had been thoroughly assessed by an independent auditor, the city had not been as vigilant with registration. Privacy and security of the vote had been the primary concern and main goal of the test. Not verifying whether electors had double-registered allowed Cates to register twice.

Taking this new information into consideration, council expressed concern with moving forward. Additional questions surfaced, and although city administration answered them to the best of their ability, there were no experts on hand to weigh in. Although many concerns were addressed through the Citizens' Jury process, city administration had provided councillors with the Jury's verdict and recommendations, but not the entire CPI report prepared about the Jury process. The end result was that some misunderstandings went uncorrected and contributed to negative orientations toward Internet voting among councillors. For example, there was uncertainty regarding whether an Internet voting system would allow candidates to track who had voted in their ridings in the same way that the traditional scrutineer system functions during paper based polls. Internet voting systems do in fact allow candidates to monitor which households have voted (but not who they voted for), but councillors did not have this information.

Registration was also perceived as a concern since there is no voters' list in Edmonton and other Alberta municipalities for municipal and School Board elections. Although security measures could have been implemented to the registration component, councillors were under the impression that conducting this portion of the election electronically would be unsafe. After extensive deliberation by council in the February 6, 2013 session, they voted 11-2 against proceeding with Internet voting in 2013.

Although the 'no decision' by itself is not unfortunate, for Internet voting may not be suitable for every jurisdiction, it is regrettable councillors may have reached their conclusion under the assumption of misinformation. Further qualitative research may provide additional insight as to why council decided not to proceed with an Internet voting pilot given that the public consultation process undertaken by the city had indicated a wide public acceptance of the proposal. In addition to the Jury verdict, public opinion questionnaires administered by CPI and EKOS-Probit, which surveyed the broader Edmonton population as part of the public involvement process, showed strong support from Edmonton residents. Council's decision to vote in opposition to public opinion, without seeking additional expert opinion and advice, and to reject the Jury recommendations raises concerns about the democratic legitimacy of the process.

Lessons Learned

There are some lessons to be learned from the Edmonton Citizens' Jury. First, this case suggests that the effectiveness of participatory policy models is largely dependent on governments' commitment to follow through with citizens' decisions and recommendations on the issues under consideration. Citizen participation should not be a futile exercise. Rather, when governments actively seek or mandate public involvement, which often requires substantial financial investment and organizational planning, they should be prepared to incorporate citizen input into decision-making. Failing to do so can compromise the legitimacy of the government decision-making.

Second, the Citizens' Jury demonstrates that lay people are capable of acting as competent decision-makers on complex policy issues. The Jury engaged a mini-public, closely representative of Edmonton's population, in a focused deliberation on the proposed policy option of adopting Internet voting in municipal elections. The group engaged in learning about a variety of contextual factors that influence Internet voting programmes in Canada and Europe, and were educated on issues and concerns surrounding the security of electronic voting technology. The process fostered dialogue between citizens and experts from academia, industry, government, and advocacy organizations about the use of Internet voting in Canada at all levels of government. The Jury experience suggests that average citizens can fruitfully contribute to public policy decisions through evidence-based deliberation. Furthermore, the public does not necessarily have to convene for long periods of time like other deliberative bodies such as Citizens' Assemblies. The Edmonton Citizens' Jury on Internet Voting suggests that shorter time frames of learning and deliberation can be effective if executed properly. In addition to time savings, adopting a Jury model can also result in significant cost savings for governments since it requires less resources than larger participatory policy initiatives.

As an experiment in deliberative democracy, the Jury process also tested the ability of citizens to provide a meaningful contribution to technology assessment. It affirmed the value of hybrid forums of technical experts, politicians, and lay people as innovative participatory mechanisms that could extend and enrich traditional political institutions and decision-making processes in representative democracies. [8] The use of Internet-based technologies in the electoral process continues

to raise uncertainty and remains hotly contested by different societal groups. Participatory methods, such as Citizens' Juries, can allow citizens to engage in learning and provide meaningful input into decision-making on controversial topics.

Fourth, Citizens' Juries can enrich areas of traditional decision-making by administrative officials and elected representatives, that can often be deficient and ineffective. For example, decision-makers may not have sufficient knowledge to make informed decisions or may have limited competences and expertise. Understanding complex policy issues, such as Internet voting, requires a sustained learning effort and dialogue between citizens, experts, and stakeholders, and elected representatives may not have the time and resources to engage in lengthy evaluation processes prior to decision-making. Furthermore, lack of consultation and input from citizens can foster public distrust and weak senses of external efficacy. There is an expectation that direct participation can compensate for such deficiencies. This involves ensuring a process characterized by inclusiveness, equitable representation, accountability and responsiveness to those not included in the consultation process.[9] It is reasonable to assert that the composition and design of Edmonton Citizens' Jury on Internet voting achieved this.

Fifth, when governments seek to embed public participation in policy-making, greater institutionalization of processes like the Citizens' Jury may be required for Jury models to be effective; although the final outcome of the Edmonton Citizens' Jury on Internet Voting demonstrates how difficult this can be in practice. When this type of process is not institutionalized and legally binding, its effectiveness depends largely on whether administrators and elected representatives are confident in citizens' ability as decision-makers and how willing they are to affirm the Jury's verdict.

In Canada and Europe, where most Internet voting activity has taken place, there has been little to no public consultation. In a majority of cases, citizens are educated and informed about Internet voting processes after governments have established development models. In those jurisdictions where Internet voting is successful, public support is high in spite of little citizen consultation. Case analysis reveals that the inclusion of robust outreach and information programmes result in greater use by citizens and can have a positive impact on voting turnout.[10] Although we are unable to assess the effects of Internet voting in Edmonton, the Citizens' Jury process itself was perceived as an important public engagement initiative, receiving

scholarly attention, positive coverage from media, and supportive comments from residents. It is not clear at this point, however, the effect that council's decision will have on citizen trust in politicians and political processes, and how responsive they perceive local political institutions to be.

A final consideration is the importance of using participatory policy models to gain feedback regarding citizen-centered approaches to service. Internet voting is viewed as part and parcel of a citizen-focused service framework that is geared at putting the citizen first and enhancing accessibility of services for residents. If a policy change is centered on the citizen, it seems only natural to engage a representative group of citizens to develop policy outcomes. The Citizens' Jury model provides a means of involving the public in this sort of policy development.

Conclusion

It is difficult to comment on the overall success of the Edmonton Citizens' Jury since council did not follow through with the advice it imparted. In a sense, this casts a shadow of doubt on the overall effectiveness of the public involvement process. Broadly, however, Citizens' Juries are a novel mechanism in Canada that could be used by government officials at various levels to increase public involvement in policy-making processes that are traditionally dominated by elites. In an age where citizen-centered service and programs are becoming increasingly important for government, it may be worth looking more closely at models such as this, which facilitate representation and public involvement, but are small-scale and do not incur the costs of a referendum or Citizens' Assembly. The fact that city councillors overruled the advice of the Jury and city administration by voting against the Internet voting proposal should not be taken as a failing of the Citizens' Jury process. Rather, it shows that in a representative democracy final decisions on policy proposals rest with elected representatives and they are in a unique position to accept or reject the wisdom of public input.

Notes

1   The concept originated in the early 1970s with the development of a method of deliberation called Planning cell or Plannungszelle by Professor Peter C. Dienel at the Research Institute for Citizen Participation and Planning Procedures at the University of Wuppertal in Germany. Independently, a similar process was modeled in the mid-1970s under the name of "citizens' committee" by Ned Crosby at the Jefferson Center in Minneapolis, Minnesota. In the late 1980s, Crosby adopted the term "citizens' jury" and registered a trademark on it in the United States.

2   T. Wakeford, "Citizens Juries: a Radical Alternative for Social Research," *Social Research Update,* Vol. 37, 2002, p. 2.

3   Oregon became the first state to institutionalize a Citizens' Jury style-process to review ballot measures, a Citizens' initiative tool that in recent years has become a divisive and bitter bipartisan issue. On June 1, 2011, the Oregon Legislature voted to permanently implement Oregon Citizen Initiative Review (Oregon CIR). CIR uses Citizens' Juries to deliberate on proposed ballot measures and develop recommendations to Oregon voters, which can help them understand better controversial and partisan issues. For further discussion, see J. Thomson, & S. Burall, "E-petitions aren't enough - Britain should learn from the 'Oregon model' of citizen juries," openDemocracy, October 22, 2011, retrieved from: http://www.opendemocracy.net/ourkingdom/janice-thomson-simon-burall/e-petitions-arent-enough-britain-should-learn-from-oregon-mod

4   E.F. Einsiedel, Assessing a controversial medical technology: Canadian public consultations on xenotransplantation. *Public Understanding of Science,* Vol. 11(4), 2002, pp. 315-331.

5   D. Menon, & T. Stafinski, Engaging the public in priority-setting for health technology assessment: Findings from a citizens' jury, *Health Expectations: An International Journal of Public Participation in Health Care and Health Policy,* Vol. 11(3), 2008, pp. 282-293.

6   Attitudinal questions were asked on a 7-point Likert scale. Edmonton population values are in parentheses.

7   If passed, Edmonton would have become the first municipality in Alberta to commit to trial Internet voting in a binding election.

8   M. Callon, P. Lascoumes, & Y. Barthe, *Acting in an Uncertain World: An Essay on Technical Democracy,* Cambridge, 2009, MA: MIT Press.

9   A. Fung, "Varieties of participation in complex governance," *Public Administration Review,* Vol. 66, supplement s1, 2006, p. 67.

10 Nicole Goodman. "Internet Voting in a Local Election in Canada" in Internet and Democracy in Global Perspective, Eds. Bernard Grofman, Alex Trechsel, and Mark Franklin, Springer Verlag; forthcoming 2013. Jon Pammett and Nicole Goodman. *Key Social Issues in the Planning, Implementation and Use of I-Voting,* Elections Canada, forthcoming 2013.

Assessing the Potential of New Social Media

Steve Patten

The Internet and social media are almost universally assumed to be essential to election campaigns and the work of parliamentarians, as well as being centrally important to how individual Canadians engage with politics. Indeed, it is regularly assumed that new information and communications technologies have transformed politics in ways that enhance the quality of democracy by connecting and engaging citizens with political processes that are more transparent and interactive than in the past. This article offers a partial assessment of the impact of the Internet, social networking and related information and communications technologies on politics, campaigning and parliamentarians. The perspective offered is rooted in a desire to avoid unfounded enthusiasm and unsubstantiated assumptions about the extent to which potentially interactive information and communications technologies have actually transformed politics.

Thirty years ago before widespread access to high speed Internet, user-friendly e-mail programs, political weblogs, and social networking sites, the political theorist Benjamin Barber speculated that new information technologies had the potential to strengthen democracy by increasing public access to information that would enhance civic awareness and facilitating participatory dialogue and deliberation across great distances.[1] During the 1990s, as popular access to new information and communications technologies and the Internet became increasingly common, optimistic democrats believed we were on the cusp of a new era social and political democratization. Cyber-utopians believed computer-based information sharing and interaction would transform democratic politics.

Daniel Weitzner characterized the Internet as "a vast new forum for political discourse and activism which allows genuine interaction between voters and elected representatives."[2] In an era that was marked by deep frustration with formal politics and corporate dominated news media, there was hope that a new, more democratic civic ideal would result from computer-assisted exchanges of political news and information. Analysts speculated about the capacity of virtual communities of political engaged Internet citizens—netizens—to identify and deliberate

on the issues of the day. Howard Rheingold even predicted that networked "cybercommunities" would give citizens the leverage needed to challenge the political and economic elite's control of powerful communications media.[3] The faithful believed this new age of supposedly egalitarian news and information dissemination would allow for the emergence of what Lawrence Grossman called an "electronic republic" in which Internet-based public dialogue and a more reflexive process of public opinion formation would alter the behaviour of politicians, empower citizens and deepen democracy.[4]

In terms of electoral politics, political scientists have equated the potential impact of the Internet—particularly since the emergence of the social media associated with the interactivity of Web 2.0—with the rise of television broadcasting in the mid 20th century. Brad Walchuk, for example, argues that not only will social media allow "parties to connect to voters and spread their word in entirely new ways," but it also allows for interactive two-way communications.[5] Reflecting on the interactive nature of social media, Canadian parliamentarians such as Carolyn Bennett have voiced their optimism about the possibility of harnessing social media to produce a more inclusive and dynamic public sphere and allow for the sort of responsive political relationships that enhance the efficacy of citizens and encourage political involvement.[6]

Of course, in more recent years, observers have offered more sober assessments of the impact that social

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media and new information technologies will have on democratic politics.[7] Carty, Cross and Young, for example, contend that while the capacity of television to reach mass audiences had a primarily positive and nationalizing effect on Canadian party politics, the Internet allows for increasingly targeted private political messages that are more fragmented and less transparent.[8] Still, in many circles, expectation continue to run high with regard to the positive potential for doing politics differently in the age of Internet-based social networking. Optimists remain confident that low-cost information production, egalitarian public conversations in cyberspace, new opportunities for political action, and interactive relationships between citizens and politicians will transform democracy.

The Initial Embrace

Canadian political parties were not early adopters of new information and communication technologies. All of the major parties had their own websites by 1997, but in the 1997 and 2000 elections those websites were little more than electronic brochures providing basic information on the leader, party policy, and how to get involved or make financial donations. The sophistication of these websites gradually increased, and in the 2004 election visitors had access to multi-media platforms that offered videos and regularly updated information on campaign activities. Still, while local campaigns and the media could use the parties' websites to stay in touch with the messaging and activities of the national campaign, beyond some simple online surveys, there were limited features aimed at creatively engaging voters.[9] The websites did not offer access to blogs or other creative interactive features; they were primarily unidirectional computer-based platforms for the mass dissemination of basic information and video content.

Surprisingly, little had changed by the time of the 2006 general election. Even though Facebook was established in 2004, YouTube in 2005, and Twitter in 2006, Canada's major parties failed to take advantage of social networking sites. Parties displayed minimal interest in making Canadian party websites more interactive. Tamara Small, a leading academic analyst of online campaigning, has described the parties' 2006 websites as Internet-base lawn signs that inform, but do not engage. The goal, it seems, was to disseminate information to the general public and respond to the demands of journalists who expected more and more efficient media relations.[10] Canadians interested in basic information on the leaders and party policy had convenient and speedy access the parties' web-based campaign materials, but no more than a tiny fraction of Canadians actually visited party websites.

It was not until 2007 that we saw the first indications that Canadian political parties were beginning to engage with the possibilities of the networking, content sharing, interactivity and collaboration associated with Web 2.0. The major parties established YouTube channels and set up Facebook accounts, and high profile and tech-savvy politicians began to join Twitter. Stephen Harper and Stéphane Dion were first out of the gate with Twitter accounts in July 2007, but dozens of others soon followed. It seemed, to some, that Canadian politics was finally entering the era of interactive social networking. But, while Barack Obama embraced social networking in highly innovative ways on route to his success in the 2008 American election, Internet politics in the 2008 Canadian general election was considerably less transformational. There were innovations, including partisan Facebook pages, broadcasting over YouTube, and even some traffic on Twitter. And, to voters unfamiliar with the potential of online campaigning, the uploading of TV ads and campaign videos to YouTube and Facebook likely seemed innovative. But, viewership was limited, Facebook remained generally underutilized, and the use of Twitter did not result in anything like the interaction witnessed between Americans and Barack Obama. Reflecting on the 2008 election, Tamara Small argued that the

> Internet has not contributed to a greater participatory ethos for Canadian parties. Interaction and collaboration between parties and the electorate remain rare. Parties continue to use the Internet (whether through their official websites or social networking sites) mainly to provide information to voters.[11]

Little changed in the 2011 general election. Post-election analysis suggests, for example, that the party leaders' Facebook pages were used primarily to inform visitors about campaign activities. Michael Ignatieff's Facebook page was the most interactive. It allowed visitors to leave comments on discussion boards and Liberal supporters could make use of an application that would send a notice about their voting intentions to their own Facebook friends. But, Stephen Harper's Facebook page served essentially as a means of broadcasting basic information about the campaign.[12] Innovation and interactivity were limited. Of course, the online platforms offered by the parties were not the only opportunity for Canadians to engage with the election. With an increasing number of Canadians spending more time online and making use of Twitter, Facebook, weblogs, and dedicated websites, voters had more opportunity than ever before to engage in Internet-based discussions of the campaign. But, in the context of a general election appealing to eligible voters

from coast to coast, participation in online discussions involved a subgroup of Canadians who were "small in number overall and were most likely already committed partisans or voters who were more likely to cast ballots whether the technology existed or not."[13]

It is clear that Canada's political parties have embraced the Internet and social media; the online world is now an important part of politics and national election campaigns. Still, there is little to no evidence that the embrace of new information and communications technologies by parties and politicians has produced the sort of democratic transformation predicted by the cyber-optimists. There is also limited evidence that the embrace of online campaigning has contributed to the sort of widespread fragmentation and targeting of campaign messages predicted by Carty, Cross and Young.[14] Parties continue to reach out to voters by broadcasting their messages; indeed, the Internet is often used to influence journalists in the hopes of reaching the public through the mass media. Even Twitter is regularly employed as a tool for influencing stories as they develop in the context of the 24-hour news cycle. Thus, Canada's first Internet era campaigns remained national in focus. Rather than targeted and private political messages that evade the mass media, online campaigning has reinforced the role of traditional news media. The Internet has allowed the public direct access to TV ads, campaign videos and information, but this has only strengthened the capacity of the parties' national campaigns to control campaign communications.[15]

Targeting and Narrowcasting

Despite the fact that campaigning on and through the Internet and social networking sites has not yet resulted in extensive use of targeted campaign messages and the fragmentation of national campaigns, there is some evidence that parties are now in the process of enhancing their capacity to engage in sophisticated targeting and "microtargeting" of political messages. While there has been less research into this sort of use of online and computer-based technology, it is increasingly clear the Internet, social networking, and other new communications technologies allow campaigns to deliver messages that are "narrowcasted" to specific audiences. In recent years Canadian political parties—particularly the Conservative Party—have been utilizing the Internet and new information and communications technologies to take advantage of niche issues that are important to targeted groups of voters. It may be the case that we are now at a turning point in online campaigning, a moment marked by the simultaneous use of websites, Twitter and Facebook in ways that are transparent, centralizing, national in focus, and supportive of the traditional news media's role, along side the use of voter-tracking software, issue-based e-mail lists, Facebook ads, and other techniques that are purposefully targeted and less visible to the media and the public at large.

While the 2011 "robocalls scandal" focused the public's attention on the potential use of computerized voters lists and automated dialing in highly inappropriate efforts at widespread voter suppression, it is clear that such techniques can be used in a range of different ways. Sophisticated demographic targeting and voter profiling creates opportunities for campaigns to call, e-mail, or message swing voters who, particularly in an era of declining voter turnout, can determine the outcome in close elections. In the United State, parties have used a combination of computerized voters lists, online "mining" for individualized consumer data and personal demographic information, the tracking of discussions on Twitter, demographic and opinion profiling through in-house polling, among other techniques, to create individual profiles of nearly 175 million voters.[16] Canadian parties have yet to attain the same level of sophistication, but even a decade ago the former Conservative strategist and academic, Tom Flanagan, wrote about the emergence of the "database party."[17] Today, all of Canada's major parties have centralized databases—like the now well-know Constituent Information Management System (CIMS) of the Conservative Party—that contain information on millions of voters. Information on voter's opinions, demographic profile, and voting intentions, is fed into these databases from a variety of source. With this data available, it is only a matter of time before parties move more aggressively into using new communications technologies for targeting campaign messages.

While it may be too soon to predict the impact targeting will have on politics and campaigning once it is being used more extensively. It is clear that the fact that targeted message are delivered "under the radar," creates opportunities to send political messages on niche issues, even when those messages are not necessarily consistent with national campaign themes or the public image of a party. Thus, while Canadian parties have tended to use the Internet, social media and new communications technologies in ways that are centralizing and nationalizing, the partial fragmentation of Canadian general elections remains a possibility. Indeed, this possibility was put on display recently when Citizenship and Immigration Minister Jason Kenney's office extracted e-mail addresses from an online petition supporting gay refugee claims, and then used those e-mail addresses to send out a message

trumpeting his government's support of gay and lesbian Iranians making claims for status as refugees in Canada. The message was not intended for the national media, just for the recipients of the targeted e-mails. The story only came to light after a few people raised questions about the source of the e-mail distribution list that was used by the minister's office.

The Utility of Twitter

It is not only national campaign strategists and party leaders who are engaging the public via the Internet and social media. Since 2009 there has been an explosion in the number of political candidates and parliamentarians who have signed on to Twitter and established Facebook pages. A curious nonpartisan website, known as poliTwitter, tracks the use of social networking sites by Canadian politicians.[18] The statistics are fascinating. Approximately 80% of federal parliamentarians are signed on to Twitter, and 75% have Facebook accounts. This participation rate is, particularly in the case of Twitter, considerably higher than the participation rate for the overall Canadian population. Approximately 83% of Canadians are on the Internet and 63% of those make use of Facebook, but fewer than 20% of Canadian Internet users also use Twitter.[19] Clearly, establishing a presence on Facebook and Twitter is now assumed to be something of an essential requirement of political life.

Of course, the value of having a Facebook page or being active on Twitter depends on the number of "fans" and "followers" parliamentarians have. Not surprisingly, the party leaders have the most fans of their Facebook pages—Stephen Harper and Justin Trudeau both have approximately 90,000 Facebook fans. But the vast majority of MPs have 1,000 or fewer fans. Similarly, whereas Harper's Twitter account is followed by over 330,000 individuals, and Trudeau's by more than 220,000, the typical MP is followed by 1,000 to 5,000, and many by fewer than 500. Moreover, a surprising number of those followers are fellow parliamentarians, journalists, businesses or organizations, and individuals from outside the MP's constituency.

In political circles there is a high degree of awareness of the chatter on Twitter. But, what is Twitter actually being used for? In 2010, Tamara Small observed that Twitter is most often used to broadcast official party information, to offer "spin" on current events, or to share a little of one's personal life.[20] With the exception of a small number of extremely enthusiastic users of Twitter, including Elizabeth May, Tony Clement and Denis Coderre, MPs do not take full advantage of the interactive potential of Twitter—few actively retweet or reply to tweets. More emphasis is placed on simply establishing a presence in the "Twitterverse," than on

interacting with citizens. The assumption seems to be that social media allow politicians to circumvent the structures of the traditional media and reach voters directly. But, interestingly, beyond the small number of people who directly receive the tweets (many of those being politically engaged citizens whose political commitments are firmly established and already know a lot about the politicians they follow on Twitter), very few people will ever be impacted by a politician's active tweeting. Indeed, an interesting study of the impact of candidates' engagement in the online social media sphere during the 2012 American elections, found that a candidate's personal twitter activity actually had very limited impact on the number of overall mentions of the Candidate on Twitter. The sense that one is increasing their profile is larger than the reality. There may, however, be a silver lining for some. The American study suggests that active tweeting may correlate with how likely it is that politicians will be mentioned in popular traditional media. [21] Perhaps the political Twitterverse is a fairly insular community of politicians, politically engaged citizens, and journalists who are, increasingly, taking cues from the politicians' tweets.

There are some important lessons for parliamentarians who assume that social media, including Twitter, are effective tools for raising their personal profiles and staying in touch with the views of their constituents. The benefit of all the time spent tweeting may actually be quite limited, and the sense of being in touch with one's constituents may be inaccurate. A recent study from the Pew Research Center encourages caution before reading too much into the views and opinions one encounters on Twitter. It seem that reactions to political events and policy debates on Twitter do not align with public opinion as measured by scientifically conducted public opinion polling. Because the "narrow sliver of the public" represented in discussions on Twitter is not demographically representative of the general public, one must be cautious about reading too much into what they learn by listening to the voices in the Twitterverse.[22]

Political Blogs, Citizen Engagement, and Democracy

A strong democracy requires engaged citizen—not merely citizens who are willing to follow formal politics and vote, but citizens who engage with issues and interact with fellow citizens as well as with politicians. Part of the reason some democrats are enthusiastic about the Internet, social media and other new communications technologies is their potential to enrich and enliven the "public sphere" and facilitate free and informed public deliberation. A vibrant public sphere offers social spaces for citizens to share information and viewpoints in social processes that shape the shared understandings that define the underlying text of civic life. A democratic

public sphere is home to the civic conversations that allow a broad range of citizens to realize their capacity to influence the norms and values that dominate contemporary politics. It is not surprising, therefore, that the issue of the Internet's capacity to enliven deliberative democracy is typically framed in terms of its potential to transform the public sphere. Optimists have argued that, as a forum for social communication, cyberspace transforms the public sphere by revolutionizing the "constellation of communicative spaces" in which information and ideas circulate, possible collective futures are debated, and political wills are expressed.[23] Communication in cyberspace via websites, listservs, weblogs and social media transcends physical space and creates opportunities for alternative news sources that challenge the hegemony of territorially bound public life mediated by traditional mass media institutions.[24]

There is no doubt that the Internet has allowed groups of like-minded citizens to come together on issues that concern them. Public interest groups, social movement organizations, faith communities, and loose knit groups of citizens responding to current events and issues have all made use of the Internet and social media to build a sense of community and, sometimes, to pressure government for action. These processes have done a lot to assist groups in overcoming the spatial and temporal challenges of social and political organizing, and this has been positive for democracy. Unfortunately, the vast majority of citizens are not significantly more politically engaged or better informed than prior to the explosion of news and information on the Internet or the possibility of social networking. There are important examples of the public sphere being politically enlivened by new communications technologies. But the social reach of these developments is fairly limited, and many observers doubt that many of those politicized through the Internet and social media would not have been politicized in its absence. Instead, Pippa Norris argues what we see with the rise of the new communications technologies is a "reinforcement effect." Citizens who were already politically engaged now use the Internet to seek out additional information and connect with others who are equally politicized, while the politically disengaged majority of citizens remain disengaged.[25] The virtual public sphere of cyberspace has given those who participate in public discussions and debates an additional venue for their civic engagement, and the result is that info rich citizens are made info super rich, while the info poor remain as they were.[26]

In terms of citizen engagement with partisan and parliamentary politics, the political "blogosphere" (that is, the sum total of political blogs and their interactions) is a useful entry point into examining the impact of the Internet on the quality of democracy. Political blogs would seem to be an ideal venue for innovative political discussions that highlight the independent views of citizens. Unlike the mainstream mass media, citizens are freer and more equal in their capacity to participate in the blogosphere. The fact that blogs have become increasingly interactive—with opportunities to leave comments and link to one another—should allow for political dialogue and debate. Moreover, to the extent that visitors get information and ideas from political blogs, they can challenge the mainstream mass media's capacity to define the focus of public debate.

Unfortunately, most analysis suggests the character of the blogosphere is less free, equal, and independent of the mainstream media and political hierarchies than optimists hoped it would be. Tanni Haas' research on American blogs suggests that, in addition to being populated by an unrepresentative slice of primarily male, privileged and politically active citizens, the political blogosphere is dominated by subject matter, information and opinion that reproduces rather than departs from the discourse of mainstream news media: "the primary contribution of politically-oriented weblog writers consists in linking to and commenting on pre-existing, Internet-based mainstream news reporting and commentary."[27]

There are hundreds of active Canadian political bloggers. But, like the mainstream media, there is a clear hierarchy that allows a select group of influential bloggers to set the agenda for most others. Furthermore, many of the top bloggers are either journalists employed by major news organizations, political professionals with ties to the party leaders, or long-term political activists with deep roots in partisan politics. Moreover, a recent study of the Canadian political blogosphere examined the blogrolls that are used to recommend other blogs to readers and mapped the hyperlinks that connect blogs to one another. The study's authors concluded that Canadian political bloggers exist in highly partisan deliberative enclaves. Rather than facilitating an open exchange of ideas and encouraging useful disagreement and debate on issues of the day, "the Web is overdetermined as a 'friendly link' economy."[28] While often interesting, political weblogs tend to contribute to the thickening of preexisting relationships and affinities rather than generating new ideas or fostering democratic deliberation. Political blogs play a useful role in that they inform and engage readers. But, their impact on deepening democracy is limited.

Conclusion

It would be wrong to deny that the Internet and social media have had a significant impact on the conduct of election campaigns, the work of parliamentarians, or the ways in which voters engage

with politics. There is, however, good reason to be cautious about overstating the extent of that impact and, even more importantly, assuming that new communications technologies are making politics more interactive, engaging and democratic. The initial enthusiasm of the cyber-optimists was, in many ways, misplaced. Election campaigns do not engage voters in particularly interactive and responsive ways, the rush to embrace Twitter has had a greater impact on message broadcasting and the traditional news media than it has on citizens, and the political blogosphere has transformed the world of those who are already politically engaged more than it has drawn citizens into politics or expose them to new information and viewpoints. Moreover, looking to the future, the most significant changes on horizon have to do with voter profiling and narrowcasting of targeted messages—a development that may actually be somewhat concerning from a democratic perspective. There is, in other words, good reason to remain cautious and skeptical in our assessment of the impact of new social media and communications technologies on Canadian politics.

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Canadian Influences on the British Speakership

Matthew Laban

The office of Speaker of the United Kingdom House of Commons can trace its origins to 1258 when Peter de Montfort presided over 'The Mad Parliament' of that year. In 1376, Peter de la Mare was elected as Parliament's first official spokesman but it was the following year, in 1377, that Sir Thomas Hungerford was the first person to be given the title of Speaker. It is during much more recent history, the period since 1945, however, that this ancient office has undergone its greatest evolution. This article will chart that post-war development and look at how examples from the Canadian Speakership have played a part in shaping its counterpart at Westminster.

Despite the fact that the Canadian Speakership has yet to achieve the same level of independence and impartiality as the much older and more established British one, in many ways it has been one step ahead of its counterpart at Westminster. One province, British Columbia, had the first woman to hold the office of Speaker anywhere in the Commonwealth. The Canadian House had a Speaker from the Opposition benches nearly seventy years before this took place in the United Kingdom and its method of electing the Chair would be copied when the previous system used at Westminster could not cope with more than two candidates for the post.

One change to affect the office of Speaker at Westminster since the Second World War is the manner by which the person is elected to the post. In 1951, following the Conservative general election victory, William Shepherd Morrison, the former war-time minister and Conservative MP for Cirencester and Tewkesbury, became Speaker. His daughter-in-law, Lady Dunrossil recalls:

> He was invited obviously. He didn't know what job he was going to get when they got back in again and I remember the excitement when he was invited up. I'm not sure whether he was offered something else or not but, anyway, they were thrilled to accept the Speakership so that was great.[1]

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During the early post-war period the British Speakership was treated just like a ministerial appointment with the person in question being summoned to Downing Street in the same way as if he were going to become a minister and join the government. The fact that Morrison faced the first contested election for the Speakership since William Gully was opposed in 1895 demonstrates that these days were numbered. Despite the fact that he beat the Labour candidate, Major James Milner, by 318 votes to 251 it did not prevent the emergence of a growing mood against former ministers becoming Speaker.

In 1959, when Speaker Morrison stepped down, the Conservatives yet again put up a former minister in the shape of the Solicitor-General and Conservative MP for the Cities of London and Westminster, Sir Harry Hylton-Foster. The Labour leader, Hugh Gaitskell, voiced his dissatisfaction with the whole process during the Speakership election debate and said:

> There are some objections in my opinion to a member of the Treasury Bench being selected for the post of Speaker. We were not enthusiastic when Mr Speaker Morrison was chosen, he had been a Minister, but he was not at that time a Minister, nor had he held Ministerial office – I think I am right in saying – for some years. The right hon. and learned gentleman [Sir Harry Hylton-Foster] comes straight from a distinguished position on the Treasury Bench, and that, I think, is another difficulty.[2]

The Opposition and backbenchers wanted an effective champion who was not too close to the government. Nevertheless, Hylton-Foster was chosen as Speaker and Labour did not put up an alternative candidate

in the way that they had done eight years before. It was not until 1971, when the former Chancellor of the Exchequer and Foreign Secretary, Selwyn Lloyd's name was put forward for the Speakership that this concern came up again. This time it was a Conservative, the MP for Tiverton, Sir Robin Maxwell-Hyslop, who proposed the Labour MP for Kettering, Sir Geoffrey de Freitas (who ironically had been a junior minister in Clement Attlee's government), as an alternative to Selwyn Lloyd. However, Lloyd defeated his opponent by 294 votes to 55. Despite the opposition from the back benches, the Prime Minister could still install his preferred candidate for the Speakership at this point.

In 1972, the system for electing the Speaker was altered following a Procedure Committee report which recommended that, rather than the Clerk of the House conducting the election, it should be either the out-going Speaker or the Member with the longest unbroken service, the Father of the House.[3] Canada did not adopt this system whereby the Dean of the House presides over the Speakership election until 1987. When it did, however, it went further and changed the system of voting to a secret ballot.

In 1983, the British Prime Minister's ability to control who became Speaker came to an end. It was widely known that Mrs Thatcher did not want Bernard Weatherill, the former Deputy Chief Whip and Conservative MP for Croydon North East, to become Speaker following her landslide victory at the 1983 general election. She wanted to give the Speakership as a sort of consolation prize to someone who she no longer wanted as a minister in her government rather than to Weatherill, who had been the senior Deputy Speaker in the previous parliament. An article in *The Times* stated:

> What seems to have clinched his [Weatherill's] election was the discovery by his fellow MPs that he did not have the Prime Minister's approval. For Opposition MPs that would have been commendation enough, but Conservatives have also been affronted by the idea that Mrs Margaret Thatcher, or anyone in Government, should have wished to dictate the decision of the House.[4]

Mrs Thatcher's henchmen backed down when they knew that Weatherill enjoyed over-whelming support and so he was elected unanimously for the post. This was a major breakthrough for Parliament because, for the first time, backbenchers had asserted their right to elect a Speaker of their own choosing rather than have someone installed by the government of the day.

Betty Boothroyd's election as Speaker in 1992 also marked a continuation of backbenchers choosing the person they wanted rather than the government

candidate. MPs rejected the Conservative government's choice, Peter Brooke, who had been Northern Ireland Secretary, in favour of the Labour MP for West Bromwich West, Betty Boothroyd which resulted in two firsts for the Speakership: the first woman to hold the office and the first time ever that a Speaker had come from the Opposition benches. Prior to 1992, the Speaker had always come from the party that was in power at the time of his election.

In both cases, the British Speakership was playing catch up with its Canadian counterpart because the Federal Parliament in Ottawa had elected Jeanne Sauvé in 1980. Canada had also seen an Opposition MP elected as Speaker as far back as 1926 when the Liberal MP, Rodolphe Lemieux, continued in the Chair despite a change in government without an election. In 1979, Liberal James Jerome remained as Speaker after the Conservatives won the election.

The British Speakership election of 2000 witnessed an even greater change to the way in which the process was conducted and was the catalyst behind the adoption of the system used in Canada. A record twelve candidates put themselves forward for the position which in itself shows how the office had become far more sought after by aspirational politicians. Lord Weatherill remarked that, 'these days it seems that the Speakership is more or less up for grabs – in my day, if you wanted the job you certainly would not get it!'[5] Speakership elections became a genuine competition rather than a done deal completed behind the scenes.

The Labour MP for Glasgow Springburn and Deputy Speaker, Michael Martin, emerged as the victor in October 2000 thanks to his party's dominance of the Commons. His election broke the tradition that had been building up during the post-war period that the Speakership should be alternated between the two main parties. What happened was a reversal to the previous position whereby the Speaker came from the majority party. The entire election took nearly seven hours and this demonstrated that the existing procedure, which was only designed for one or two candidates, could not cope with the new enthusiasm and competition for the office.

The matter was referred to the Select Committee on Procedure which looked at the method used by legislatures across the world including the Canadian House of Commons. In March 2001, the committee recommended replacing the traditional use of voting by divisions in favour of the exhaustive secret ballot system used in Ottawa.[6] The winner has to secure at least fifty per cent of the vote which means that several rounds might be necessary in which the lowest

scoring candidate and anyone who obtains less than five per cent of the votes cast are eliminated. This is the system which was used on June 22, 2009 when the Conservative MP for Buckingham, John Bercow, was elected Speaker.

The post-war period has established the fact that the Commons does not like a former high-ranking government minister becoming Speaker and this is similar to what has transpired in Canada. Although George Thomas, the Labour MP for Cardiff West, had been Secretary of State for Wales in the 1960s, he had become Deputy Speaker afterwards and then went on to become Speaker. Other than that, the House of Commons has resisted being palmed off with a failed ex-minister as its Speaker. Instead, the role has become the zenith of a career for someone who has chosen to be a professional backbencher rather than for those who seek ministerial office. Speakers Clifton Brown, King, Thomas, Weatherill, Boothroyd and Martin were all Deputy Speakers before they were Speaker and Bercow served on the Speaker's Panel of Chairmen and presided in Westminster Hall. The British Speakership is no longer a swan song for a distinguished ex-minister and this has also emerged in Canada. Nowadays, the Speakership election is more like the Conclave choosing a long-serving and respected priest rather than a great cardinal to be Pope. Of course, in Canada, there is nothing stopping a former Speaker continuing with a political career in the way that convention prevents this from happening in the United Kingdom.

The biggest impact on the Speakership in the United Kingdom has been the introduction of sound broadcasting of the House of Commons in 1978 and then television broadcasting in 1989. Again, Westminster was behind Ottawa in this because television broadcasting had been introduced in the Canadian House of Commons in 1977. George Thomas, who was Speaker between 1976 and 1983, changed the Speakership from an internal House of Commons job into a well-known and acclaimed public office thanks to the fact that his period in the Chair coincided with the introduction of sound broadcasting of proceedings in the Commons. Thomas wrote in his memoirs how the introduction of sound broadcasting affected the Speakership: 'as people listened in their homes, or in their cars on the way to work in the mornings, they began to realize the Speaker played a much bigger role in the running of Parliament than they had realized.'[7]

Thomas's 'Order! Order!' in his wonderful Welsh accent was recorded by the BBC and used as the opening to their programme *Today in Parliament* and so immediately became famous. Thomas became a household name and so propelled the Speakership into a much greater importance in the eyes of the public. The hundreds of card and letters and requests for autographs in Thomas's archives at the National Library of Wales are testament to this new found stardom for the Speakership.

Thomas's successor, Bernard Weatherill, who served between 1983 and 1992, was the first Speaker to be broadcast on television while chairing the debates in the House of Commons.

The Speaker was the focal point of the televised debates so he soon became a very recognisable figure in his wig and gown.

Weatherill's successor, Betty Boothroyd, was also the first Speaker not to wear the traditional wig that had been the trademark of the Speaker's uniform. Boothroyd explained that she would have been uncomfortable wearing the full-bottomed wig and so sought the permission of the two front benches to do away with this tradition. She did, however, become a political superstar thanks to her theatrical background as a former dancer and the way in which she carried out the job. The former Conservative MP and journalist, Matthew Parris, has said that Boothroyd 'entirely understood the celebrity status of Speakers […] I think she saw her status as a kind of mascot for politics, as being at least as important as anything she might do in terms of the mechanics of government'.[8] Boothroyd travelled the globe representing Parliament and achieved world recognition. The first Madam Speaker at Westminster was able to build on what George Thomas and Bernard Weatherill had started and made the Speakership into one of the highest jobs in British politics. The fact that twelve candidates put their names forward to succeed Boothroyd when she retired in 2000 shows that she had managed to make a job, which essentially has no political power, into one that MPs would nevertheless like to have. The result of this increased fame was greater scrutiny from beyond Westminster which eventually brought down Boothroyd's successor, Michael Martin, following the expenses crisis of 2009.

Greater expectations have been placed on the Speakership thanks to the expenses scandal which rocked Westminster. John Bercow promised to be a new broom and he has said that he 'ought at the very least to be a facilitator of desired change'.[9] A very noticeable change is that not only has Bercow decided not to re-introduce the wig, he has also done away with the other formal dress associated with the Speakership. He has chosen to wear a simple black academic gown over a normal business suit because he has said that, 'My

view is that the office is not defined by the dress but by the values'.[10] Perhaps the Speakership has risen to such importance that it no longer needs a lavish outfit to project authority. On the other hand, this might be a token gesture of reform following the downfall of Michael Martin and is symbolic of Parliament being less extravagant after the expenses scandal. In Canada, the Speaker still wears the formal court dress and has not seen fit to dispense with that part of the pageantry of the office.

The biggest change to the Speakership during the post-war period is the way in which it has been transformed from an internal parliamentary office into one which now engages beyond the confines of Westminster. This began at the end of the Second World War when Colonel Clifton Brown became the first Speaker to travel abroad when he paid visits to the front and to war-torn Europe. Dr Horace King travelled widely as Speaker in the 1960s and would regularly attend international conferences to lecture on his role and the work of Parliament. George Thomas opened up Speaker's House, the grace and favour apartments within the Palace of Westminster which come with the job, and entertained dignitaries from across the world. Betty Boothroyd also liked to entertain and she was also keen to travel the globe to inform people about the functions of the House of Commons. When she stepped down in 2000, she still had twenty outstanding invitations to visit foreign parliaments because she was in such demand to go abroad.[11] John Bercow has taken what he terms as outreach work even further. Not only does he entertain dignitaries and attend parliamentary conferences, he also goes around the United Kingdom talking to schools, colleges, universities, community groups and voluntary organisations about the Speakership and Parliament. He also receives these groups at Westminster and supports the work of charities. The result of this greater interaction with the wider public has been much more intense scrutiny from the media and this has not always been welcome.

The other big development for the Speakership at Westminster has been the massive increase in administrative duties and responsibilities undertaken by the office. This move has also taken place in Ottawa and in the other legislatures of the Commonwealth. At the beginning of the post-war period, the Speaker's role was mainly confined to the visible work of chairing the proceedings in the House of Commons chamber. Since the mid-1960s, the Speaker has been responsible for all the accommodation within the House of Commons part of the Palace of Westminster and he or she is also responsible for security and for employing all the staff. The traditional job of presiding over the debating chamber is now a small part of the overall role because it is now

the administrative function which takes up most of the time. It is this additional burden which got Michael Martin into trouble during the expenses scandal because as Speaker he was ultimately responsible for the way in which MPs' expenses were administered.

The office of Speaker of the United Kingdom House of Commons has grown dramatically during the post-war period because of the increase in administrative work and the development of the role outside Westminster. The office is a very personal one and is shaped by the individuals who hold it. Thanks to those who held the office in the late twentieth century, coupled with the newly found fame brought about by the introduction of radio and television broadcasting, the British Speakership has become one of the most recognised and admired political offices in the world. The result of this fame has been to make competition for the role much more widespread which caused the traditional method of election to become unfit for purpose. Fortunately, the United Kingdom House of Commons was able to look at the experiences of other legislatures which follow the Westminster model when examining ways of adapting to new circumstances. Despite the fact that Commonwealth legislatures have all tried to emulate the model of the British Speakership, they have also shown that their experiences can shape the evolution of that original office. Canada has always been a prime example. This sharing of good practice will continue as all the Speakerships of the Commonwealth continue to evolve.

Notes

1   Interview with Mavis, Lady Dunrossil, March 19, 2005.

2   United Kingdom House of Commons, Official Report, October 20, 1959, c7.

3   United Kingdom House of Commons Select Committee on Procedure, First Report 1971-2, *Election of a Speaker*, House of Commons Paper 111.

4   Julian Haviland, 'Weatherill elected without dissent', *The Times*, June 16, 1983.

5   Letter from Lord Weatherill to Nicholas Winterton MP, December 6, 2001.

6   United Kingdom House of Commons Select Committee on Procedure, Second Report 2000-01, *Election of a Speaker*, House of Commons Paper 40, p. xxiv.

7   George Thomas, *Mr Speaker: The Memoirs of Viscount Tonypandy*, Century Publishing, London, 1985, p. 188.

8   Interview with Matthew Parris, October 5, 2010.

9   Interview with John Bercow, October 26, 2010.

10 Interview with John Bercow, October 26, 2010.

11 Interview with Baroness Boothroyd, October 24, 2005.

Leadership Selection in Alberta, 1992-2011: A Personal Perspective

Ted Morton

In 1991, the Progressive Conservative Party of Alberta changed its rules for selecting its party leader. They abandoned their traditional method of a leadership convention (with delegates drawn from each constituency), and instituted a new one-member, one-vote system. Under this new system, the Alberta PCs have elected three new party leaders: Ralph Klein in 1992; Ed Stelmach in 2006; and Alison Redford in 2011. In each of these leadership contests the winner immediately became the Premier of Alberta. This article looks at the impact of the new selection procedure for politics in Alberta.

The 1991 leadership reforms can best be described as creating what the Americans call an "open primary." Not only is it based on the one-member, one-vote principle, but the membership requirement is essentially "open". That is, there are no pre-requisites such as prior party membership or cut-off dates for purchasing a membership. Memberships can be bought at the door of the polling station on the day of the vote for $5. The system allows for two rounds of voting. If no candidate receives an absolute majority (50% +1) on the first voting-day, then the top three[1] go on to a second vote one week later.[2] Membership sales remain open right up until the polling stations close on this second day of voting. Finally, in the second round, the vote is by preferential ballot.[3] For the three remaining candidates, voters indicate their first and second choice. If no candidate receives a simple majority, the third place finisher is dropped, and his supporters' second preferences are redistributed to the top two finishers. This guarantees that one will then have a majority. Taken together, these new rules gave the Alberta PC's the "most democratic" (i.e. open and transparent) leadership selection process of any political party in Canada., perhaps in the entire Parliamentary world.

Initially the Party was quite proud of its new democratic credentials.[4] But as these rules were put into play in three leadership contests over the next two decades, they have had significant and unintended consequences. I have tried to summarize these in the following six propositions:

- The rules favour "outsider" candidates over candidates supported by the Party Establishment.
- The rules create an incentive for the Second and Third Place candidates to ally themselves against the Front Runner in the second round of voting.
- The rules weaken the influence of Party Regulars.
- The rules create an incentive for non-party members–"gate-crashers"—to purchase memberships and vote for the "least worst alternative".
- The rules reward candidates that cater to organized interests whose members can be quickly mobilized by email, direct mail, telephone banks or social media. In the Alberta context, this has primarily been public sector unions.
- The rules have facilitated the growth of a second conservative party by pushing disillusioned Blue Tories into the Wildrose Party.

Proposition 1. Outsiders win, Establishment favourites lose

This is the most obvious consequence of the new leadership selection rules. In all three contests, each of the early favourites lost to a candidate that was considered an outsider, a long-shot, or both.

In the 1992 leadership, Edmonton MLA and Cabinet

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Minister Nancy Betkowski was beaten by Ralph Klein, the former mayor of Calgary. Betkowski had a long history with the Party and substantial Cabinet support. Klein was a relative new-comer to the Party. While Klein had the support of many back-benchers, he was not endorsed by a single Cabinet minister. Klein campaigned against Betkowksi by labeling her as "part of Tory Establishment."[5] In the first round of voting, Klein surprised Betkowski by tying her, each receiving 31% of the votes.[6] Cabinet Minister Rick Orman was a distant third with 15%, and withdrew, endorsing Betkowski. Indeed, six of the seven defeated first-round candidates endorsed her. These endorsements notwithstanding, Klein buried Betkowski in the second round of voting, 59% to 40%.[7] The number of "new" voters surged by over 35,000, and they supported Klein by a large margin.

In the 2006 contest, Jim Dinning was the overwhelming favourite of the Party establishment. Dubbed by the media as "The Prince" and the "Premier-in-waiting," he had held Cabinet positions under both Klein and Getty. Dinning had the support of 37 Caucus members, raised over $2 million dollars, and in the early stages of the campaign his team confidently predicted a first round victory.

The rest of the crowded field of eight candidates— none of whom were given a chance of winning— included Ed Stelmach, a likeable but undistinguished Cabinet minister under Klein. Stelmach was endorsed by 13 MLAs, but was virtually unknown south of Edmonton. I was another one of the long-shots. I had only been elected as an MLA two years earlier. While I had been active at the federal level with the Reform Party, I had no PC Party history, no caucus supporters, and no experience as a minister. At the outset, the *Calgary Herald* gave me "500-to-1 odds of winning".

When the first ballot came, we surprised Dinning (and ourselves) by coming in a close second and blocking Dinning's path to a first-ballot victory.[8] Dinning tallied only 30% of the votes. I received 26%, while Stelmach was a distant third at 15%. One week later, Stelmach shocked Dinning (and everyone else) by vaulting from third to first on first preferences. There was a 50% surge in new voters from a week earlier, and they went overwhelmingly to Stelmach. With Stelmach and Dinning then in a virtual tie (36% to 35%), I was eliminated and my supporters' second preferences were re-distributed to the two front runners. This was the end for Dinning. Of my supporters that indicated a second-preference on their ballots, 86% chose Stelmach. With this new wave of support, Stemach crushed Dinning by a margin of over 22,000 votes.

The 2011 PC leadership displayed a similar pattern. Gary Mar and I were the early favourites. Mar had held numerous important Cabinet positions during the Klein years. During the Stelmach years, he has served as Alberta's trade representative in Washington, D.C. Mar was the choice of the PC establishment; enjoyed the endorsement of 27 MLAs; and out-fundraised all his closest opponents by a two-to-one margin— raising over $2 million dollars. I was the first to declare my candidacy and enjoyed high name-recognition because of my role in Stelmach's decision to resign in January, 2011. I had also served as Stelmach's Minister of Sustainable Resources Development and Finance Minister. I was supported by 10 MLAs, and expected to build on my strong showing in the 2006 Leadership.

	First Ballot	Second Ballot	Preferential Ballot
Dinning	29,470	51,272	55,509
Morton	25,614	41,243	—
Stelmach	14,967	51,764	77,577
Others	28,639	—	—
Total	**98,690**	**144,279**	**133,086**

Among the other four candidates was Doug Horner, another experienced Cabinet minister from the Edmonton-area and the son of a former Cabinet minister. Like Stelmach in 2006, Horner was viewed as mainly a regional candidate. Ten of his 14 MLA supporters were from Edmonton and Northern Alberta. Last and, at the outset, probably least, was Alison Redford. Redford was a little-known feminist human-rights lawyer who had worked for former Federal PC Prime Minister Joe Clark and had stuck with the PCs during the 1990 civil war on the Right between the PCs and the upstart Reform Party. With a reputation as a Red Tory, Redford tried unsuccessfully to win a nomination to be the federal Conservative Party's candidate in Calgary-West in 2004. She then went provincial, was elected as a Calgary MLA in 2008, and was immediately appointed as Minister of Justice. Redford had the support of only one MLA and was seen as running to position herself for future influence. However, late polling in September predicted Redford as a contender.

None of the six candidates was expected to win the 50%+1 needed for a first ballot victory, but Mar came close. He took 41% and left the rest of the field in the dust. His strength was not just wide but deep— winning pluralities in 52 of the 83 ridings. Redford was a surprise second-place finisher at 19%, with strong support in Calgary, while Horner finished third with

14%. I finished fourth at only 12%, my anticipated support failing to materialize in either my old rural strongholds or in my MLA supporters' ridings in Southeast Edmonton and Northeast Calgary.

	First Ballot	Second Ballot	Preferential Ballot
Mar	24,195	33,233	35,491
Redford	11,129	28,993	37,101
Horner	8,635	15,590	—
Others	15,402	—	—
Total	**59,361**	**77,816**	**72,592**

When all three of the eliminated candidates—Orman, and Griffiths and myself—endorsed Mar, he seemed like a shoe-in to win the second ballot outright on first preferences.[9] But this was not to be. Again, the number of new voters surged—this time by 31%. Mar's percentage—at 43% — hardly budged from the first ballot. By contrast, Redford nearly doubled her share of the votes to 37%. Horner took only 14%, and was thereby eliminated, throwing the outcome to the second preferences of the Horner supporters.

The "curse of the front-runner" then struck again. Over three-quarters of Horner's supporters (n=10,366) gave their second preference to Redford, allowing her to sneak past Mar with 51% of the redistributed votes. For the third time in a row, an underdog candidate had burst from the pack to take down the Party favourite. While these results have surprised both participants and observers, the reason is not not hard to discern.

Proposition 2. Second Ballot Strategy: Take down the Front Runner[10]

When there is a front-runner, such as Dinning in 2006 and Mar in 2011, the only plausible path to victory for second and third place candidates is to join forces to prevent the front-runner from crossing the 50% threshold on first preferences. This rule did not apply to the 1992 Leadership race, as the third-place finisher, Rick Orman, dropped out before the second round. As noted above, in 2006, 86% of my supporters' second preference went to Stelmach.[11] In 2011, 78% of Horner's Supporters' second preferences went to Redford. Neither was by accident.

My campaign's "any one but Dinning" strategy in the second week was explicit and vigorous. I crisscrossed the province urging PC members, "Vote Ted and Ed, or Ed and Ted." We didn't care which, as we were confident that Stelmach would never catch up with me, and the we would need his supporters' second preferences to beat Dinning. Stelmach did not reciprocate, but neither did he make any deals with Dinning. Publicly, the Stelmach campaign avoided the negative rhetoric and personal attacks that overtook the other two campaigns. Privately they launched a massive new membership sales initiative, reminding potential supporters that Dinning had been Klein's hatchet-man in the painful budget cuts of the 1990s. Stelmach also received the support of the three candidates eliminated in the first round.[12] Together, they positioned Stelmach as a moderate, likeable, positive candidate, a better alternative to the two warring "fiscal hawks." This message played well with public sector unions and municipal politicians, both of whom depend on Government of Alberta largesse. Once I was eliminated, it was a foregone conclusion that my supporters would cast their second preferences for Stelmach. The second ballot became more about voting against a candidate (the front-runner) than voting for a candidate.

After the first ballot in 2011, Redford explicitly encouraged her supporters to give their second preferences to Horner. Her strategy was the same as mine had been in 2006. She needed to block Mar from passing the 50% threshold, and then take enough of Horner's second prefences to win. Horner was less direct, but reciprocated in a widely circulated comment: "When you look at the policies, the platforms, the call for change, where we need to go with this province in the future, I think it's pretty obvious where you would find my second ballot."[13] While these remarks may seem obtuse, the message obviously got through to his supporters, 78% of whom marked Redford as their second preference, and thereby made her the next Premier of Alberta.[14] But the question lingered, who exactly had elected Alison Redford as the 14th Premier of Alberta.

Proposition 3. Party Regulars Displaced by Two-Minute Tories

Most commentators assume that an "open primary system" such as the one adopted by the Alberta PCs strengthens the influence of party members in choosing their leaders.[15] The Alberta experience was the opposite. The influence of rank-and-file members was reduced. The loyal foot-soldiers who keep their memberships current between Leaderships, attend constituency association meetings, party AGMs and Policy Conferences, and at election time volunteer to stuff envelopes, man phone banks, and knock on doors—these party-faithful are swamped by the tsunami of "gate-crashers" that join just to vote in the Leadership and then disappear.[16]

In the summer of 2006, PC membership stood at 12,000. When Party "members" went to vote in the second round in November, 144,000 votes were cast. Of these 144,000, more than 45,000 had bought memberships in just the last week, and some in the last hour, at the door on voting day. Not surprisingly, it was widely reported that many of these "two-minute Tories" then tore up their new membership cards as they left the polling station. They had no interest in the PC Party, only the outcome of the second ballot.

PC Membership in Alberta by Year[17]

Year	Membership
2011	78,176
2010	3,578
2009	4,365
2008	15,596
2007	28,352
2006	155,997
2005	6,550

In both the 1992 and 2011 Leaderships, there was a similar surge in Party memberships, between the first and second ballots. In 1992, there was a 48% surge in voters (n=25,538). 78% of these "gate-crashers" were newcomers to the Party, and 80% of them voted for Klein.[18] Stewart and Archer's study concluded that, "The rule allowing individuals to purchase memberships after the first ballot enabled thousands of new voters to cast a ballot on the final Saturday, and they played a major role in Ralph Klein's victory."[19]

In 2006, the number of voters jumped by 31% (n=18,455), with Redford the largest beneficiary. The Redford campaign used social media to mobilize professional working women. While hard evidence does not exist, her social media blitz appeared to work. At a Christmas party just after the 2011 Leadership, a friend of the hostess told me that she had never voted Conservative in her life, but while getting ready for supper on voting day, had seen a story on the evening news about Redford's momentum and her use of social media to emphasize the historic opportunity to elect Alberta's first woman Premier. She jumped in her car and drove to the local polling station to vote for Redford. The poll was about to close, and there were a dozen people still lined up, all but one women.

These three Leadership experiences suggest that under their new rules, the PC Party's leader is elected by a new "virtual party" that is reconstituted every Leadership race. Stewart and Young draw a similar conclusion: "The second stage is in reality a completely separate election and with the first vote merely identifying a short list." [20] But they don't go far enough. It's not just that the composition of the voters in the second ballot is qualitatively different from the first. The new virtual party's membership may bear little resemblance to the PC Party that existed 12 months earlier, and even less resemblance to the virtual parties that preceded it. But it is not an accident. The new virtual party is the creation of the opportunities and incentives that flow from the Open Primary rules

Proposition 4. Non-Tories —purchase memberships and vote for the "least worse alternative."

The lack of any requirements of prior party membership or a cut-off date for the sale of memberships opens the door to allow Albertans who are not traditional Tory members or even Tory supporters to participate. They are attracted to voting in these Leadership contests because the winner immediately becomes Alberta's Premier, and given the Tories 42 year rein, is likely to remain the Premier for some time. In a "one-party dominant system" such as Alberta, "The primary is the election."[21] This then creates an incentive for non-party members to purchase memberships and vote-strategically for the "least worst alternative."

In 1992, Federal Reform Party members bought provincial PC memberships and voted to block "Red Tory" Nancy Betkowski. 1992 was the year of the Charlottetown Accord Referendum, and the PC Leadership contest followed the Referendum vote by less than 5 weeks. Albertans voted overwhelmingly—60 percent—against the Accord. The Reform Party was the only political party in Canada to oppose the Accord. While Klein was officially "agnostic" on the Accord, his blue-collar, populist style appealed to grass-roots Reformers.[22] Betkowski, by contrast, supported the Accord because it was the official position of the Getty government.

A subsequent study found that of the voters in the 1992 PC Leadership that indicated a federal party affiliation, 38% held Reform Party memberships, and 89% of them opposed the Charlottetown Accord. By contrast, 67% of Federal PC members that voted in the 1992 PC Leadership supported the Accord.[23] The study concluded that, "The actual participation of Reformers and independents in the process appears to have facilitated the selection of Ralph Klein."[24]

Like Klein in 1992, I benefited significantly from the participation of Federal Conservative Party members in first ballot of the 2006 Leadership. (The Federal PCs and Reform/Alliance parties merged in 2003 to form the new Conservative Party of Canada, led by Stephen Harper.) I had worked for almost a decade with the

Federal Reform and Alliance Parties, and was well-known to Party members. I was also identified as being close to Harper, as we were both co-signers of the "Firewall Letter" sent to Premier Klein in 2001.[25]

Going into the first day of voting, the my campaign had identified 16,784 supporters and sold 11,230 memberships. By the end of the day, I had received 25,614 votes—more than double the number of memberships we had sold. In Canadian nomination elections, this kind of "conversion rate" (i.e. ratio of memberships sold to actual votes cast) is unheard of. We attributed this very pleasant surprise to the "moccasin telegraph," the informal but tightly knit network of Alberta Reformers.

In the second round, it was the Stelmach campaign that benefited from the "gate-crashers." Public sector unions were leery of both Dinnng and myself. Dinning had been Klein's Minister of Finance in the mid-1990s when the Tories imposed an across-the-board 5% pay reduction to all public sector employees—including teachers and nurses. I had campaigned on the promise of fiscal responsibility and opening up Alberta's health care system to more private delivery and contracting out to non-union providers. Not surprisingly, the Alberta Union of Public Employees (AUPE), the Alberta Teachers Association (ATA) and the United Nurses of Alberta (UNA) did not warm to the idea of two self-proclaimed "fiscal hawks" leading the next government of Alberta. The Stelmach campaign privately exploited this anxiety to sign up thousands of new members.

2011 presented an equally dramatic surge of support from public sector unions for Redford. Early in the campaign she had publicly broken from the Stelmach government and promised to "restore" $110 million dollars to the education budget. She then promised to help out the under-funded Alberta policemen's pension, which garnered an endorsement from the police association. When front-runner Gary Mar refused to rule out more privately delivered (but publicly paid) health care, Redford denounced him and promised "to keep public health care public." She also promised new "family [health]care clinics" that would accommodate the crowded schedules of working mothers. Redford's policy focus on health and education sent the message that she might well be the "least worse choice" for public sector union members that didn't normally vote PC.

Proposition 5: The "two-minute Tory" window has a left-wing bias

The "two-minute Tory" window is not open for long: 1 week in the 1992 and 2006 Leaderships and 2 weeks in 2011. This means that there is an incentive for Leadership campaigns to target their recruiting efforts on organized interests that can be quickly mobilized, even if they are not normally Tory supporters.

The clearest evidence of this is the significant increase in new voters between the first and second ballots: 48% in 1992; 48% in 2006 and 31% in 2011. In each Leadership, the number of new voters has been larger than the total number of voters for the candidates eliminated in the first round. As Stewart and Young concluded, "The second stage is in reality a completely separate election."[26]

But the targeting of easy-to-contact organized interests is not restricted to the second ballot. In 2006, my surprisingly strong second place finish on the first ballot was driven by an aggressive "ground game" strategy was only made possible by the use of old federal Reform/Conservative membership lists. Complete with names, addresses, telephone and emails, these lists allowed my campaign team to orchestrate a sophisticated phone-bank-direct mail-email campaign that delivered over 25,000 votes on the first ballot and over 41,000 first preferences on the second.

The dramatic increase in votes for Stelmach on the second ballot—from 15,000 to 51,000—was driven in part by a self-mobilization of public sector unions to block the Dinning-Morton "threat." But it was also encouraged by the Stelmach campaign. Dave Hancock, one of the Leadership candidates eliminated on the first ballot, threw his support to Stelmach and used his ATA contacts to help. Stelmach's other "secret weapon" was the Alberta Association of Municipal Districts, and Counties (AAMDC), the trade association for elected officials from rural Alberta. Stelmach had begun his political career at the municipal level. He was the former Reeve of Lamont County, and had been active in the AAMDC, as had several of his MLA supporters. Led by Sherwood Park MLA Iris Evans, they mobilized significant support through their extensive networks of rural office-holders and employees, most of whom already knew the likeable Stelmach.

What had happened somewhat spontaneously in the 2006 Stelmach campaign, became a conscious strategy for Redford in 2011. Her policy promises on health and education issues resonated well with nurses and teachers unions. In the last month of the campaign, this "pull" was turned into a "push" by a sophisticated social media campaign that targeted professional working women, a demographic that overlaps strongly with nurses and teachers.

To conclude, PC's new Leadership rules advantage candidates that cater to organized interests whose

members can be quickly mobilized. In theory, this bias may be ideologically neutral. But in the context of the 2006 and 2011 Leaderships, this has meant primarily the ATA and other public-sector unions. The result has been the election of the most "liberal" of the three conservative finalists in each contest. Not surprisingly, a growing number of disillusioned "small-c conservatives" began looking for a new political home and found it in the Wildrose Party.

Proposition 6: Disillusioned Blue Tories jump to the Wildrose Party

Anyone arguing the "two-minute Tory" window has a left-of-centre bias must begin by confronting the counterevidence of the 1992 Leadership. Betkowski was clearly the more liberal of the two finalists, and Klein just as clearly benefited from the support of many Federal Reform Party members who bought provincial PC memberships to defeat Betkowski.

> *The 1992 experience demonstrates that the PC's leadership rules can attract "gate-crashers" from both ends of the political spectrum, and cautions against overly broad generalizations.*

This caveat notwithstanding, Premier Redford and her PC Party now sit across the aisle from a second-right of centre political party, the Wildrose Alliance Party, which with 17 members, is the Official Opposition in the Alberta Legislature. It would be hard to find any informed person who does not believe that the results of the last two PC Leadership contests have not contributed to this new political reality.

The 2006 Leadership weakened the PC Party by electing a compromise candidate who turned out to be a weak leader. From the outset, Stelmach had low support in Calgary and Southern Alberta, and his subsequent oil and gas royalty policies pushed many Blue Tories and Federal Conservatives into the Wildrose Party.[27] If either Dinnng or I had won in 2006, it's hard to imagine that either of us would have mishandled the royalty issue as badly as Stelmach. And without the royalty debacle, it's hard to imagine there would be much of a Wildrose Party today.

If the 2006 Leadership created the opportunity for the Wildrose, then 2011 helped realize that opportunity. As others have pointed out, all three finalists were Red Tories (Mar, Redford, Horner). All three eliminated candidates were Blue Tories (Morton,

Orman, Griffiths). And the "red-ist" of the three Red Tories won—Redford.[28] Indeed, these results may mean that the shift had already occurred. The collapse of my support—from 41,000 votes on the 2006 Second Ballot to 7,000 in 2011—suggests that many Blue Tories/Federal Conservatives had already left the PC Party for the Wildrose Party.[29]

Whether cause or effect, Redford's victory in the 2011 PC Leadership was wind in the sails of the Wildrose. Her transparent appeals to public sector unions with promises of increased funding for education and healthcare gave new credibility to Wildrose accusations that there was no longer anything conservative about the Progressive Conservative Party.

Will the Wildrose have staying power? Is this divide on the Right just a temporary aberration or more permanent? Evidence suggests that it is more permanent because it has a regional foundation. The early strength of the Manning Reformers was in Southern and Central Alberta. Klein did well here in 1992, and it is where I was strongest in 2006.[30] On the first ballot, I carried every rural and small town constituency South of Edmonton except 5, and even won two rural ridings North of Edmonton. In 2011, this support disappeared. At the time, pundits speculated that this was because my supporters had already gone over to the Wildrose.[31] The subsequent results of the 2012 General Election seem to confirm this.[32] In the April, 2012 provincial election, the Wildrose Party won 12 of the 21 ridings that I had won in the first round of 2006 Leadership. Of the 17 Wildrose MLAs elected, 12 came from ridings that I had won in 2006. In some—such as Drumheller-Stettler, Airdrie, and Lac La Bich-St. Paul-Two Hills—virtually the same volunteers ran both campaigns.

So if geography matters—and in first-past-the-post electoral systems, it does—then the Wildrose Party is not going to evaporate anytime soon. It now has a beach-head in Southern and Central Alberta from which to mount future assaults on the Tory Dynasty.

Conclusions

Has open primary leadership selection strengthened the Alberta PC Party? If you had asked this question in 2005, the answer would have been a resounding "yes." Ralph Klein had taken over a party that was 20 points behind the polls in 1992 and won 4 majority governments in a row. The "openness" of the new Leadership selection rules may have strengthened the PC Party by absorbing the populist energy stirred up by Preston Manning and pre-empting the formation of a provincial Reform Party, which then would have then split the right-of-centre vote.[33] In 2005, the advantages

of the new Leadership rules seemed obvious: they had facilitated party renewal by allowing the PCs to reflect changes in Alberta's political climate.[34]

Today, the answer is hardly so clear. The "two-minute Tory" window between votes has allowed strategic "gate-crashers" from the Left to decisively influence the outcome of the last two PC Leaderships. The Stelmach and Redford victories appear to have transformed the PC Party into a centre-left coalition party, and pushed disillusioned Blue Tories toward the Wildrose Party. How this will end, no one knows.

What we do know is that coalition of urban and rural interests that has lifted the Alberta PC Party to twelve consecutive victories is deeply fractured. The Alberta Tories are an unlikely marriage between the oil and gas industry and the ranch-farm sector. This "odd-couple" coalition seems over, at least for now. Does this mean the end of the Tory dynasty? Not necessarily. But it does mean that the PCs will have to cobble together a different coalition of interests and groups—a more urban coalition— to continue to win majority governments. One of Alison Redford's campaign ads in the 2012 Alberta general election boasted "Not Your Father's PC Party." She turned out to be right, but she may find that managing the consequences will not be easy.

Notes

1 At the Party's 2012 AGM, this rule was amended to just the top two finishers.

2 At the Party's 1999 AGM, this rule was amended to allow two weeks between votes.

3 At the Party's 2012 AGM, preferential ballot was eliminated as no longer necessary, since only the top two finishers would now go to the second round.

4 David K. Stewart and Keith Archer, *Quasi-Democracy? Parties and Leadership Selection in Alberta* (Vancouver and Toronto: UBC Press, 2000), pp. 24,47

5 Stewart and Archer, Leadership Selection in Alberta, p.26.

6 Betkowski: 16,393; Klein: 16,392; Orman: 7,649.

7 Klein 46,245; Betkowski 31,372.

8 Our strategy was to finish third on the first ballot, and then try to benefit from second preferences in the second round. This seemed plausible, as there was a lot of ill-will between Dinning and Lyle Oberg, another experienced PC Cabinet minister who in the early months was considered Dinning's strongest rival.

9 "The second ballot begins with nearly everyone expecting Mar to win." Don Braid, *Calgary Herald*, Sept. 19, 2011.

10 David K. Stewart and Lisa Young ("Leadership Primaries

in a Single-Party Dominant System," (2012), p.19) make this point differently: "The specific rules utilized by the Conservative party played a major role in the outcomes, permitting 'come from behind' winners and making second choice votes critical to the outcome. …In each of the Alberta PC primaries the first ballot leader was defeated."

11 Of Morton's 41,243 supporters, 11,193 did NOT indicate a Second Preference. Of the 30.050 that did, 25,813—or 86%–voted Stelmach. Only 4.237 supported Dinning.

12 Dave Hancock, Lyle Oberg and Mark Norris.

13 *Calgary Herald*, Sept. 28, 2011.

14 Of Horner's 15,590 supporters, 5,224 did NOT indicate a Second Preference. Of the 10,366 that did, 8,108 –or 78%–voted Redford. Only 2,258 supported Mar. Stewart and Young ("Leadership Primaries,: p. 19) also note that second preference support from Horner was essential to Redford's victory.

15 Susan E. Scarrow, Paul Webb and David M. Farrell (2002), write that under open primary systems such as the Alberta PC Leadership, "party members are gaining significant rights to elect their leaders." ("From Social Integration to Electoral Contestation" in Russell J. Dalton and Martin P. Wattenberg (eds.), *Parties Without Partisans: Political Change in Advanced Industrial Democracies*, Oxford: Oxford Scholarship Online. As quoted by Stewart and Young, p. 1.

16 Stewart and Archer drew the same conclusion about the 1992 Leadership (p.27): "Obviously, the leadership decision was not made by long-term rank-and-file members of the provincial party."

17 Adopted from Stewart and Young," Leadership Primaries in a Single-Party Dominant System,"p. 10.

18 Stewart and Archer, *Leadership Selection in Alberta*, p. 63.

19 *Ibid.*, p. 65.

20 Stewart and Young, "Leadership Primaries," p. 14.

21 This is how American political scientist V.O. Key (*Southern Politics*. New York: Alfred Knopf. (49:407) explained the importance of Democratic Party primaries in the South. Stewart and Young (Leadership Primaries," p.4) apply it—correctly in my opinion—to the situation in Alberta.

22 Stewart and Archer, *Leadership Selection in Alberta*, pp. 55-56.

23 *Ibid.*, p.30.

24 *Ibid.*, p. 48.

25 The "Firewall Letter" became the moniker for the "Alberta Agenda," a public letter sent to Premier Klein in 2001 urging him to take specific policy steps to strengthen Alberta's control over policy areas within provincial jurisdiction. It was signed by five Albertans, all with ties to the Federal Reform/Alliance Party: Stephen Harper, Tom Flanagan, Ken Bosenkool, Andy

Crooks, Rainer Knopff and myself. The letter became popularly know as the "Firewall Letter" because of its call "to build firewalls around Alberta."

26   Stewart and Young, "Leadership Primaries," p. 14.

27   On the second ballot in 2006, Stelmach had only 14% of the votes in Calgary and did not win a single Calgary constituency.

28   Larry Pratt, *Edmonton Journal*, October 9, 2011: "The reddest Tory on the list, Alison Redford, took the big prize, the right wing was repudiated with Ted Morton and Rick Orman going down to defeat on the first ballot and the old guard was rebuffed with Gary Mar's unexpected defeat."

29   Cf. Graham Thomson, "The decline in Morton's support suggest that the selectorate had changed dramatically between 2006 and 2011 and lends credence to claims that 'the conservative flank of the party has deserted it.'" (*Edmonton Journal*, Sept. 20, 2011).

30   Stewart and Archer, Leadership Selection in Alberta, p. 40.

31   Stewart and Young, "Leadership Primaries," pp. 18-19.

32   *Ibid*., pp. 8-9, draw the same regional parallel.

33   Stewart and Archer (Leadership Selection in Alberta, pp. 28,48) reach a similar conclusion.

34   Stewart and Young ("Leadership Primaries," p. 19) seem to suggest that the PCs will benefit from the results of the 2011 Leadership: "The failure of the Conservative party to have a membership cut-off point may actually serve the party very well".

For and Against Lowering the Voting Age: A Round Table

Lord Tyler, Lord Norton of Louth, Lord Wills, Lord Adonis, Baroness Young of Hornsey, Lord Parekh, Lord Wallace of Saltaire

Under the Edinburgh Agreement between the United Kingdom Government and the Scottish Government for a referendum on independence of Scotland it was agreed that the franchise could be extended to 16 and 17 year-olds for this vote. On January 24, 2013, the British House of Commons voted by 119 to 46 for a motion to rationalise the extension of the franchise in this respect throughout the United Kingdom. A month later the House of Lords debated the issue of voting age, a topic of interest to legislators in Canada and elsewhere who are concerned about ways to engage youth in politics. The following is an abridged version of some of the interventions for and against lowering the voting age. For the full text of all speeches see Debates of the House of Lords, February 27, 2013.

Lord Tyler: It would be patently inequitable, irrational and absurd to limit this reform of the franchise to one part of the country for one occasion only. As things stand, the same cohort of the Scottish population that will be added to the register for the referendum will then be refused a vote in the general election a few months later. That makes no sense. What if a Westminster, Holyrood or local government by-election poll takes place in Scotland on the same day as the referendum? Are 16 and 17 year-olds to be issued with only one ballot paper for the referendum, but excluded from choosing their representative? Would 16 and 17 year-olds be refused a vote in any subsequent referendum, such as on our continuing membership of the European Union? Quite apart from the issues of principle, let us imagine the complex bureaucratic nightmare of such markedly different registers for different purposes if these inequities are allowed to continue.

It is being trailed that the Scottish change was agreed only reluctantly because the First Minister demanded it in exchange for meeting the UK Government's insistence on one simple, approved question in the referendum and a supervisory role for the Electoral Commission. It has even been suggested that Mr Salmond made it a condition of accepting these other

requirements because he anticipated that they would be refused. Some cynics take pleasure in noting that not only did the Westminster Ministers and all parties call his bluff, but all the signs are that younger people are just as doubtful about the merits of breaking up the UK as everyone else.

Whatever may have been the cause of this acceptance of a temporary change to the Scottish electorate, surely no one can deny that it would be irresponsible and damaging if it led to what the Constitution Committee of your Lordships' House has always warned us against-namely an, "*ad hoc* and piecemeal approach to constitutional reform".

In its report, *The agreement on a referendum on independence for Scotland*, our committee also insists that the relevant authorities must act,

> in accordance with their constitutional responsibilities of fairness and equal treatment.

If that applies north of the border, surely it must also apply everywhere else in the United Kingdom. The case for equality in the franchise must make itself for the whole of our country.

However, to those Members of both Houses who regularly attend outreach programme – the substantive case for extending the franchise must be just as clear. Students of this age cohort are far better informed about the major issues of our day than I was at that age.

Fifty years ago, most people inherited their opinions and political allegiances from their parents. This was all too apparent when I first canvassed in the 1960s.

It is of course also true that 18 year-olds at present are, on average, unlikely to have the opportunity to vote in a general election until they are well over 20. Even if the franchise is extend, 16 and 17 year-olds may not have that opportunity until they are 18 or more. However, getting on the electoral register with full entitlement to vote would be a natural end product of the citizenship course in schools. It would become part of the normal process towards complete legal maturity, and addressing it in school would deal with some of the fears about under-registration that have been expressed in this House.

When the Government bring forward regulations for individual electoral registration, they could easily stipulate that all 14 and 15 year-olds in school should be registered in year 10 at school, in readiness for entitlement to vote, once they turn 16. The Government would, in turn, have to bring forward the time at which national insurance numbers are issued, or establish an alternative identifier for this group. That is not that difficult.

This simple but significant change would also help young people to appreciate that national elections are not the only occasions for democratic influence on the conditions in which they live. As Stephen Williams observed when he introduced a successful Motion in the other place on 24 January, this age group has shown a dramatically increased awareness of political issues and institutions in recent years. The audit undertaken by the Hansard Society has shown an increase from 17% to 31%, in a relatively short number of years, in that age group's general knowledge of the working of Parliament, bringing them into line with the older electorate. It should be a logical further step in the success of citizenship education to bring them into the franchise.

I know that some Conservatives resist the idea that a 16 or 17 year-old is mature enough to cast a vote in a local or national election. However, as I noted in the January debate, the Minister responsible, Chloe Smith, was not able to deny that a 15 year-old can be a voting member of the of the Conservative Party, and therefore vote for the election of its leader. What I am asking the Minister to do this afternoon is accept that there is now a strong case for a proper examination of this issue.

As a member of the informal cross-party group of parliamentarians who advise the Electoral Commission, I am very conscious that the commission, rather than party politicians, should be responsible for advising Parliament on extensions to the franchise. However, it is now nearly 10 years since the commission studied the issue. Its report promised a, "further formal review of the minimum voting age within five to seven years of this report".

That was nine years ago, in 2004. In July 2007, the then Prime Minister promised yet more examination of the case, including an analysis of, "whether reducing the voting age would increase participation in the political process".

Although the resulting Youth Citizenship Commission found strong support for votes for 16 and 17 year-olds, it also identified "a real evidence gap" on the issue. That was nearly four years ago.

There are two areas in which further evidence could be sought immediately. The first is the claimed tendency that those who start voting young, continue to do so throughout their lives. Secondly, we need to take account of the practical experience of secondary schools in Northern Ireland where completion of citizenship naturally leads to inclusion on the individual electoral registration process.

I hope that the Minister will be able to give us a firm commitment, after all these previous promises, that the Government do not consider the upcoming franchise extension in the Scottish referendum as an ad hoc, piecemeal, self-contained irrelevance, and that the Electoral Commission will now be invited to fulfil its promise to undertake further comprehensive investigation as a matter of urgency.

Lord Norton of Louth: Debate on the issue appears to stem from a false premise. Voting is a consequence of political interest, not a cause of it. Lowering the voting age is not likely to have a positive impact on turnout any more than it did when it was lowered to 18 in 1969. It did not promote participation in democracy, but rather served to demonstrate what we already knew: young people are among the groups least likely to vote. That is borne out by the data for recent general elections. One does not change that by further lowering the voting age.

Focusing on the voting age may be seen as a form of displacement activity, recommending change to process rather than addressing the real causes of distrust in the political system. The claim made in another place by one MP in an Early Day Motion that, "lowering the voting age could play a huge role in helping young

people feel more connected with political processes", is to misunderstand the root of the problem and is arguably a dangerous misunderstanding.

Our time today would be better spent getting to grips with the really important question of why young people are not willing to engage with the political process. As the Youth Citizenship Commission observed,

> while enfranchisement of 16 and 17 year olds is a valid issue for consideration, it is not the key component of any strategy for better engagement of young people.

It is variously pointed out that more young people will vote for participants in television programmes such as "X Factor" and "Britain's Got Talent" than vote for parties in a general election. However, that observation rather misses the key point, which is that nowadays political activity has to contend with a plethora of competing interests in a way that it did not have to 40 or 50 years ago. Political parties used to hold a more prominent role in social activity than they do today. Young people are now able to indulge their passions, which can be instant and transient, through social media. Political parties are not able to respond effectively. They cannot offer instant gratification. Neither, I fear, can elections. We need to be addressing this mismatch. There is no easy answer, which is all the more reason for addressing the problem. What we are discussing this afternoon does not get to grips with the real issue.

As to the voting age, what are the arguments for change? Those who favour lowering the voting age advance the argument that at 16 you can join the Army, marry and pay taxes. You cannot simply join the Army at 16. You can apply to join the Army, which is not the same thing at all. Having applied, you have to be selected. What this recognises is that only certain people in this category have the requisite ability. Even if you are selected, you are not sent to the front line. You can marry but only with parental consent. Very few 16 year-olds pay income tax.

As the previous Government's Children and Young People's Unit said in its *Young People and Politics: A Report on the YVote/YNot? Project* in 2002:

> As far as lowering the voting age is concerned, it is clearly necessary to decide at what minimum age most people are sufficiently politically aware, mature, and independent to make up their minds and choose between the various candidates standing for election. On balance, Government takes the view that there is more likely to be a higher percentage of people aged 18 who are able to do this than at 16.

We live in a society where the road to becoming an adult is staggered. We grant rights to young people at different ages on their journey to adulthood. There has to be some age at which we grant the right to vote. No magical property attaches to it being at 18, but neither does it to being at 16. Most nations opt for 18. A number do not, and just because most nations follow one practice, it does not mean that we have to follow. However, given the lack of a compelling case for change, and with no clear public support for it, I am not persuaded by the case that my friend proposes.

Lord Wills: I am more agnostic than Lord Tyler about the issue of lowering the voting age. It is not an issue where sides are chosen on the grounds of political ideology. It is also an unusual issue in that positions are not driven, as is so much public policy, by differing priorities. Rather, the position taken on this issue seems to be as much the result of some gut instinct as anything else. For every argument advanced by one side there is an equally compelling argument on the other.

If the argument for lowering the voting age is that young people should be considered adults at 16 rather than 18, there are counterarguments that young people mature at different rates. Whereas some are clearly adults at 16, others are clearly not, and there is no sensible way of evaluating this. If the argument is that the law should be consistent in a way that it is not currently and that there should be one age at which young people are deemed to have become adults, with all the rights and responsibilities that follow, there is no particular reason why it should not be equalised at 16 rather than at 17, when young people are deemed mature enough to take possession of the lethal weapon that is a motor car-or at 18, which will soon be the age up to which young people will be deemed unarguably in need of full-time education.

If the argument is that possession of the vote will engage young people more in civil society and democracy, there is no evidence that it has had that effect on those aged 18 and over. If the argument is the principled one of no taxation without representation, it will soon be the case, when the school leaving age becomes 18, that the already very small number of 16 and 17 year-olds who pay tax will dwindle even further.

In the face of the directly conflicting arguments that have clearly bedevilled the resolution of this issue for many years, it might be tempting to fall back on the essentially conservative argument that Lord

Norton, put forward: namely, that the case for change is insufficiently compelling to merit the upheaval that always accompanies any kind of profound constitutional change. However, I have an alternative suggestion.

Whenever constitutional change is discussed politicians lament the decline of trust in politicians, the increasing disengagement from formal political, democratic processes, and how disadvantaged groups and younger people are increasingly unlikely to vote at elections. One way of helping to tackle these problems is to develop ways in which the public can be more directly involved in the formulation of public policy. New methods of engaging the public in this way through deliberative democracy are potentially important both in engaging the public in politics between elections and in improving public policy.

Such methods would bring together perhaps 500 to 1,000 people to deliberate on policy, exposing them to a range of opinions and policy options and allowing them to debate them over a period of time, typically a day or two, before coming to conclusions. Such exercises would enable the public to bring relevant knowledge, experience and wisdom to bear on policy formation that may not always be available to cloistered Ministers and officials. Engaging the public in this way could help legitimise and entrench policy that might otherwise be unnecessarily contentious.

When politicians cannot come to any sort of settled agreement on an issue such as the one we are discussing today, constitutional change should always take place as far as possible on the basis of broad agreement across Parliament. That is not always possible, but it should always be at least the starting point. When the change so directly affects our constitutional arrangements and, therefore, everyone in the country, such deliberative democratic arrangements could play an important role in crystallising the issues and helping Parliament to come to a conclusion, thereby providing an important part of that proper consideration that Lord Tyler, has so rightly called for. Those involved in such an exercise would be selected randomly but filtered to ensure that they are demographically broadly representative. In this case, they might legitimately include a significant weighting of 16 and 17 year-olds. Whatever decision this group arrived at, in keeping with our precious system of representative democracy, it would still be for Parliament to reach the final decision, but now it could now do so informed by the wisdom of the people that it serves.

Lord Adonis: I support votes at 16. It was Aristotle who said: "We are what we repeatedly do". This is of course why education is so important in forming social habits as well as acquiring information and skills.

In this country we are ambivalent about educating teenagers in democracy and democratic duties, even as we complain incessantly that teenagers are too irresponsible and disengaged. The issue of the voting age typifies this ambivalent and contradictory stance. We deplore the fact that only 44% of 18 to 29 year-olds voted in the previous general election, yet many draw the conclusion that to lower the voting age would pile apathy on apathy. I draw the opposite lesson. Too few young people vote, in part because democracy and education in democracy are not, as Aristotle would put it, repeatedly done at school and college as teenagers are maturing.

Democracy and civic responsibility need to be taught and learnt in schools. We cannot carry on, as with sex education a generation ago, expecting them to be learnt spontaneously or informally, where parents are not engaged, and then complain when this does not happen. This is why the previous Government introduced citizenship as a subject in the school curriculum. It is why I strongly support school councils, in primary schools as well as secondary schools; it is why, in my own party, I am constantly urging university students to stand in local elections and to become councillors; and it is why I now believe that the time has come to lower the voting age to 16, in national and local elections.

I take up the point made by Lord Norton: this is not because that is the only step needed to promote civic responsibility among teenagers. He and Lord Wills have identified a number of other possible steps, many of which I support. However, I do not understand the argument made by Lord Norton, against votes at 16 that because it is only one among several steps needed, and not a *panacea*, it should therefore not be taken at all. That is a very conservative argument against progress of any kind.

It is important not to see these things in isolation. Education and democracy need to go together literally. Most 16 to 18 year-olds are in school or college, and that is where the polling stations should be as well. Every school with a sixth form and every further education and sixth-form college should have a polling station, and young people should be registered to vote there-instead of there being the perversity that some

schools are actually closed on polling day so that the adults can vote undisturbed. If we did this, voting would become a semi-obligatory rite of passage, like taking GCSEs and A-levels; citizenship education in schools would have a stronger and more urgent focus; candidates and parties, in local as well as national elections, would regard school and college students as a key constituency; and mock elections would lead to real elections within the education system itself, in the same way that mock exams lead to real exams, and work experience leads, it is hoped, to real work. All this can and should be done.

We are told by Lord Norton that Britain should not innovate in this way because it might make us look odd internationally. When Britain helped lead Europe in introducing and sustaining democracy in the 19th and 20th centuries, we often looked odd. But we were odd and right, and others followed. I am sure that it would be the same, in time, with votes at 16.

Baroness Young of Hornsey: Encouraging young people to become actively involved in local community politics through exercising a right to vote could help reinvigorate local government, as well as contribute to boosting the number of people who vote in police and crime commissioner elections, and so on. I agree with Lord Norton, that giving younger people the right to vote should not be seen as a universal *panacea* for increasing engagement with parliamentary and local government democracy, but there seems to be little evidence to suggest that lowering the voting age will be detrimental to voter turnout. In Austria, Nicaragua, Guernsey and the Isle of Man-where 16 year-olds are allowed to vote-there are consistently higher levels of voter turnout than we currently have here, and we need to understand why.

I have heard some extraordinary comments about 16 year-olds and their apparent lack of sense, political naivety, lack of intellectual capacity, inability to tell when they are being taken for a ride, attachment to superficiality and celebrity, et cetera. I only wish I could say that none of those observations applies to people of my own and other age groups. In my experience of visiting schools and speaking with groups visiting Parliament, young people know and feel very strongly about key global issues relating to the environment and poverty, through connections with schools overseas, the internet, and so on. As Lord Tyler, has said, this information was simply not available when many of us were younger.

Back in 2006, in response to a recommendation by the Power report, one MP argued against the lowering of the voting age to 16, saying:

> Clearly, a line must be drawn to indicate when a young person becomes an adult, and the present age of 18 is widely accepted across society as signifying a major turning point in the personal development and maturity of individuals.

Of course, that is not actually true because there is so little consistency about when we deem a young person to be an adult. In any case, those kinds of distinctions are very much socially constructed and change over the years. When I was a teenager, the line was drawn at 21, and I am sure that at that time it seemed equally obvious that that was the magical age at which maturity suddenly dawned. But I would argue that even in the seven years since the inquiry headed by the noble Baroness, Lady Kennedy of The Shaws, reported its findings on participation, we have seen sufficient changes in society to warrant a fresh look at this issue.

There is a general recognition, that many of our children and young people mature physically and psychologically earlier than previous generations. Some even have the responsibilities associated with older people, such as acting as carers for family members. Since the 1980s, more and more young people have expected to go on to further and higher education and as a consequence have had to develop skills of intellectual analysis, which again were not necessarily available to some of us when we were younger. A-levels are offered across the country in government, politics and public administration, and there are courses on citizenship, rights and responsibilities, mock elections, and so on.

As has already been mentioned, the so-called new media such as Twitter, YouTube, the internet and apps offer opportunities to learn about the world in a much wider way than ever before. Young people born into the digital age are most adept at exploiting these resources.

Anyone who doubts that 16 and 17 year-olds are capable of unpicking and analysing political discourse should go to some of the schools that colleagues and I have visited as part of the Peers in Schools programme.

When I went to Haringey Sixth Form Centre in Tottenham, when we were in deadlock here debating the reform of the House of Lords, I was well grilled by a group of 16 and 17 year-olds on every aspect of the Bill in a very knowledgeable way and in great detail. They were far more knowledgeable than some of my friends outside the House.

Then there is the Youth Parliament, formed in 1998. Members are aged between 11 and 18 and more than

500,000 young people vote in the elections each year. I will give the last word to somebody who was a representative in the Youth Parliament and who now interns for me, Adam Jogee. About six years ago, when he was 16, he wrote the following:

> As an elected representative of the young people of Haringey, I have first hand experience of their passion, energy and commitment: the energy they use to serve our community, the passion with which they view the world and its future and the commitment which they use to contribute to our society. If we look back over the decades, there are countless cases and examples of people rising up and fighting for their basic human right-the right to vote!.

Lord Parekh: I must have thought about this question for nearly 40 years as a political philosopher. Although it is a subject on which it is difficult to take a definite position, because one can see arguments on both sides, I am increasingly convinced that the case for a reduction in age from 18 to 16 is very weak and the case against it is fairly strong.

The case for it seems to rest on three arguments, which I will call the arguments of consistency, fairness and democracy. The first argument runs something like this: reducing the age to 16 will bring it in line with other areas of life; for example, children can leave school at 16, get married at 16, can and have to pay tax at 16, join the Armed Forces at 16 and consent to sexual relations at 16. If that is the common age, why can it not be true of voting as well?

The second, right-based, argument is that 16 year-olds these days have the maturity to form political judgment and it is only right that they should be able to vote in the same way as 18, 19 or 20 year-olds. The third argument is that it will increase their interest in politics and strengthen the foundations of participatory democracy.

I am afraid that I am not persuaded by any of these three arguments. The first, that it will bring it in line with other areas of life, is a half-truth. There are several areas of life in which 16 year-olds today cannot do things; for example, they cannot buy alcohol, they cannot serve on a jury and they cannot place a bet. If they can join the Armed Forces at 16, it is only with the consent of their parents, not on their own. Therefore, to say that it will bring them in line is not true.

It is also important to bear in mind that, although they pay taxes-the argument being that there should be no taxation without representation-if a five year-old or seven year-old goes to a shop to buy a bar of chocolate, he ends up paying VAT or whatever indirect taxes he is subjected to. It would be wrong to say that a nine year-old should be able to vote simply because he pays tax; the argument would be absurd.

On the second argument, that one can acquire the capacity for political judgment on what is the right thing to do at 16, there is no evidence for this. What kind of research is this alluding to? I have not seen any here, in the United States, or in any of our European partners. People having access to more information on the internet simply means that they have more information-but information is not knowledge, let alone judgment. In politics, as a voter one is concerned with a practical activity that entails a practical judgment about the range of possibilities that are open to one, and how one should exercise one's vote. Practical judgment does not come simply by looking at Google and the internet. I would say the same of citizenship classes. One can marshal all kinds of information about various political ideologies; all the things that we have taught in universities for years. Does the kind of information that one can communicate to students in itself give someone the competence to make a political judgment on the issue of whether they should be voting Labour or Liberal Democrat, or whether or not they should be supporting the war in Iraq?

On the third argument, that this will increase their interest in politics: fair enough. However, as Lord Norton said, that seems to me to be putting the cart before the horse. You cannot dangle a vote in front of somebody, saying, "We will give you the vote now in the hope that you will take an interest in politics". One would hope that a vote is a reward, not an incentive. We are reducing a supremely sacred political activity-the vote, the exercise of highest sovereignty a community has-to dangling a kind of carrot and asking, "Look, if we give it to you, will you vote?". It is striking that 18 year-olds have had votes for a long time. In the previous general election, only 39.6% of them voted, compared to the rest of the population at somewhere in the region of 70%.

Therefore, I would suggest that the arguments for are not persuasive; at least I have not found them persuasive so far, but other arguments could be produced, in which case I would like to hear them. The arguments against 16 year-olds being allowed to vote seem fairly strong. First, as I say, voting is an exercise of power. It is a participation in sovereignty. If you are going to exercise power, you must have a capacity for judgment of a practical kind. Unless you have had some experience of life, some independent existence

and have broken out of the sheltered environment of the family and seen the world on your own and made choices, how will you be able to know what kind of judgment you should make?

My other simple fear is that, given low turnout among young people and the fact that low turnout can be habit-forming, if a 16 year-old gets into the habit of not voting, he or she might continue that habit until the end of their lives. There is a danger that if we give 16 year-olds the vote in the hope that they will participate more enthusiastically in the voting process, the opposite will occur.

Lord **Wallace of Saltaire:** Let me stress that the Government have no plans to lower the voting age in this Parliament and that, as has already been mentioned, there is no consensus within the coalition Government. That in turn reflects the different views held across society at large and the divergent positions on this topic both within and across the various political parties. After all, we have discovered over the course of the past two and a half years just how difficult political and constitutional change is and how on any proposals for political and constitutional change there are always at least 15 different and contradictory arguments for why nothing should be done, while fewer arguments are made in support of the case for change. Nevertheless, we welcome the ongoing discussions and debate on this issue and we would encourage Lord Tyler, and others to maintain their approach.

On the question of the age of majority, which was raised by a number of Lords, I simply repeat the comment made by Lord Parekh, that there is no standard age of majority within the United Kingdom. The process of moving from childhood to majority takes place over several years, and the question of where that should be standardised would itself open up a very difficult process. However, the question of how to re-engage young people in our democracy, in citizenship and in local society is important and we all need to address it. When taking the Electoral Registration and Administration Bill through the House of Lords, I was struck by how severe a problem this is becoming. Younger people do not feel engaged in politics and they are not committed to political parties.

In one way or another, we all have to address that problem. Lord Adonis said that providing the vote at the age of 16 is not the answer, but it may be one of the ways of contributing to an answer. It would certainly mean that schools and parties would pay much more attention to citizenship education, which is important, and we would have to think about how else we could hook young people into their local communities and into wider engagement as a whole.

We all recognise, as Lord Norton, pointed out, that young people are already the least likely to vote. That is the problem, of course, and the question is how to tackle it. We know that a number of things have contributed to it: the increasing remoteness of national politics; the decline in local government and local politics; the decline in respect for our political institutions-above all for Westminster-and the decline of participation at all levels in intermediate bodies from churches and chapels to trade unions and social organisations. The question is: where do we go from here and how can we ensure that engagement in democracy at all levels from the local to the national does not continue to decline in the long term? We cannot let this question go.

Perhaps, as Lord Wills suggests, deliberative democracy on the Granada 500 model is something that we should be experimenting with again in terms of bridging the gap between the governors and the governed. However, I suspect that television companies would be less willing to invest in such activities today as they were 20 or 25 years ago, partly because they would be less convinced that it would command the sort of audience that those very interesting experiments did in the 1980s.

We have a real problem here; we do not yet have a consensus on how we should move forward, as the debate has again shown. The research that there has been in a number of different projects is itself inconclusive. The Government do not disagree with the conclusions of the youth commission report that the approach of using independent commissions to review this should not be used again in the near future. However, we all need to focus. All of us who are committed to democratic politics and want to see a high level of political engagement have a huge and rising problem. All the research that went into looking at the shift to individual electoral registration persuaded me that this is a large and secular issue to which we do not have much of an answer.

"Partners in Service" Exhibit in Alberta

Valerie Footz

On May 9, 2012 the Alberta Speaker unveiled the Partners in Service Exhibit honouring contributions made by the partners of Alberta's former Premiers. The exhibit noted that while the Premiers hold a demanding and highly visible position and their lives have become part of the Alberta's documented history, little is known about their spouses all of whom made a significant contribution to the success of their partners. This article contains extracts from the biographical information about the thirteen partners in service featured in the exhibit located on the fifth floor of the Legislature Building.

In one of his last formal duties, retiring Speaker Ken Kowalski hosted the official unveiling of the exhibit honouring the spouses of Alberta's Premiers since 1905. Speaker Kowalski was inspired to pay tribute to the spouses of Premiers after visits to Washington and California where First Ladies of

individuals who, although they did not serve as elected Members of the Legislative Assembly nonetheless supported and helped shape Alberta as it is today. This permanent exhibit is the first of its kind in Canada.

The unveiling featured short remarks from Speaker Kowalski and Premier Alison Redford while Mrs.

Premier Redford, former Premier Stelmach and grandchild, Mrs. Margaret Getty, and Mrs. Jeanne Lougheed take their first look at the exhibit

Presidents and Governors respectively are recognized for their role. The exhibit adds a new dimension to the understanding of Alberta's legislative history and features the strength of character required by those

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Lougheed, Mrs. Getty and Mrs. Stelmach provided insight into their experiences, talked about the highs and lows of public life, and shared some of their previously unknown contributions and sacrifices. Commemorative booklets were distributed to those in attendance. The event was one of the last public appearances for the Hon. Peter Lougheed, who sadly passed away in September 2012.

The contributions of the 13 individuals emerged as Legislature Library staff researched and compiled information and photographs. The opportunities and challenges that the spouses of the Premiers have encountered since 1905 are revealing. Beginning with research compiled for *The Mantle of Leadership: Premiers of the North-West Territories and Alberta, 1897-2005*, Legislature Library staff spent months researching the thirteen subjects, drafting and polishing the accompanying text, and securing appropriate photographs.

The first step was to concentrate the research on the partner as an individual. As is expected, information about partners from the early 20th century was difficult to locate. Emphasis was placed on the period of time that their partner served as Premier. Reflective of the times, the focus of the press was not on the spouse or the family. Gradually, the fact that the family, and particularly the partner, is an important support for the Premier has been recognized. As evidenced by the abbreviated biographies in this article, the opportunities for and involvement in more public life increased over the years.

Painstaking searches of census lists, newspapers and archives yielded perplexing problems and discoveries. In some cases, years of birth did not agree between appearances on the census or with headstones or family information. For example, primary sources recording Mattie Rutherford's date of birth ranged from 1860 to 1869. In these cases, decisions were made based on the most logical likelihood.

Library staff located descendants for all subjects with the exception of Mary Sifton and, in all cases, families generously loaned rare photographs and shared family histories. Mr. Frank Greenfield trusted us with the only photograph of his grandmother in his possession and subsequently allowed us to reproduce the photograph for the exhibit.

When possible, the subjects themselves were contacted directly for information. Mrs. Strom, Mrs. Lougheed, Mrs. Getty, Mrs. Klein, and Mrs. Stelmach patiently and openly answered questions about themselves and their backgrounds, memories, causes and passions. Each person was able to bring attention to important issues and worthy organizations which in turn benefited from their knowledge and skills. The province has been enriched by the public service of each of these individuals.

Since its unveiling, the *Partners in Service* exhibit has been very well received. It has become a regular stop on public tours and has helped to provide a fuller

Partner	Premier	Term
Mattie Rutherford	Alexander C. Rutherford	1905-1910
Mary Sifton	Arthur L.W. Sifton	1910-1917
Jane Stewart	Charles Stewart	1917-1921
Elizabeth Greenfield	Herbert Greenfield	1921-1925
Florence Brownlee	John E. Brownlee	1925-1934
Marion Reid	Richard G. Reid	1934-1935
Jessie Aberhart	William Aberhart	1935-1943
Muriel Manning	Ernest C. Manning	1943-1968
Ruth Strom	Harry E. Strom	1968-1971
Jeanne Lougheed	E. Peter Lougheed	1971-1985
Margaret Getty	Donald R. Getty	1985-1992
Colleen Klein	Ralph P. Klein	1992-2006
Marie Stelmach	Edward M. Stelmach	2006-2011
Glen Jermyn*	Alison M. Redford	2011-

*Mr. Jermyn's portrait will join the exhibit after Premier Redford's tenure ends

picture of life in public service. Speaker Kowalski's vision has become reality through the hard work of staff throughout the Legislative Assembly Office with particular credit to the staff of Library Services and Communication Services. Most of all we wish to acknowledge the generous assistance and gracious cooperation of the subjects and their families for their contributions. The following partners are featured in the exhibit.

Martha "Mattie" Birkett was born and raised in Ottawa. At school, Mattie learned needlework, painting, music, and cooking. She met young lawyer, Alexander Rutherford, through her uncle. The couple was married in Ottawa in 1888 and, in June 1895, the family moved west to Edmonton. Mattie Rutherford was active in community life, including as an honorary vice-president of the Alberta Women's Association, whose mission was to promote higher education for women. Later, this group would incidentally fight to save Rutherford House (the Rutherfords' historic home) from demolition in the late 1960s.

Mary Deering was born in Cobourg, Ontario. In 1882, she married Arthur Sifton. In 1889, after spending time in Manitoba and the Provisional District of Saskatchewan, the Sifton family moved to Calgary. Mary was involved in a number of organizations, including the Women's Volunteer Reserve and the Victorian Order of Nurses as well as being patroness of the Women's Hospital Aid, Royal Alexandra.

Jane Sneath was born in Simcoe County, Ontario. Jane was active in her community and church. In 1890, she married Charles Stewart, who was

at that time farming in the area. A year after the destruction of their farm by violent weather in 1905, the family moved to the area around Killam, Alberta. Jane was an active member of the Red Cross during the First World War and also cared for those suffering from the Spanish influenza during the 1918 epidemic.

Elizabeth Harris was born in Adelaide Township, Ontario. Elizabeth was very talented and taught music to local children. In 1900, she married Herbert Greenfield at the home of her parents near Adelaide. In 1906, the family moved to a homestead near the settlement of Edison, Alberta. As part of a group within the community, Elizabeth was instrumental in turning an old sawmill cookhouse into a one-room school. In addition, she was involved in founding the Westlock Agricultural Fair and the local chapter of the United Farm Women of Alberta.

Florence Edy was born in London, Ontario. Florence graduated with a Bachelor of Arts degree from McMaster University in 1909. She met John Brownlee at a skating rink while she was at university. She moved with her family to Calgary and enrolled at Calgary Normal School. She taught for a short time in a one-room school near High River, Alberta. On December 23, 1912, Florence married John Brownlee. She was the first spouse of a Premier of Alberta to hold a university degree. She often assisted the Dean of Women of the University of Alberta by hosting events at the Brownlee residence.

Marion Stuart was born in Glengarry County, Ontario. In 1908, her family settled in Alberta's Scotstoun area. Shortly after their arrival, Marion became responsible for the care of her siblings while her father worked in Calgary. When she was no longer required at home, Marion left for Calgary to help her aunt operate a boarding house. In about 1915, she returned to Mannville in the Scotstoun area, where she would later meet Richard Reid. In 1919, the couple was married in the local school. Family was important to Marion, and her home was a gathering place for her immediate and extended family.

Janet "Jessie" Flatt was born in Puslinch Township, Wellington County, Ontario. In 1902, in Galt, Ontario, Jessie married William Aberhart. In 1910, the family moved to Calgary when William received an offer as a school principal. Jessie Aberhart assisted with political campaigns and was a proponent of women's participation in politics. She had a reputation of being generous and gregarious and was known for her philanthropic activities. In addition to her active involvement with the Red Cross, Jessie Aberhart served as a member on the board of the Calgary YWCA and as a member of the executive of the Women's Canadian Club.

Muriel Preston was born in Saskatoon, Saskatchewan. In 1920, she moved to Calgary with her mother and she attended the Sacred Heart Convent. Muriel was a concert pianist with qualifications from the Royal Academy of London, England. She later became the musical director for William Aberhart's Calgary Prophetic Bible Institute and his radio broadcasts. It was through her involvement with the Bible Institute that she met Ernest Manning. The couple was married on April 14, 1936 and Premier Aberhart gave the bride away. Muriel Manning was active in the Social Credit Women's Auxiliary and, in 1968, was named an honorary councillor of the Social Credit Auxiliary.

Ruth Johnson was born on her family farm in the Bow Island, Alberta. Ruth was the first spouse of a Premier of Alberta to have been born in the province. She took her first year of schooling in Sweden and subsequent education in Bow Island. On October 27, 1938, in the United Church in Bow Island, Ruth married Harry Strom. The two had met for the first time at the Strom home when Ruth was 12 and renewed acquaintance when she was 17 at church. She later served as a deaconess at the Evangelical Free Church. Ruth was involved in the Social Credit Party, including serving as vice-president of the Strathcona-West Ladies' Auxiliary of the Social Credit League.

Jeanne Rogers was born in Forestburg, Alberta. She studied ballet and voice as a young girl. Jeanne attended the University of Alberta where she met Peter Lougheed. In 1951, she received a Bachelor of Arts degree. The couple was married at Edmonton's Metropolitan United Church in 1952. Jeanne Lougheed has been celebrated for her hard work behind the scenes for many cultural and educational organizations, including the National Ballet of Canada and the Calgary Art Gallery Foundation. She was appointed a Fellow of the Banff Centre for Performing Arts in 2004. She has served as a director of several companies. The William Watson Lodge, a recreational facility for individuals with disabilities, was her brainchild.

Margaret Mitchell was born in London, Ontario. In 1955, at London's St. Matthew's Anglican Church, Margaret married her high school sweetheart, Donald Getty. Margaret had been a cheerleader at Sir Adam Beck Collegiate in London, where Don Getty played on the football team. After their marriage, the couple moved to Jasper Place, Alberta, where Don played as a quarterback for the Edmonton Eskimos. Margaret Getty was actively involved in the community, visiting hospitals, schools and seniors' residences. She served on numerous boards such as Government House Foundation and the Alberta Hospital Edmonton and carried out fundraising for a variety of causes, including cystic fibrosis and women's emergency shelters.

Colleen Hamilton was born in Victoria, British Columbia. In 1972, she married Ralph Klein in Calgary. Colleen Klein's Métis heritage is a matter of great pride to her, and in fact she is the first person of Métis origin to be the spouse of a Premier of Alberta. Colleen has been very devoted to causes involving children and aboriginal concerns. She was instrumental in starting the Kids Kottage Foundation in Edmonton and chaired the Alberta Children's Forum. She has also been involved with the health and wellness of Alberta's aboriginal communities, participating in the Aboriginal Health Conference and Crossroads Women's Sharing Circles.

Marie Warshawski was born in Lamont, Alberta. In 1973, at Protection of the Blessed Virgin Mary Church in Krakow, Alberta, Marie married Ed Stelmach. Marie Stelmach held executive positions with a number of organizations, including the 4-H program in her community, the Lamont Further Education Council, and the Andrew Library Board. Marie has assisted many charities, particularly those that assist children and the elderly, and has served on numerous boards, including the Glenrose Rehabilitation Hospital Foundation and the Canadian Red Cross, Alberta division.

A portrait of each partner is located on the west side of the fifth floor of the Legislature Building

Legislative Reports

Ontario

Following prorogation on October 15, 2012 by former Premier **Dalton McGuinty**, the Liberal Party of Ontario held its Leadership Convention on the weekend of January 25, 2013. **Kathleen Wynne** was the successful candidate and became the first female Premier of Ontario. The weeks following saw the resignation of two Cabinet Ministers; **Dwight Duncan**, Minister of Finance and the Member for Windsor-Tecumseh and **Chris Bentley**, Minister of Energy and the Member for London West and an eventual cabinet shuffle. There has not been a date set for the by-election in either riding; however the resignations have left the Liberals with 51 of 107 seats in the minority legislature.

The Second Session of the Fortieth Parliament convened on February 19, 2013 at which time the Lieutenant Governor **David Onley** read the Speech from the Throne.

The following day, the Government House Leader moved a motion that re appointed Committee Membership of the nine standing Committees. The motion also included an order for the production of documents that had been passed by the Standing Committees on Public Accounts and Estimates in the first session that had remained outstanding at the date of prorogation.

A controversial issue consuming the time of the Legislature was the Government's decisions in 2010 and 2011 to cancel the construction of planned gas-fired electricity generating stations in the Toronto suburbs of Oakville and Mississauga. This issue gave rise to points of privilege concerning the non-production of documents during the First Session of the Fortieth Parliament, which were raised again at the outset of the Second Session.

On February 20, 2013 Speaker **Dave Levac** delivered a ruling to the House with respect to the point of privilege that was raised in the previous session by the Member for Cambridge, **Rob Leone** concerning the non-production of documents relating to the cancellation and relocation of the Mississauga and Oakville gas plants. In his ruling the Speaker stated that a *prima facie* case of privilege had been established and that prorogation does not nullify such a finding. The Speaker re-confirmed his ruling of September 13, 2012 that the committees of the Legislative Assembly are effectively empowered to order the production of documents and that non-compliance with a production order made by a committee can, in proper cases, constitute a matter of privilege. The Speaker then invited the Member for Cambridge to renew his motion to refer this matter to Committee.

Mr. Leone, renewed his point of privilege motion that passed on October 2, 2012, which referred the matter of the Speaker's finding of a *prima facie* case of privilege to the Standing Committee on Justice Policy. The Committee's mandate initially was solely to consider and report to the House on the matter of the Speaker's finding of a *prima facie* case of privilege with respect to the non-production of documents. On March 5, 2013 the House ordered the mandate of the Committee to be expanded, directing it to consider and report its observations and recommendations concerning the tendering, planning, commissioning, cancellation, and relocation of the Mississauga and Oakville gas plants. The Committee is also authorized to consider any report prepared by the Auditor General with respect to the cancellation and relocation of the Mississauga and Oakville gas plants.

The Standing Committee on Justice Policy began its review on March 7, 2013. The first witness was the former Speaker of the House of Commons, **Peter Milliken**, who was requested to appear before the Committee as a procedural expert. The Committee since then has heard from various witnesses and has 90 calendar days from the passing of the motion to report its findings to the House. Should the Committee require more time in order to conclude its proceedings, it shall issue an interim report at the 90-day mark and proceed

with the consideration until the completion of its final report.

Committee Activities

The Standing Committee on Public Accounts continued its consideration of the 2012 Special Report of the Office of the Auditor General of Ontario on Ornge Air Ambulance and Related Services. The Committee has examined 68 witnesses and has further public hearings scheduled for April and May 2013. The Committee has also commenced Report Writing.

On March 6, 2013, the Standing Committee on Public Accounts adopted a motion requesting the Auditor General of Ontario to undertake a special assignment to investigate the government's divestment of, and the operations of the Ontario Northland Transportation Commission.

On April 10, 2013, the Committee adopted a motion requesting the Auditor General of Ontario to undertake a special assignment reviewing the Modernization Plan of the Ontario Lottery and Gaming Corporation.

The Standing Committee on General Government has the authority under Standing Order 111(a) to study and report on certain matters relating to the mandate or operation of ministries under its purview. The Committee has undertaken two such studies. The first is a study on traffic congestion in the Greater Toronto and Hamilton Area, the National Capital Region, and Northern Ontario; and the second is a study on the auto insurance industry in Ontario. Both studies were initiated in the First Session of the Fortieth Parliament and have since been revived by the Committee following

prorogation. The Committee has also requested the authorization of the House to continue a review of the *Aggregate Resources Act* that was ordered by the House in the previous session.

On Monday, April 15, 2013 the Standing Committee on Social Policy passed a motion pursuant to Standing Order 111(a) to begin a study relating to the oversight, monitoring and regulation of non-accredited pharmaceutical companies. Given recent reports of the administering of diluted chemotherapy drugs, the committee commenced public hearings on the topic with witnesses appearing from the Ministry of Health and Long-Term Care and the hospitals affected by the issue. The Committee continues its consideration of the study with future public hearing dates.

William Short
Committee Clerk

Nunavut

The 2013 winter sitting of the Legislative Assembly convened on February 26, 2013. It adjourned on March 19, 2013. Minister of Finance **Keith Peterson** delivered his fifth Budget Address on February 27, 2013. The proceedings of the Committee of the Whole during the 2013 winter sitting of the House were dominated by the consideration of the Government of Nunavut's proposed 2013-2014 main estimates and departmental business plans.

The 2013 budget implemented two major changes to the

organizational structure of the Government of Nunavut. The Department of Health and Social Services was divided into two entities: the Department of Health and the Department of Family Services. The Department of Human Resources was dissolved and its functions transferred to the Department of Finance and the Department of Executive and Intergovernmental Affairs. The organizational changes came into effect on April 1, 2013. Minister **Monica Ell** was appointed Minister of Family Services by Premier **Eva Aariak**. Minister Keith Peterson retained responsibility for the health portfolio.

On February 26, 2013, Pangnirtung MLA **Hezakiah Oshutapik** moved a motion to recommend the appointment of **Sandra Inutiq** as the Languages Commissioner of Nunavut. The Languages Commissioner of Nunavut is one of four independent officers of the Legislative Assembly who are appointed by the Commissioner of Nunavut on the recommendation of the Legislative Assembly.

The 3rd Session of the 3rd Legislative Assembly will reconvene for its 2013 spring sitting on May 7, 2013.

Legislation

A total of nine bills received Assent during the Legislative Assembly's 2013 winter sitting:

- Bill 46, *Donation of Food Act*;
- Bill 47, *Supplementary Appropriation (Operations and Maintenance) Act, No. 3, 2012-2013*;
- Bill 48, *Supplementary Appropriation (Capital) Act, No. 1, 2013-2014*;
- Bill 49, *Appropriation (Operations and Maintenance) Act, 2013-2014*;

- Bill 50, *An Act to Amend the Nunavut Elections Act*;
- Bill 53, *An Act to Amend the Medical Care Act*;
- Bill 54, *An Act to Amend the Income Tax Act*;
- Bill 55, *An Act to Amend the Student Financial Assistance Act*; and
- Bill 56, *Write-off of Assets Act, No. 1, 2011-2012*.

Bill 46, which was introduced by Quttiktuq MLA **Ron Elliott**, was the second Private Member's Bill to have been considered and passed by the Legislative Assembly of Nunavut. The *Donation of Food Act* provides that a person who donates food or who distributes donated food is not liable for disease, injury, death or other harm resulting from the consumption of that food unless the person intended to harm the recipient or acted recklessly in donating or distributing the food. Similar provisions apply to the directors, officers, agents, employees and volunteers of corporations and organizations involved in the donation or distribution of food.

Bill 50, which was introduced under the authority of the Legislative Assembly's Management and Services Board, amended the *Nunavut Elections Act* to implement the recommendations contained in the 2011-2012 annual report of the Chief Electoral Officer of Nunavut. Speaker **Hunter Tootoo** appeared before the Committee of the Whole on the occasion of its clause-by-clause consideration of the bill.

Nine bills are currently under consideration by the Legislative Assembly's Standing Committee on Legislation, which is chaired by Nanulik MLA **Johnny Ningeongan**:

- Bill 32, *An Act to Amend the Legal Services Act*;

- Bill 40, *Representative for Children and Youth Act*;
- Bill 44, *An Act to Amend the Justices of the Peace Act*;
- Bill 51, *An Act to Amend the Child and Family Services Act*;
- Bill 52, *An Act to Amend the Nunavut Teachers Association Act*;
- Bill 57, *Miscellaneous Statutes Amendment Act, 2013*;
- Bill 58, *Public Service Act*;
- Bill 59, *Collaboration for Poverty Reduction Act*; and
- Bill 60, *An Act Respecting the Nunavut Law Foundation*.

Committee Activities

On March 18, 2013, Chairman **Ron Elliott** presented a report of the Standing Committee on Rules, Procedures and Privileges. The report made a number of recommendations for amendments to the *Rules of the Legislative Assembly of Nunavut* concerning the filing of provisional government responses to reports of standing and special committees; the number of supplementary questions permitted to be asked by Members during oral question period and the filing of petitions. The recommendations were adopted by the House without opposition and will come into effect on the first day of the spring 2013 sitting.

The Legislative Assembly's Standing Committee on Oversight of Government Operations and Public Accounts held hearings during the week of April 15-19, 2013, on the most recent annual reports to the Legislative Assembly of the Languages Commissioner of Nunavut and the Information and Privacy Commissioner of Nunavut. The hearings were televised live across the territory. Languages Commissioner **Sandra Inutiq** and Information

and Privacy Commissioner **Elaine Keenan Bengts** appeared before the Standing Committee.

Senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs also appeared before the Standing Committee to respond to Members' questions concerning the administration of the territorial *Access to Information and Protection of Privacy Act*.

Order of Nunavut

On January 21, 2013, Speaker of the Legislative Assembly and Chairperson of the Order of Nunavut Advisory Council **Hunter Tootoo** announced the re-opening of nominations for the Order of Nunavut. Nominations closed on May 17, 2013.

Alex Baldwin
Office of the Legislative
Assembly of Nunavut

Saskatchewan

Since the spring sitting began on March 4, 2013, there have been rule changes, the establishment of a Special Committee, a new Leader of the Opposition, the Budget presentation and the passage of a Private Members' Public Bill.

Rule Change

Two rule changes are of note. First, a provisional rule change now allows the composition of the Standing Committee on Public Accounts to consist of eight Members including two opposition Members for the

duration of the Legislature. Prior to the rule change, there were seven Members on PAC with the ratio of members being six government Members and one Opposition Member with the Opposition Member as Chair. The second rule allows, the Government House Leader, **Jeremy Harrison**, who is a Member of Executive Council but not a Minister of the Crown, to act on behalf of Ministers for the transaction of government business and to respond to questions during Question Period.

Special Committee

A Special Committee on Traffic Safety has been appointed to conduct an inquiry on matters related to improving traffic safety and reducing fatalities. The Special Committee on Traffic Safety is seeking recommendations from the public on improving traffic safety and reducing fatalities caused by impaired driving, distracted driving, excessive speed, intersection safety, and/or wildlife collisions, as well as education and public awareness issues related to traffic safety. The Committee is planning public hearings in 12 communities and has been ordered to report its recommendations by August 30, 2013.

New Leader of the Opposition

On March 9, 2013, the New Democratic Party held its leadership convention. **Cam Broten** won on the second ballot. Mr. Broten was subsequently appointed Leader of the Opposition and named **Trent Wotherspoon** as the new Deputy Leader. **John Nilson** previously served as Leader of the Opposition on an interim basis since the last general election. **Buckley Belanger** was previously the Deputy Leader.

Commonwealth Day

The Saskatchewan Branch of the Commonwealth Parliamentary Association held its annual dinner on Commonwealth Day this year. Senator **Raynelle Andreychuk** made the keynote address and spoke generally about the Commonwealth of Nations, its history and the diversity of membership among the nations. She then discussed renewal of the Commonwealth including her role as the Chair of the Standing Senate Committee on Foreign Affairs and International Trade. The committee was requested to conduct a hearing process on the Eminent Persons Group's recommendation that a 'Charter of the Commonwealth' be established. Her personal experience and comments about Canada's contribution was very insightful especially given the historical signing of the Commonwealth Charter by Her Majesty earlier in the day.

Budget Presentation

On March 20, 2013, the Finance Minister, **Ken Krawetz** presented the province's budget for 2013-2014. The Budget entitled *Balanced Growth* focused on infrastructure, labour force development, exports and innovation. The budget also included more funding for women's shelters, Alzheimer's First Link program and transit assistance for the disabled.

The Opposition called the government's budget a "credit card budget". Opposition Finance Critic, Mr. Wotherspoon, criticized the government's P3 project plans stating, "the Sask Party is kicking responsibility down the road with a buy now, pay later plan…" He also continued to condemn the Government's financial accounting practices.

Private Members' Public Bill

A Private Members' Public Bill that makes a substantial public policy change has passed all stages and is awaiting Royal Assent. This was a rare and historical event in Saskatchewan. Mr. Broten introduced Bill No. 604 – *The Public Health (Asbestos-right-to-know) Amendment Act.* This bill obliged the government to establish an online registry of all government, crown corporation and regional health authority buildings that contain asbestos. Assembly rules require that Private Member's Public Bills or Motions can be adjourned no more than three times and then must be voted. In this instance, the Bill received second reading and was referred to the Standing Committee on Human Services. The Committee received presentation from Mr. Broten as well as four invited witnesses prior to clause-by-clause consideration of the Bill. The Bill was reported to the Assembly with amendments and was read a third time under its new title, Bill No. 604 – *The Public Health (Howard's Law) Amendment Act.*

Interparliamentary Relations

A delegation from the Free State Legislature in South Africa visited Regina and the Legislative Assembly for a week in April. They travelled to Saskatchewan to study the Assembly's committee structure. They met with many Members of the Government and Opposition, received presentations from the Legislative Assembly Service – including the Table Officers, Committee Clerks, Legislative Librarian and Corporate Services. They also observed proceedings in the Assembly and met with the Press Gallery Association.

Saskatchewan Teachers' Institute on Parliamentary Democracy

Speaker **Dan D'Autremont** welcomed 18 teachers to the 2013, Saskatchewan Teachers' Institute that was held from April 13th to 17th, 2013. This year marked the 15th Anniversary of the program.

Speaker **Glenn Hagel** launched the first Saskatchewan Teachers' Institute on Parliamentary Democracy in 1999, with the aim of developing a strategy to enhance the understanding of parliamentary democracy in the classroom. Since then, well over 200 teachers from across Saskatchewan have participated in this important institute. During the five-day institute teacher participants receive a behind the scenes look at democracy at work within our province. The participants had the opportunity to meet with the Lieutenant Governor, the Speaker, the Premier, cabinet ministers, caucus leaders, Whips and Chairs, as well as with private members, the Clerk and other members of the Legislative Assembly Service, Officers of the Assembly, press gallery association and the judiciary.

Stacey Ursulescu
Committee Clerk

Northwest Territories

The Commissioner of the Northwest Territories, **George L. Tuccaro**, formally opened the Fourth Session of the 17th Legislative Assembly on February 6, 2013. The Commissioner's Address reviewed the government's accomplishments in the last year, and identified projects of particular importance to the territory, including the opening of the Deh Cho Bridge. The bridge, spanning the Mackenzie River, now provides all-weather road access to the Northwest Territories.

The Commissioner outlined the government's plans for the upcoming year, noting the planned construction of both the Inuvik to Tuktoyaktuk portion of the Mackenzie Valley Highway, the Mackenzie Valley Fibre Optic Link, and continued negotiations with the federal government concerning an agreement on the devolution of land and resources.

In the Budget Address, which was delivered on February 7, 2013, **J. Michael Miltenberger**, Minister of Finance, provided details of the government's economic plans for the next fiscal year. The budget reflected the input that the government received from the standing committees and from Budget Dialogue 2012, public meetings held in regional centres across the NWT.

Following the Budget Address, and in keeping with the Assembly's budget procedures, the Finance Minister tabled the 2013-2014 Main Estimates of the Northwest Territories. The Estimates document was immediately moved into Committee of the Whole for review by the Assembly.

The House considered the Main Estimates by department over the next eighteen sitting days, adopting eighteen motions pertaining to the budget document.

On March 8, 2013, Mr. Miltenberger rose to acknowledge the work of the House during the review. On behalf of the government, and in response to the motions adopted in Committee of the Whole, the Minister committed to increase funding for the budgets of the Department of Industry, Tourism and Investment, the Department of Health and Social Services and the Department of Environment and Natural Resources. The changes were introduced in a subsequent supplementary appropriation bill introduced later that same sitting.

The House debated seven substantive motions during the sitting.

- Federal Changes to Environmental Law (Defeated)
- Federal Support for Sahtu Jobs and Economic Growth (Adopted)
- Gasoline Pricing Regulations (Adopted)
- Secondary Diamond Industry (Adopted)
- Ground Ambulance and Highway Rescue Services (Adopted)
- Plebiscite on Ratification of Devolution Final Agreement (Defeated)
- Referral of Proposed Ombudsman Office to Standing Committee on Government Operations (Adopted)

Legislation

A number of bills were considered during the February/March sitting with eight bills receiving Royal Assent.

One of the more substantive legislative initiatives was Bill 3: *Wildlife Act*. The Bill was introduced; received first and second reading; and was referred to the Standing Committee on Economic Development and Infrastructure for consideration. The Bill is similar to one introduced in the 16th Assembly

which did not receive Third Reading and remained on the Orders when the House dissolved in August, 2011. Substantive changes from the current *Wildlife Act* include:

- Recognizing Aboriginal and treaty rights and land claim provisions in the new Act
- Establishing cooperative management
- Changing age and residency requirements for hunting licences
- Delivering harvester training courses
- Modernizing conservation and management measures
- Specifying harvest allocation priority
- Increasing fines for offences and allowing for alternative measures of punishment

Devolution Agreement

On March 11, 2013, the Prime Minister of Canada, **Stephen Harper**, was present in the Legislative Assembly Chamber for the historic signing of the Northwest Territories Lands and Resource Devolution Agreement. Accompanying the Prime Minster was **Bernard Valcourt**, Minister of Aboriginal Affairs and Northern Development; and **Leona Aglukkaq**, Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council.

The Prime Minister addressed the Members of the Legislative Assembly and a delegation of invited dignitaries. The Prime Minister was joined by the Premier of the Northwest Territories, **Bob McLeod**, and representatives from the Gwich'in Tribal Council, Inuvialuit Regional Corporation, Northwest Territories Metis Nation, Sahtu Secretariat Incorporated, and the

Tlicho Government to formally sign the agreement.

The Devolution Agreement will transfer the decision-making and administrative authority for land and resource management from the Government of Canada to the Government of the Northwest Territories. The territorial government will become responsible for the management of onshore lands and the issuance of rights and interests with respect to onshore minerals and oil and gas, including sharing in resource revenues generated in the Northwest Territories.

Points of Order

Two points of order were raised during the spring sitting. On February 25, 2013, **Robert Hawkins** rose on a point of order regarding a verbal exchange during Oral Questions. Mr. Hawkins alleged that the Premier, in responding to his question, referred to confidential standing committee discussions during an earlier Assembly regarding the removal of a capital project from the infrastructure budget. After consideration, Speaker **Jackie Jacobson** advised the House that he could find no actual evidence regarding the breach of confidentiality and further, that no committee of the Assembly has the authority to remove a capital project. That authority rests solely with the Assembly. The Speaker found there was no point of order, but did caution the Assembly on both the importance of committee confidentiality and the concern that accurate information regarding the decision-making process of the Assembly be provided to the public.

A second point of order was raised by the Minister

of Education, Culture and Employment, **Jackson Lafferty**. Mr. Lafferty referred to a statement by **Bob Bromley**, under the rubric Replies to Opening Address. Mr. Bromley took that opportunity to read into the record a poem written by a constituent outlining her difficulties with the Income Support Program. Mr. Lafferty argued that the poem identified a civil servant by name and in so doing breached a practice and precedent of this Assembly. The Speaker, in his ruling delivered on March 14, 2013, did rule that Mr. Lafferty had a point of order in that Mr. Bromley did make reference to an individual not a Member of the House and not able to defend herself publicly. The Speaker also cautioned Members that although the poem was written by a constituent, Members are not allowed to do indirectly what they are prevented from doing directly. The Speaker called upon Mr. Bromley to retract his remarks and apologize to the House. Mr. Bromley immediately complied.

Conflict of Interest Complaint

The Conflict of Interest Commissioner, **G. L. Gerrand**, presented a report to the House respecting a complaint by Mr. Hawkins alleging misconduct by **David Ramsay,** Minister of Transportation. At issue were Mr. Ramsay's actions with respect to inviting and arranging for transportation for MLAs, department officials, and family members to the formal opening of the Deh Cho Bridge. In his report, Mr. Gerrand concluded that Mr. Ramsay did not breach the relevant provisions of the *Legislative Assembly and Executive Council Act* and dismissed the complaint as frivolous and vexatious.

Committee Activity

The Standing Committee on Government Operations, Chaired by **Michael Nadli**, presented its report, titled *Review of the 2011-2012 Northwest Territories Human Rights Commission Annual Report*, to the House on March 7, 2013. The report was received and, pursuant to the Rules of the Legislative Assembly, moved into Committee of the Whole for consideration. Three motions related to the report were adopted in Committee of the Whole and concurred with by the House in formal session.

On the same day, the Speaker tabled the Auditor General of Canada's report, *Northwest Territories Income Security Programs-Department of Education, Culture and Employmen*t. The report was then referred to the Standing Committee on Government Operations for review and consideration. The audit identified systemic problems with the delivery of identified income support programs. The Committee examined the report during public meetings with senior officials from the Office of the Auditor General and the Department of Education, Culture and Employment on April 16-17, 2013, and released a statement challenging the Department to act on the recommendations of the Auditor General and improve delivery of income security programs.

The Standing Committee on Rules and Procedures, Chaired by Mr. Bromley presented its *Report on the Review of the Report of the Chief Electoral Officer on the Administration of the 2011 Election* to the House on March 13, 2013. This report was also received and moved into Committee of the Whole for consideration, with twenty-three motions adopted and concurred with by the House during formal session.

After the introduction of Bill 3: *Wildlife Act*, the Standing Committee on Economic Development and Infrastructure began its consideration of the Bill with a public meeting in Yellowknife on March 15, 2013. The Committee then continued its public review, travelling to the northern part of the territory for meetings during the week of April 8, 2013. Further travel is planned for May and June, 2013.

The Standing Committee on Priorities and Planning met in Inuvik for a committee retreat. Two members of the Committee failed to attend all or part of the two-day meeting. Consequently, Committee Chair **Kevin Menicoche** tendered his resignation as Chair, which was accepted by the other Members. Deputy Chair **Daryl Dolynny** has assumed the responsibilities of the Chair until such time as the Committee selects a new Chair.

Gail Bennett
Principal Clerk, Operations

New Brunswick

During the first five weeks of the spring sitting of the New Brunswick Legislative Assembly, the government brought down the 2013-2014 Budget, a number of bills were introduced, the Conflict of Interest Commissioner filed a report, a former Premier resigned his seat, the House welcomed a new Member and the Legislative Assembly showcased an exhibit of paintings commemorating the War of 1812.

Budget

The third session of the 57th legislature adjourned on December 21, 2012 and resumed on March 26, 2013, when Finance Minister **Blaine Higgs** delivered his third budget address, stating "while we need to take action on our declining revenues, we will also continue to manage taxpayers' dollars smarter and strengthen the economy today so that we can have a brighter future." The budget focuses on strengthening the economy while addressing the provincial deficit with spending efficiencies and revenue initiatives.

The budget includes more than $230 million in spending reduction initiatives across departments that are designed to offset inflationary pressures, allow for new investments and control departmental spending. Excluding the one-time pension cost, total expenses in 2013-14 are increasing by one per cent over the 2012-13 third-quarter mainly due to new investments, compared to the 4.4 per cent average annual expense growth over the previous nine years.

Reviews are underway in the departments of Health, Education and Early Childhood Development, Social Development, and Transportation and Infrastructure to identify efficiencies in service delivery. The budget includes further tax measures introduced to balance revenues and spending. Personal income and corporate income tax rates were increased.

The government sought the input and assistance of the public in the creation of the 2013-2014 Budget. The provincial

government received ideas through a revamped "Tax-payers First" website on how to raise revenues and deliver public services more efficiently and effectively.

In his response to the budget address during the second of six days allotted for debate on the budget, Finance Critic **Hédard Albert** stated as follows:

The budget shows more than $230 million in spending reduction initiatives. The government is reducing, but there is still a deficit. I will repeat this, because it is important to say it. Despite the reductions already made by Conservatives, there will still be a deficit of $479 million. Will the government target its reductions, or will we be returning to what it did during its first year in office, when it imposed a 2% reduction across the board? Regardless of whether children are affected, regardless of whether income assistance recipients, the poor, or seniors are affected, the government reduces by the same rate across the board. However, it does not say so in the budget. I look forward to the budget estimates in order to ask questions and find out where these reductions will occur.

In New Brunswick, we need concrete action, a sound plan, vision, and leadership. That is what we are lacking in New Brunswick. Unfortunately, that does not exist. That is why we are headed toward a $479-million deficit next year, and we do not even know when there will be no more deficit. New Brunswick has potential, opportunities, good people, and a good quality of life. Our leader, **Brian Gallant**, believes in our province, our potential, our opportunities, our industries, and our people. He knows that we must invest in our residents, our people. Investment in education and training is needed. Job creation must be a priority. There is a

need to maintain our core areas and create incentives so that industries invest in our region. Furthermore, politics must be conducted differently if we want our province to be a good place to live, people to have a better future, and our province to become prosperous.

Legislation

Noteworthy legislation was introduced to start the spring sitting. Of particular interest are a number of bills that seek to discourage patronage appointments within government. Both government and opposition members have introduced bills that encourage transparency and accountability with respect to various government practices.

An Act to Amend the New Brunswick Liquor Corporation Act, introduced by the Finance Minister modernizes the process by which the President of New Brunswick Liquor is appointed. The amendments will also improve the selection process for the position by ensuring that recruitment is led by the Board of Directors, that the selection is merit based and objective, and that the successful candidate has the necessary skills and qualifications to serve in the position.

The Economic Development Minister **Paul Robichaud** introduced both *An Act Respecting Officers of the Legislative Assembly* and *An Act to Amend the Members' Conflict of Interest Act*. The first bill will help to harmonize the provisions relating to the appointments, mandates, salaries and responsibilities of various Officers of the Legislative Assembly. The second bill would prohibit all former Members of the Legislative Assembly from being employed with the Crown for 12 months after they cease

to be a Member. Currently, only former Members of the Executive Council are prohibited from accepting employment, unless the contract is with respect to further duties in service of the Crown. The amendments would also allow for the Conflict of Interest Commissioner to recommend reimbursement to the Crown for any legal fees paid to a Member of the Legislative Assembly who had been found to be in breach of the *Members' Conflict of Interest Act*.

Opposition House Leader **Bill Fraser** introduced two bills that also aim to reduce patronage appointments within government. A*n Act to Amend the Members' Conflict of Interest Act* would prohibit government from awarding contracts or employment to former members of the Executive Council for a period of four years after they cease to hold office. The *Competitive Appointments Act* was characterized as an "anti-patronage bill" that would ensure that all deputy heads, Chairs, presidents, and CEOs of Crown Corporations, agencies, boards and commissions are hired based on merit.

Conflict of Interest Commissioner Releases Report

New Brunswick's Conflict of Interest Commissioner, Justice **Patrick A. A. Ryan**, released a report in February, following a lengthy investigation. The report considered former Premier **Shawn Graham's** involvement in his government's offering of $50 million in loan guarantees to a New Brunswick based company, Atcon. Although the Commissioner stated that there was no evidence that Mr. Graham benefited directly from the loan guarantees, Justice Ryan found

that Mr. Graham was in a conflict of interest, as a family member had connections to the group receiving the loan guarantee benefits and recommended that a monetary fine be imposed.

Former Premier Resigns

Shawn Graham was elected Leader of the New Brunswick Liberal Party in 2002. Mr. Graham was first elected to the Legislative Assembly in a by-election in the riding of Kent in 1998, and was subsequently re-elected in 1999, 2003 and 2006. Mr. Graham became Premier after his party captured a majority of seats in the 2006 election. In May 2009, Mr. Graham was awarded an Honorary Doctor of Laws degree from the University of New Brunswick. Mr. Graham also holds a Bachelor of Physical Education degree from UNB (1991) and a Bachelor of Education degree from St. Thomas University (1993).

Mr. Graham served as Premier of New Brunswick until September 2010 and stepped down as Leader of the Liberal Party on November 9, 2010. Mr. Graham continued to serve as the MLA for Kent until his resignation on March 11, 2013.

New Member Sworn In

On April 30, the Leader of the Liberal Party, **Brian Gallant**, was sworn in as an MLA. Mr. Gallant was elected Leader of the New Brunswick Liberal Party on October 27, 2012 and was elected to the Legislative Assembly in an April 15 by-election in the riding of Kent. The by-election was called following the resignation of former Premier Graham.

Mr. Gallant, a corporate lawyer, replaces **Victor Boudreau** as the Official Leader of the Opposition. Mr. Boudreau

served as the Official Leader of the Opposition from 2010 until 2012. Mr. Boudreau represents the riding of Shediac-Cap Pelé and is Opposition Critic for Post-Secondary Education, Training and Labour and Deputy Opposition House Leader.

War of 1812 Art Exhibit

The Legislative Assembly of New Brunswick hosted an exhibition of paintings commemorating the march undertaken by the 104th Regiment of Foot (New Brunswick) during the War of 1812. Member **Yvon Bonenfant** welcomed the artists to the Legislative Assembly in April, when the two-week exhibition commenced. Several celebrations were organized across the province to mark the 200th anniversary of the War of 1812 and the involvement of the people of New Brunswick.

Rose Campbell
Clerk Assistant and Committee Clerk

House of Commons

The House of Commons adjourned for the winter break on December 12, 2012, and resumed sitting on January 28, 2013. The information below covers the period from January 28 to April 30, 2013.

On January 31, the Minister of Justice and Attorney General of Canada, **Rob Nicholson** introduced Bill C-53, *An Act to assent to alterations in the law touching the Succession to the*

Throne. Mr. Nicholson informed the House that His Excellency the Governor General had given in Her Majesty's name the Royal Consent to the Bill.

Derived from British practice and among the unwritten rules and customs of the House of Commons of Canada, Royal Consent is required for any legislation that affects the prerogatives, hereditary revenues, property or interests of the Crown. It does not signify approval of the substance of the measure, but only that the Crown agrees to remove an obstacle to the progress of the bill so that the latter may be considered by both Houses and ultimately submitted for Royal Assent.

On February 4, the Leader of the Government, **Peter Van Loan** sought and obtained unanimous consent to move a motion to deem Bill C-53 adopted at all stages in the House and passed. The motion was agreed to and the Bill was sent to the Senate. On March 13, the Bill received Royal Assent.

On March 19, at the request of the Minister of Finance, **Jim Flaherty**, an Order of the Day was designated for the consideration of a Ways and Means motion for a Budget presentation. On March 21, Mr. Flaherty moved "[t]hat this House approve in general the budgetary policy of the government" and presented the Budget speech. Following the usual four days of debate, the motion was agreed to on March 27.

Procedure, Points of Order, and Questions of Privilege

On January 29, extending a practice in effect since 2010, the House adopted the following motion:

That, notwithstanding the provisions of any Standing Order, for the remainder of the 41st Parliament, when a recorded division is to be held on a Tuesday, Wednesday or Thursday, except recorded divisions deferred to the conclusion of oral questions, the bells to call in the Members shall be sounded for not more than thirty minutes.

The same day Speaker **Andrew Scheer** ruled on a point of order raised on November 29, 2012 by **Sean Casey** regarding the relevance of the government's response to a written question he had submitted. In his ruling, the Speaker reminded the House of the well-established practice that Speakers do not judge the quality of government responses to questions, whether written or oral, and stated that the written question process is intended to be free of argument and debate. In order to protect the integrity of the process, he encouraged those submitting questions and those preparing answers to bear that principle in mind.

On February 7, the Speaker ruled on the question of privilege raised by **Mauril Bélanger** regarding the difficulty he had encountered in obtaining information from Public Works and Government Services Canada. Mr. Bélanger charged that government procedures requiring elected officials to seek public information through the Minister's office, while ordinary citizens could obtain the very same information directly from the department, impeded him from carrying out his duties as a Member, particularly as he required the information in preparation for Oral Questions. He further argued that this disparity in procedures was being applied in such a manner so as to create an inequality of access to information between government Members and opposition Members.

In his ruling, the Speaker noted that former Chair occupants have been quite categorical in stating that parliamentary privilege applies only in instances where Members were participating in what is deemed to be a parliamentary proceeding, and stated it was beyond the purview of the Chair to intervene in departmental matters or government processes. The Chair did not conclude that the Member for Ottawa–Vanier had been impeded in the performance of his parliamentary duties, and thus found that no *prima facie* breach of privilege had occurred.

On March 18, the Speaker delivered his ruling on a question of privilege by Opposition House Leader **Nathan Cullen** relating to statements made by the Minister of Human Resources and Skills Development to the House. Mr. Cullen argued that the Minister had made false statements in regard to the existence of a quota program for Employment Insurance inspectors.

In her reply, **Diane Finley** explained that her previous statements in the House were correct, and there was no "quota" program, but rather "performance targets" for staff. The Speaker ruled that this was a disagreement over the facts, and that based on the arguments made, he could not find that the House had been deliberately misled.

On March 27, the Speaker ruled on the question of privilege by **Pat Martin**, regarding the Minister of Justice's statutory obligation to examine government bills and regulations to determine whether they are inconsistent with the *Canadian Charter of Rights and Freedoms* and the *Canadian Bill of Rights*. Based on allegations made by a senior official of the Department of Justice in a claim currently before the courts, Mr. Martin argued that Members could not have confidence that legislation presented to them had been adequately reviewed for conformity with the *Charter* and *Bill of Rights.* This, he argued, effectively impeded Members in their consideration of government bills.

In their replies, Mr. Van Loan and Mr. Nicholson both stated that the issue was not raised in a timely fashion, that the *sub judice* convention should be considered, and that the question was actually a question of law, and not for the Speaker to decide. The Speaker ruled that he was satisfied that the Member had raised the question at the earliest opportunity, that the House should be cautious in taking steps that might result in a process that would run parallel to the court proceedings, but that it was not within the Speaker`s purview to rule on legal matters or interpret law.

On March 26, **Mark Warawa** rose on a question of privilege regarding freedom of speech and the right of a Member of Parliament to make a statement under Standing Order 31. Having been denied the opportunity to present a statement under S.O. 31 by his party, he argued that such a denial of his right to speak impeded his ability to represent his constituents and that it is the Speaker's role to recognize Members.

Further, while recognizing the practice of parties submitting lists of speakers for the proceedings, he contended that such lists

should not be used to deny a Member's right to speak. He therefore requested that the Speaker find his removal from the S.O. 31 speaking list, and thus his inability to speak, a breach of privilege. A total of 19 Members rose to address this question in the ensuing weeks. In his April 23 ruling on the matter, the Speaker gave an overview of the history of the use of speaking lists and explained the role and authority of the Chair to recognize Members to speak. He stated,

> …the Chair has to conclude, based on this review of our procedural authorities and other references, that its authority to decide who is recognized to speak is indisputable and has not been trumped by the use of lists, as some Members seem to suggest.

He then reminded Members that even if their names appear on speaking lists, those wishing to speak must nonetheless rise in the House to be recognized. Declaring that he could find no evidence that the Member has been systematically prevented from seeking the floor, he could not agree that Mr. Warawa`s privileges had been breached. He concluded by stating that the Chair would continue to be guided by the lists submitted by the parties, but if faced with a situation where he was called upon to decide who to recognize, he would use its discretion to ensure Members are recognized in a "…balanced way that respects both the will of the House and the rights of individual Members."

Private Members' Business

On February 28, a report from the Standing Committee on Justice and Human Rights was tabled recommending that the House not proceed with Bill C-273, *An*

Act to amend the Criminal Code (cyberbullying). The report was concurred in by the House on March 27.

On March 21, the Subcommittee on Private Members' Business of the Standing Committee on Procedure and House Affairs met and it was agreed that motion M-408, standing in the name of Mr. Warawa, be designated non-votable.

On March 27, Mr. Warawa appeared before the Standing Committee to appeal the Subcommittee`s decision. The Member argued that, contrary to the determination of the Subcommittee, his motion did not meet the criteria for non-votability, notably in that it did not concern a question outside of federal jurisdiction, nor did it concern a question that is substantially the same as one already voted on by the House of Commons in the current session. The Committee upheld the decision of the Subcommittee and concurred in its report. On March 28, the Committee presented its Forty-Seventh Report to the House stating that the item M-408 should be designated non-votable. While Mr. Warawa could have appealed the decision to the House, pursuant to Standing Order 92.1, he chose to substitute a private Member's bill for the motion.

On February 13, Bill C-383, *Transboundary Water Protection Act* was passed in the House. This is only the second time that a private Member's bill has received a Royal Recommendation. The other instance occurred in 1994 with Bill C-216, *An Act to amend the Unemployment Insurance Act (jury service)*.

On April 23, the Standing Committee on Citizenship and

Immigration presented its Eighth Report, in which it requested the power to expand the scope of Bill C-425, *An Act to amend the Citizenship Act (honouring the Canadian Armed Forces)*, so that the provisions of the Bill would not be limited to the Canadian Armed Forces. On April 25, **Bob Rae** raised a question of privilege in which he argued that allowing the Committee to expand the scope of the bill would be tantamount to allowing the government majority to change the nature of private Members bills. Further, he argued, the Committee's options for dealing with the Bill were limited to the those described in Standing Order 97. At the time of writing, the matter was under consideration by the Speaker.

Committees

On February 26, the House adopted an opposition motion moved by **Carolyn Bennett** to establish a special committee to conduct hearings on the critical matter of missing and murdered Indigenous women and girls in Canada and to propose solutions to address the root causes of violence against Indigenous women across the country. The Committee is to report its recommendations to the House no later than February 14, 2014. The newly-created Special Committee on Violence Against Indigenous Women held its first meeting on March 26.

On March 7, the Standing Committee on Procedure and House Affairs presented to the House its Forty-Second Report, entitled *Access to Information Requests and Parliamentary Privilege*. In the Report, the Committee recommends guidelines for the House to follow in order to determine its

response to access to information requests in which the House is a third party. The Committee emphasized that, by agreeing to disclose or not to disclose documents, the House in no way would be waiving its privileges and the usual protections afforded to its Members, its staff or its witnesses would remain. The Committee's study and subsequent Report resulted from a suggestion by the Speaker that the Committee review the question after an access to information request received by the Auditor General's Office in June 2012 sought e-mail communication between House staff and the Auditor General's Office related to the Auditor General`s appearance before several parliamentary committees.

The Standing Committee on Procedure and House Affairs has also studied the Federal Electoral Boundaries Commission Reports of each province, which had been tabled by the Speaker and referred to the Committee pursuant to the *Electoral Boundaries Readjustment Act, R.S. 1985.* To date, the Committee has reported to the House on the Federal Electoral Boundaries Commissions reports for Nova Scotia, Manitoba, Prince Edward Island, Newfoundland and Labrador, Alberta and New Brunswick and submitted a report requesting an extension for studies on the Saskatchewan and British Columbia reports.

Other Matters

On February 22, **Bernard Valcourt** was named Minister of Aboriginal Affairs after **John Duncan** resigned his position as minister. **Kerry-Lynne Findlay** took over the post of Associate Minister of National Defence; Minister of Veterans

Affairs, **Stephen Blaney,** added Minister for La Francophonie to his duties; and Minister of National Revenue **Gail Shea** added Minister for the Atlantic Canada Opportunities Agency to her current role.

Claude Patry withdrew from the New Democratic Party caucus to sit as a member of the Bloc Québécois on February 28.

On March 14, the Speaker informed the House of the resignation as member of **Peter Penashue**, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada. Accordingly, a warrant was addressed to the Chief Electoral Officer for the issue of a writ for the election of a Member to fill the vacancy. On March 19, **Denis Lebel** assumed responsibility for the ministerial position. On May 13, **Yvonne Jones** was elected as the new member for Labrador.

On April 14, 2013, **Justin Trudeau** became Leader of the Liberal Party of Canada.

During the last few months several moments of silence were observed. The Speaker invited Members to rise and observe a moment of silence following the death of **Steve Dery** of the Kativik Regional Police Force who was killed in the line of duty in Kuujjuaq, Québec.

Following a statement by **Frank Valeriote**, a moment of silence was observed for Constable **Jennifer Kovach** of the Guelph Police Service who died in the line of duty.

Following a statement by **Robert Chisholm**, a moment of silence was observed for **Rehtaeh Parsons**.

Several Members made statements to mark the National Day of Mourning for workers

killed or injured on the job. The statements were followed by a moment of silence.

Two resolutions were adopted on March 18, the first reaffirming Canada's commitment to the Treaty of the Non-Proliferation of Nuclear Weapons, and the second reaffirming the House zero-tolerance policy for all forms of terrorism and condemning any attempt to glorify a member of the FLQ found guilty of such criminal activity. A resolution condemning the attacks perpetrated during the 2013 Boston Marathon and expressing sympathies to the victims and their families was adopted on April 16.

On February 5, the House resolved itself into a Committee of the Whole for a take-note debate on the conflict in Mali.

On March 20, on a motion of Mr. Van Loan, the House approved the reappointment of **Graham Fraser** as Commissioner of Official Languages for a term of three years.

Julie-Anne Macdonald
Procedural Clerk
Table Research Branch

Alberta

The Spring Sitting, a continuation of the First Session of the 28th Legislature, began on March 5, 2013, which is a departure from the usual practice in Alberta as the House tends to sit twice per session with a fresh session starting each

spring. It is the first time, since 1992-1993, that the Assembly has had a session which comprises three or more separate sittings. As the sitting was a continuation of the First Session of the Assembly there was no Speech from the Throne and instead, the Assembly moved almost immediately to the business of Budget 2013.

Budget 2013

On March 7, 2013, **Doug Horner**, President of Treasury Board and Minister of Finance, delivered the 2013-14 Budget Address in the Legislative Assembly. This year the Province's fiscal plan was divided into three separate categories: operational expenses, capital spending and savings. The operational budget received no increase over 2012-2013 including no adjustments for inflation or population growth. The capital plan expenditures of $5.2 billion anticipated for 2013-2014 are to be financed in part by borrowing and public-private partnerships. In Alberta, borrowing to finance operating costs is prohibited, and a cap on the cost of capital borrowing limits debt-servicing costs to three per cent of a three-year average of annual operational revenues. Budget 2013 also includes a legislated savings strategy for the province which sets out a formula identifying the portion of non-renewable resource revenue to be set aside in savings. The budget includes no tax increases or new taxes.

Changes to the Standing Orders

On March 5, 2013, the Assembly passed a motion amending the Standing Orders. Most of the changes relate to the way in which the Assembly considers main estimates. The changes include:

- The number of Members

serving on the Legislative Policy Committees, the Standing Committee on Public Accounts, and the Standing Committee on Privileges, Elections, Standing Orders and Printing were reduced to 18 for each committee;

- Previously the estimates for each ministry were reviewed for three hours. The time allocation for each ministry now ranges from two to six hours, a timeframe to be determined by the committees in conjunction with the Government House Leader (consideration for the main estimates of Executive Council remain set at two hours);

- Ministry staff are now allowed not only to attend to assist the minister but, at the discretion of the minister, to address a committee directly;

- Unlike previous years in which all committee meetings on the estimates were held in the evening, the new Standing Orders allow for meetings on Monday from 7:00 p.m. to 10:00 p.m., on Tuesday and Wednesday from 8:00 a.m. until noon, 3:30 p.m. to 6:30 p.m., and 7:00 p.m. to 10:00 p.m., and on Thursdays from 8:00 a.m. until noon;

- During the period in which the main estimates are under review it is generally anticipated that the Assembly will adjourn at around 3:00 p.m. in the afternoon following completion of the Daily Routine and matters arising in connection with the routine, if the Assembly is still sitting at 3:30 p.m. and a committee meeting is scheduled to begin, Standing Order 59.01(5)(c) provides that the committee proceed with its meeting unless a vote is called in the Assembly, in which case the committee must recess to allow its Members to attend and vote; and

- During the main estimates other Standing and Select committees may not meet nor may the Legislative Policy Committees meet for any other purpose.

Bill 201 – Request for Early Consideration

On March 5, 2013, the Assembly began its third sitting of the First Session. This deviation from practice raised interesting questions about some practices and procedures. One such question arose regarding the progress of Bill 201: *Scrap Metal Dealers and Recyclers Identification Act*, sponsored by **Dave Quest**, MLA for Strathcona-Sherwood Park. On November 19, 2012, Bill 201 was debated for 46 minutes in Committee of the Whole. Anticipating that the Bill would be debated in Committee of the Whole for the remaining time on the following Monday, November 26, 2012, Mr. Quest submitted a request for early consideration of Bill 201 as he would be out of the country on official business on Monday, December 3, 2012. In response to this request Speaker **Gene Zwozdesky**, indicated on November 26 that, "if there is any available time remaining for Private Members' Bills this afternoon, then further to the Honourable Member's request, the House would then proceed to third reading of Bill 201." In spite of these arrangements Bill 201 did not receive early consideration on either November 26 or December 3, 2012, because both afternoons were taken up entirely with debate on Written Questions and Motions for Return.

Once the House adjourned on December 6, 2012, it seemed likely that Bill 201 would die on the Order Paper when the Assembly prorogued and began a new session in the spring. However, once it was determined that the session would continue into a third sitting the status of the request for early consideration was

revisited. On April 8, 2013, Committee of the Whole reported Bill 201 just before the Assembly was scheduled to move on to its next item of business. After the Assembly concurred in the report Mr. Quest rose and moved third reading of Bill 201. There were no speakers after the Bill was moved, and Bill 201 received third reading just moments before Motions Other Than Government Motions was called. In the end, almost a year after its introduction, Bill 201 completed its journey through the House and has received Royal Assent.

Committee Activity

At its meeting of February 27, 2013, the Special Standing Committee on Members' Services, chaired by Speaker Zwozdesky, addressed a purported question of privilege that had been held over from the Committee's February 7, 2013, meeting. The question related to whether or not a tweet sent out prior to the February 7 committee meeting by Premier **Alison Redford** stating that "PCs will freeze MLA pay and housing allowances today" infringed on the independence of the all-party committee. The Chair noted that there was no precedent found in Alberta for dealing with a question of privilege in a special or standing committee. Authorities, including *House of Commons Procedure and Practice* (2nd ed.), were consulted to provide guidance as to the procedures for dealing with a question of privilege in committee. The Chair clarified that in his role as Chair he could determine if the issue has some connection to the subject of privilege but that he was not in a position to determine whether or not the issue constituted a *prima facie* case of privilege. Having clarified his role, the

Chair advised that he was of the opinion that the matter did meet the basic threshold that the matter touched on privilege, and, therefore, that it was appropriate for the Committee to decide whether the matter should be reported to the House. **Brian Mason**, Leader of the New Democrat Opposition, moved that the Committee report the purported question of privilege to the Assembly. After debate on the issue a recorded vote was held, and the motion was defeated by a vote of four in favour to six opposed.

Brian Fjeldheim, Chief Electoral Officer, advised the Standing Committee on Legislative Offices that he would not be seeking reappointment following the expiry of his term of office on April 23, 2013. The appointment of the Chief Electoral Officer expires 12 months after polling day for a general election unless the Chief Electoral Officer is reappointed by the Lieutenant Governor in Counsel on the recommendation of the Standing Committee on Legislative Offices. A nine-member Select Special Chief Electoral Officer Search Committee has been appointed for the purpose of inviting applications for the position of Chief Electoral Officer and to recommend to the Assembly the applicant it considers most suitable to this position.

Prior to the commencement of main estimates consideration the Standing Committee on Resource Stewardship completed its review on the potential for expanded hydroelectric energy production in northern Alberta. The Committee tabled its report in the Assembly on March 11, 2013. The report commented on a variety of issues such as economic viability and financing,

interjurisdictional issues, Aboriginal consultation, and environmental considerations. Some of the recommendations found in the report include support for pursuing consultations and partnerships with First Nations and Métis, a preference for run-of-the-river hydroelectric project models over storage dam hydroelectric projects, and work with the federal government to assess the impact of hydroelectric projects on animal and plant life. With the completion of this review the Committee now has Bill 205, *Fisheries (Alberta) Amendment Act, 2012* under consideration.

The Standing Committee on Alberta's Economic Future completed its review of Alberta's Bitumen Royalty-in-Kind program and tabled its report on May 6, 2013. In its report the Committee recommended that additional Bitumen Royalty-in-Kind programs proceed in an efficient, organized fashion with consideration given to the potential for carbon capture and storage.

Bill 204, *Irlen Syndrome Testing Act*, a Private Member's Bill sponsored by **Mary Anne Jablonski**, Member of the Legislative Assembly for Red Deer-North, was referred to the Standing Committee on Families and Communities.

Ralph Klein 1942 – 2013

Former Premier **Ralph Klein** passed away on March 29, 2013. His passing was acknowledged in the Assembly with a moment of silence, a Ministerial Statement with responses, and a Member's Statement. For the public, condolence books were set up in the rotunda of the Legislature Building and in many government buildings throughout the province, and

an online tribute page was created. A public celebration of his life, held in Calgary on April 5, 2013, was attended by notable and diverse political figures from across the country, including Prime Minister **Stephen Harper**, former Prime Minister **Jean Chrétien**, and the current and former premiers from several Canadian provinces as well as representatives from First Nations communities. Mr. Klein first became a Member of the Legislative Assembly of Alberta in 1989 when he was elected to represent the constituents of Calgary-Elbow. He spent time in Cabinet as Minister of Environment before being selected as the leader of the governing Progressive Conservative party and sworn in as premier in 1992. Less than a year later, in 1993, he won the first of four general election victories as leader of the Progressive Conservatives. Mr. Klein served the province as premier until December 2006 and as a Member of the Legislative Assembly until his retirement in January 2007.

Gerard Amerongen 1914-2013

Former Speaker **Gerard Amerongen** passed away at age 98 on April 21, 2013. His passing was acknowledged in the Assembly with a tribute by Speaker Zwozdesky, and on the day of his Funeral Mass the flags at the Legislature Building were flown at half mast. Mr. Amerongen represented the constituency of Edmonton-Meadowlark from August 30, 1971, until May 7, 1986. During this time period he contested and won several elections and served with both Premier Lougheed and Premier Getty. He served as Speaker during the entire period he was elected to the House.

As the eighth Speaker of the Legislative Assembly of Alberta Mr. Amerongen presided over the first televised broadcast of the House proceedings on March 15, 1972. He was the second Speaker in Alberta to exercise his casting vote, and it was under his leadership that the *Alberta Hansard* was established. Despite the controversies and challenges of the day, during his 14 years as Speaker he never expelled a Member from the Chamber and, in his own judgement, Mr. Amerongen interpreted the rules freely in order to allow an open flow of discussion from both sides of the House.

Regional Conference in Alberta

Speaker **Gene Zwozdesky**, will welcome delegates from across the country to Alberta for the 51st Commonweath Parliamentary Association Canadian Regional Conference to be held July 14-20, 2013. The program for conference delegates is being developed to ensure ample learning opportunities, socializing with colleagues from other jurisdictions and options for exploring the best that Edmonton and surrounding area have to offer. Meanwhile the partners' and children's programs will offer unique opportunities to take in the local sites and to relax and enjoy less structured time during the conference.

The Conference will include a one day meeting of the Commonwealth Women Parliamentarians (CWP) on July 15.

For more information and updates visit the conference website at:
www.regonline.ca/1213402

Jody Rempel
Committee Clerk

ASSEMBLÉE NATIONAI
QUÉBEC

On February 21, after two weeks had been spent considering the Government's 2013–2014 budgetary estimates, Bill 19, *Appropriation Act No. 1, 2013–2014*, introduced by the Minister responsible for Government Administration and Chair of the Conseil du trésor, **Stéphane Bédard**, was passed on the following vote: yeas: 52, nays: 51, no abstentions.

Directives from the Chair

On February 12, the President of the National Assembly, **Jacques Chagnon** gave a directive in reply to the House Leader of the Second Opposition Group, **Gérard Deltell,** who had asked the Chair to make a ruling establishing a reasonable time period in which Ministers were required to send the Members the documents allowing them to prepare for the examination of the budgetary estimates. The Chair believed that a reasonable period of time was indeed required to enable Members to effectively exercise their role as overseers of the Government's actions. However, parliamentary jurisprudence indicates that the Chair does not have the authority to impose such a period. The Chair observed that the documents are transmitted under a non-binding agreement between House leaders, and invited the House Leader of the Second Opposition Group to initiate discussions with his counterparts to find ways of improving the process surrounding the transmittal of those documents.

Following the Assembly's adoption on February 12 of a motion without notice demanding that the Government abandon the budget cutbacks imposed on universities at the end of the fiscal year, the House Leader of the Second Opposition Group raised a point of order concerning the nature of the motion, asking whether it constituted an order or a resolution. The Chair gave a directive on February 13 in which it pointed out that, since 1973, jurisprudence had consistently recognized the separation of the powers of the State between the executive and legislative branches. In addition, the Assembly may only give an order within the scope of its prerogatives and authority.

Jurisprudence has always considered that a motion calling for the Government to act in a specific manner in an area falling within the exclusive jurisdiction of the executive power imposes a strictly political or moral constraint and that, in such a context, as in the case in point, the Assembly is expressing a wish rather than an order.

On a question by the Government House Leader concerning the summoning of a Member who is a former Minister to appear in committee, the President made a ruling, on April 24, confirming the right of committee members to summon any person they wish to appear before them. In an earlier ruling made in November 2012 on the same subject, the President had indicated that the Assembly could hear the testimony of Ministers on subjects falling within their jurisdiction. This constitutes one of the prerogatives of the legislative power to oversee the executive power and its management of the Government's action, a power enshrined in section 4 of the *Act respecting the National Assembly*. This power of oversight and scrutiny may be carried out in various ways, both in the Assembly and in parliamentary committee. In his directive of April 24, the President added that section 51 of the *Act respecting the National Assembly* provides that "the Assembly or a committee may summon and compel the appearance before it of any person, either to answer questions put to him or to produce such papers and things as it may deem necessary for its acts, inquiries or proceedings." There is therefore no limit to a committee's ability to hear persons, including former Ministers, within the framework of a mandate.

Committee Proceedings

The parliamentary committees have been extremely busy since January 2013.

Exceptionally, the committees were engaged, from February 4 to 19, in the examination of the Government's 2013–2014 estimates, which typically occurs at the end of spring. Members devoted 200 hours to questioning Ministers on their estimates.

The Committee on Agriculture, Fisheries, Energy and Natural Resources, which received a mandate from the Assembly on November 13, 2012 to examine the impacts associated with the decommissioning of the Gentilly-2 nuclear power station and the economic diversification plan for the Centre-du-Québec and Mauricie sectors, was to report back to the Assembly by February 21, 2013. The committee tabled a first report on February 21, although it had not completed the exercise. This prompted the presentation of an additional motion on March 12, 2013, once again instructing the committee to report to the Assembly. The report, which contains eight recommendations, was finally tabled on March 28.

The Committee on Transportation and the Environment continued throughout the first months of the year the mandate it received on November 21, on a motion reserved for the Opposition (Wednesday motion). Within the scope of the mandate, which consists in shedding light on the events that occurred on October 24, 2012 concerning the action taken by the former Minister of Sustainable Development, Environment, Wildlife and Parks with regard to the Bureau d'audiences publiques sur l'environnement (BAPE), the Committee convened first to hear current Minister of Sustainable Development, Environment, Wildlife and Parks **Yves-François Blanchet**. It also heard the former vice-president of the BAPE and four of its commissioners. An interim report was tabled and the Committee agreed to hear three other witnesses, including the Member for Sainte-Marie–Saint-Jacques and former Minister of Sustainable Development, Environment, Wildlife and Parks. After refusing to appear before the Committee, the Member was served a summons ordering him to appear before the Committee on April 24.

Another committee's proceedings received a great deal of attention because of the widespread media coverage they were afforded. The Committee on Culture and Education held public hearings within the framework of a general consultation on Bill 14, *An Act*

to amend the Charter of the French language, the Charter of human rights and freedoms and other legislative provisions. This first general consultation of the 40th Legislature has proven to be its most extensive so far. The members of the Committee held 15 public sittings during which they heard close to 80 individuals and organizations and received 86 briefs. The Committee has also received close to 160 comments by email, and more than 4,300 people filled out the online questionnaire allowing committee members to gauge public opinion on the main policy directions proposed in the bill.

Nicole Bolduc and **Dany Hallé**
Parliamentary Proceedings
Directorate

The Senate

On February 5, 2013, the Senate resumed sitting after the winter adjournment. During the next three months, the Senate passed a total of 13 bills, including nine government bills, one senate public bill and three commons public bills. Along with this legislation, the Senate also considered and reported on two User Fee Proposals (pursuant to the *User Fees Act*). Among the more notable bills passed, was Bill C-53, *An Act to assent to alterations in the law touching the Succession to the Throne*. This bill aimed to end the practice of placing male heirs before their elder sisters in the line of succession; and remove legal provisions that render heirs who marry Roman Catholics ineligible

to succeed to the Throne. Bill C-53 was debated over several days in the Senate and was sent to the Standing Senate Committee on Legal and Constitutional Affairs for study and report. The committee heard from officials from the Department of Justice and the Privy Council Office as well as academics and other expert witnesses.

In addition to the Senate's usual study of bills and debate on motions and inquiries, the Senate resolved itself into a Committee of the Whole on March 20 to hear from **Graham Fraser**, Commissioner for Official Languages who was nominated for reappointment which was approved by the Senate later that day.

Committees

Senate Committees issued several important reports, including the Standing Senate Committee on National Finance's long anticipated report on the reasons for price discrepancies in respect of certain goods between Canada and the United States. The report entitled: *The Canada–USA Price Gap*, was tabled on February 6. It found that the pricing of products was influenced by many factors including transportation costs, the relative size of the Canadian market and tariff rates. The committee recommended that: the Minister of Finance conduct a comprehensive review of Canadian tariffs; the Government continue to integrate the safety standards between Canada and the United States; the Government analyse the costs and benefits of increasing the *de minimis* threshold for low-value shipments; and the Minister of Canadian Heritage study the costs and benefits of reducing the 10% mark-up that Canadian exclusive distributors can add to the U.S. list price of American books. The report was adopted

by the Senate on February 13. All Senate committee reports can be obtained by visiting http://www.parl.gc.ca/SenCommitteeBusiness.

When undertaking special studies, committees will sometimes travel to more fully examine a particular issue and to allow the committee to hear from a wider variety of witnesses and experts. The Standing Senate Committee on Foreign Affairs and International Trade travelled to Turkey from March 16 to 23 as part of its study on economic and political developments in that country, Turkey's regional and global influences, the implications for Canadian interests and opportunities, and other related matters. During this fact finding mission, members met with government representatives, business leaders and the diplomatic corps. The committee hopes to issue its report prior to the summer adjournment.

Question of Privilege

In late February, the Speaker considered a question of privilege raised by Senator **Anne Cools** relating to actions of the then Parliamentary Budget Officer (PBO), **Kevin Page** and his application to the Federal Court seeking a judgement affirming he had the mandate to seek information about certain budgetary measures of the Government. The main of point contention for the Senator was that by asking the courts to decide the question of his mandate, the PBO had disregarded the established authority and organizational structure of the Library of Parliament, of which he is part. Over two days, several Senators participated in debate on the alleged question of privilege, after which the Speaker reserved his

decision. He delivered his ruling on February 28 and found that a *prima facie* case had been established.

Following the ruling, Senator Cools moved a motion to refer the case of privilege to the Standing Committee on Rules, Procedures and the Rights of Parliament for investigation and report, in particular with respect to the consequences for the Senate, for the Senate Speaker, for the Parliament of Canada and for the country's international relations, no later than March 31, 2013. The motion was debated and subsequently amended to remove the reporting date. On March 7, the Deputy Leader of the Opposition in the Senate moved that the question be referred to a Committee of the Whole for consideration. On April 22, the Federal Court dismissed the PBO's application on the grounds of non-justiciability. As of May 3, the item was still up for consideration and there is approximately half the time remaining out of the three hours of debate permitted under rule 13-7(4).

Senators

By way of a motion in the chamber on February 6, Senator **Patrick Brazeau** of Québec was placed on a leave of absence, pursuant to rule 15-2(1) of the *Rules of the Senate*. Because there had been a charge of a summary conviction offense, the granting of this leave of absence was solely meant to protect the dignity and reputation of the Senate and was not a comment on the Senator himself.

On March 16, Senator **Terry Stratton** of Manitoba retired from the Senate. Nominated by **Brian Mulroney** in 1993, Senator Stratton held many senior positions including Leader of the Opposition in the Senate from 2004 to 2006; served

as his party's Whip from 2001 to 2004 and again from 2006 to 2009; and was Chair and Deputy Chair of several standing committees, amongst them the Standing Committee on Rules, Procedures and the Rights of Parliament, the Standing Committee on Conflict of Interest for Senators, the Standing Committee on Internal Economy, Budgets and Administration and the Standing Senate Committee on National Finance.

Another Senator to reach the mandatory retirement age of 75 during this period was Senator **Bert Brown** of Alberta. A retired farmer and development consultant, Senator Brown was nominated to the Senate by **Stephen Harper** in 2007. He had been elected by Albertans to a list of senators in waiting in 1998 and again in 2004. He was the second Senator to be nominated by a Prime Minister from that list. To fill the vacancy arising from Senator Brown's departure, the Prime Minister nominated **Scott Tannas,** another Senator in waiting. Senator Tannas, who is the Founder, President and CEO of Western Financial Group, was sworn in on March 26.

Vanessa Moss-Norbury
Procedural Clerk, Journals Office

Manitoba

The Second session of the 40th Legislature resumed on April 16, 2013, with the delivery of the budget from Finance Minister **Stan Struthers**.

The 2013-2014 total operating

expenditure of $12.1 billion represents an increase of 2.3% from 2012-2013. Highlights of the government's budget included:

- Increasing the PST by 1% for a 10 year period to raise additional necessary revenue for the new Manitoba Building and Renewal Plan which will be dedicated to building the province's critical infrastructure;

- Cutting income taxes by increasing the basic personal income tax exemption by $250;

- Eliminating school property taxes for all seniors by 2015 and removing the PST from baby essentials;

- Increasing the minimum hourly wage to $10.45;

- Investing a record $1.8 billion to build and renew critical infrastructure including roads, hospitals, schools and flood protection;

- Creating new apprenticeship opportunities, introducing a new training and skills development strategy and increasing funding to universities and colleges;

- Helping more Manitobans find a family doctor by building more clinics and hiring more doctors, nurse practitioners and other health-care providers across the province;

- Expanding the life-saving STARS helicopter ambulance to 24 hours, seven days a week;

- Ensuring that Manitobans have the lowest combined rates for electricity, home heating and auto insurance in the country;

- Providing incentives to businesses to grow the economy and create new jobs including eliminating the small business tax for more Manitoba businesses;

- Extending the 20 per cent reduction on Ministerial salaries and reducing the budgets of 11 departments.

During his contribution to the budget debate on April 17,

2013 Official Opposition Leader **Brian Pallister** moved a motion expressing non-confidence in the government, which stated that the budget failed to address the priorities of Manitobans by:

- ignoring the taxpayer protection laws that safeguard Manitoba families; and

- saddling Manitoba families with crushing and unnecessary taxes that don't allow them to prosper and save for the future; and

- failing to tame a $500 million structural deficit created through 13 years of overspending; and

- failing to promise a full and transparent review of all Provincial Government spending; and

- failing to control growth of low spending priorities such as advertising and vote taxes; and

- stifling economic growth and prosperity through excessive red tape and unwarranted taxation.

On April 26, 2013 Mr. Pallister's amendment was defeated on a recorded vote of yeas 17, nays 36, while the main budget motion carried on a recorded vote of yeas 36, nays 18.

In addition to the bills introduced in the fall, the spring session to date saw the introduction of approximately 25 bills addressing a variety of governance areas including:

- Bill 20 – *The Manitoba Building and Renewal Funding and Fiscal Management Act (Various Acts Amended),* which exempts the referendum requirement in *The Balanced Budget, Fiscal Management and Taxpayer Accountability Act* in order to increase the PST by 1% and enacts measures to provide a sustainable funding source in support of the investment in the renewal of critical infrastructure and to maximize the potential of the 10-year Building Canada Plan

announced in the 2013 federal budget.

- Bill 26 - *The Accessibility for Manitobans Act*, which enables the establishment of accessibility standards to achieve accessibility for Manitobans disabled by barriers.

- Bill 28 – *The Health Services Insurance Amendment and Hospitals Amendment Act (Admitting Privileges)*, which allows hospitals to grant admitting privileges to nurse practitioners and midwives.

- Bill 33 - *The Municipal Modernization Act (Municipal Amalgamations)*, which permits the minister to recommend that a municipality be amalgamated if it has a population of fewer than 1,000 residents and enables the Lieutenant Governor in Council to make regulations amalgamating municipalities.

- Bill 37 – *The Emergency Measures Amendment Act*, which changes the circumstances in which a state of emergency may be declared and authorizes a peace officer to apprehend a person who fails to comply with an evacuation order as well as charge a person who interferes with the operation of or damages any emergency infrastructure including a water control work, with an offence.

- Bill 202 - *The Increased Transparency and Accountability Act (Various Acts Amended)*, which sets out the requirement for the budget tabled in the Legislative Assembly to include a year-after-year comparison of each fee amount charged to the public and an itemization of the revenue effects stemming from an expansion of a tax base.

Standing Committees

Manitoba Standing Committees have been occupied with a range of business in 2013. The Standing Committee on Crown Corporations met on a number of occasions to consider reports from the Manitoba Liquor

Control Commission, Manitoba Hydro, Manitoba Public Insurance Corporation and Manitoba Lotteries Corporation. The Standing Committee on Legislative Affairs met on two separate occasions to consider the Report and Recommendations of the Judicial Compensation Committee dated July 11, 2012.

Additionally, the Standing Committee on Public Accounts scheduled three meetings to consider several volumes of the Public Accounts and reports from the Auditor General covering a variety of topics including:

- Operations of the Office

- Audit of the Public Accounts

- Taxation Division, Audit Branch: Department of Finance

- Economic Development: Loans and Investments under *The Development Corporation Ac*t

At press time over two hundred and fifty citizens have registered to speak to several Bills currently before the House once they are referred for Standing Committee consideration.

Government Motion

On May 7, 2013, the House carried a Government Motion moved by Government House Leader **Jennifer Howard** to concur in the report from the Standing Committee on Legislative Affairs respecting the Judicial Compensation. This motion is a requirement pursuant to subsection 11.1(28) of *The Provincial Court Act* in order for the recommendations respecting salaries and benefits contained in the report from the Standing Committee, be implemented.

Opposition Day Motions

On May 1, 2013 Official Opposition House Leader **Kelvin Goertzen** moved an

opposition day motion urging the Provincial Government "*to find savings and efficiencies within government rather than raise the Retail Sales Tax (known as the Provincial Sales Tax) from 7% to 8%.*" Following the debate, the motion was defeated on a vote of yeas 19, nays 33.

On May 9, 2013 **Heather Stefanson** moved an opposition day motion urging the Provincial Government "*to follow the law and seek the approval of Manitobans through holding a referendum before raising the Retail Sales Tax (known as the Provincial Sales Tax.*" Members debated the motion for the majority of the afternoon, before it was defeated on a vote of yeas 17 nays 31.

Leaving Politics

After almost a decade of representing the constituency of Morris, **Mavis Taillieu** resigned her seat in the Manitoba Legislature on February 12, 2013. Mrs. Taillieu has served as the PC Party's critic for culture, heritage and tourism, family services and housing, immigration and multiculturalism, advanced education and literacy, and infrastructure and transportation. She also served as the Official Opposition House Leader and Caucus Whip.

Current Party Standings:

The current party standings in the Manitoba Legislature are: NDP 37, Progressive Conservatives 18, one Independent Liberal and one vacancy.

In accordance to the Rules, Orders and Forms of Proceedings, the 2nd session of the 40th Legislature is scheduled to recess for the summer break on June 13, 2013.

Monique Grenier
Clerk Assistant/Clerk of Committees

Prince Edward Island

The Third Session of the Sixty-fourth General Assembly resumed on March 26, 2013, and adjourned to the call of the Speaker on May 8, 2013.

Budget 2013

Wes Sheridan, Minister of Finance and Municipal Affairs, introduced his budget on March 27, 2013, which contained expenditures of $1.44 billion. Health continued to account for the largest share of provincial expenditure at just over $578 million, an increase of $16 million, or 2.9 percent, from the previous year. The Minister indicated that the 2013-2014 deficit is expected to be at $58.9 million, dropping to $34.5 million in 2014-2015, with a small surplus to be achieved in 2015-2016.

Harmonized Sales Tax

On April 1, 2013, the Harmonized Sales Tax (HST) was implemented in Prince Edward Island. The Provincial Sales Tax, which was at 10 percent, has been replaced with a value-added tax of 9 percent. Combined with the Goods and Services Tax, this resulted in a 14 percent HST. The province provides specific point-of-sale rebates of the provincial portion of the HST for books, heating oil, children's footwear and children's clothing, as well as a new Prince Edward Island Sales Tax Credit to low and modest income individuals and families to assist in the transition to the new tax system.

Significant Legislation

A total of twenty-six public bills received Royal Assent on May 8, 2013. Among them were:

• *An Act to Amend the Collections Agencies Act* (Bill No. 34) adds a set of prohibitions to protect debtors from certain debt repayment business practices. These include limiting the amount of money that an agency or agent may collect for acting for a debtor; restricting the provision of false information respecting a debtor, including his or her credit history; and banning the collection of a fee from a debtor before the debtor and the agency have entered into the required written agreement.

• *French Language Services Act/ Loi sur les services en français* (Bill No. 43) builds on existing legislation and lays the foundation for the designation of French language services. It requires government institutions to provide designated services to any member of the public in the person's choice of French or English. The Act also requires government institutions to respond to correspondence received in French, in writing and in French; and ensures that where public consultations are conducted in writing or electronically, members of the public are provided with an opportunity to participate in French and English.

• *Narcotics Safety and Awareness Act* (Bill No. 54) will enable the province to monitor and analyze information on all narcotics and other controlled substances dispensed in Prince Edward Island, with the aim of promoting appropriate prescribing and dispensing practices, identifying areas of abuse or misuse, and, ultimately, reducing the risk of drug addictions. Through the current Drug Information System (DIS), the province has the capability to electronically link pharmacies, physicians' offices, addiction centres, emergency rooms, and other

health facilities with a database which maintains patient medication records. The DIS also provides pharmacists and prescribers with medication profiles of individual patients to assist in the patient's care. This new legislation will go one step further and allow for monitoring and analyzing of the dispensing and the prescribing of narcotics.

New Auditor General

Jane MacAdam, was appointed Auditor General for a term of ten years effective March 26, 2013. Ms. MacAdam replaces **Colin Younker**, who retired in late 2012. Mr. Younker provided dedicated service to the Legislative Assembly throughout his ten year term. During his tenure, he was an advocate for enhanced accountability and made a significant contribution to improved financial reporting and management practices in the public sector.

Legislative Documents Online

Prince Edward Island Legislative Documents Online (PEILDO) presents the Journals of the Legislative Assembly (1894-present), the official record of the business of the Legislative Assembly. Free and open to all, this exciting new site (www.peildo.ca) provides access to a rich collection of material covering almost 120 years of Prince Edward Island's political, social and economic development. PEILDO is the result of a partnership between the Legislative Assembly of Prince Edward Island, the Public Archives and Records Office, Prince Edward Island Public Library Service, and Robertson Library at the University of Prince Edward Island.

Prince Edward Island Legislative Documents Online

consists of over 76,000 pages of keyword-searchable scanned journals (1894-2011), including data-rich appendices (1894-1966) containing detailed reports from departments such as health, education, agriculture and public works. Digitized audio recordings of Legislative Assembly proceedings for the years 1968-1973 are also available for streaming. To provide additional context, biographies (1873-1993) and over 170 photographs of MLAs have been included in peildo.ca.

As **Carolyn Bertram**, Speaker of the Legislative Assembly, observed, "This website is an inclusive resource that brings past members' contributions to everyone's fingertips. It's a fantastic heritage and educational tool for every Islander and Canadian."

J. Léonce Bernard 1943-2013

J. Léonce Bernard passed away on March 26, 2013. Mr. Bernard was first elected to the Legislative Assembly, as a member of the Liberal Party of Prince Edward Island, representing the district of 3rd Prince, in a by-election in 1975, and was re-elected in 1978, 1979, 1982, 1986 and 1989, serving as a member of the Official Opposition from 1979 to 1986. In 1986, he was sworn in as Minister of Industry and Chairman of the P.E.I. Development Agency and, from 1989 until 1991, he was Minister of Fisheries and Community Affairs. He was also the first person to be named Minister responsible for Acadian and Francophone Affairs in 1989. He was appointed Lieutenant Governor on May 28, 2001, for a term which ended in 2006. Mr. Bernard was an outstanding individual who contributed greatly to the Island's Acadian

and francophone community and to his province as a former member of the Legislative Assembly, Cabinet Minister and Lieutenant Governor," said Premier **Robert Ghiz**.

<div align="right">

Marian Johnston
Clerk Assistant and
Clerk of Committees

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Yukon

On March 7, 2013, Premier **Darrell Pasloski** having advised Speaker **David Laxton** that the public interest required the House to meet on March 21, the Speaker, pursuant to Standing Order 73, informed the Members. On April 3, the Government House Leader, **Brad Cathers**, informed the House, pursuant to Standing Order 75(4), that after conferring with opposition House Leaders and the Independent Member, it was agreed that the Spring Sitting would be a maximum of 32 sitting days, with the 32nd day being Thursday, May 16.

Bill No. 9, *Interim Supply Appropriation Act*, 2013-14, introduced on March 21, received assent from Commissioner **Doug Philips** on March 28. Bill No. 53, *Act to Amend the Education Act*, was introduced on March 23, and received assent on April 10; passage of this bill was required to establish the 2013-14 school calendar.

Budget Day

The first day of the Spring Sitting is traditionally the day the Budget is introduced. During a

tribute earlier that sitting day to Kwanlin Dun elder **Annie Smith**, the Premier – who also holds the Finance portfolio – noted that it is a tradition for the Finance Minister to wear a new pair of shoes on Budget Day. He noted that Ms. Smith – who was seated in the Speaker's Gallery for the tribute, accompanied by her daughter **Judy Gingell**, former Yukon Commissioner – is recognized as "an icon of Yukon's First Nation sewing and beading community". The Premier indicated that in keeping with tradition, he was wearing a brand new pair of mukluks, created for him by Ms. Smith. The mukluks were made from home-tanned caribou and moosehide, trimmed with beaver fur, and featured a colourful beaded floral design, and a depiction of a dog team. Later that afternoon, the Premier introduced Yukon's 2013-14 Budget, in the amount of 1.23 billion dollars. It is expected that much of the remainder of the sitting will be devoted to consideration of departmental estimates.

Chief Electoral Officer

On March 28th, the Speaker delivered a tribute in recognition of **Jo-Ann Waugh**, Chief Electoral Officer, who was retiring after a 35-year long career in Yukon elections. The Speaker noted that Ms. Waugh had been involved in every Yukon general election – and by-election – since the 1978 introduction of party politics. He noted that Ms. Waugh, in addition to running elections, has, since 1984, been central to the work of all Yukon electoral district boundary commissions. As well, as head of Elections Yukon, she has been responsible "for the conduct of elections for Yukon's francophone school board and for Yukon

School councils. She has also provided assistance to a number of organizations in Yukon, including providing assistance to Yukon First Nations in the conduct of their elections." The Speaker noted that Ms. Waugh has a prominent profile among her peers, nationally and internationally, and that her experience and expertise are highly valued by her colleagues. He observed that Ms. Waugh had represented Canada in numerous international election observation missions, including missions in Peru, Ethiopia, Yemen, Nigeria, Namibia, Russia, and Zimbabwe. The Speaker thanked Ms. Waugh for her long and dedicated service to Yukon. The Government House Leader, Mr. Cathers, and the Leader of the Official Opposition, **Elizabeth Hanson**, also spoke in praise of Ms. Waugh.

Ombudsman and Information & Privacy Commissioner

On February 7, 2013, **Tim Koepke**, Yukon's Ombudsman/Information & Privacy Commissioner, issued a news release concerning a Report he had submitted to Speaker Laxton, in the Speaker's role as Chair of the Members' Services Board. The report, entitled *Building Organizational Excellence to Achieve Legislative Objectives*, was based upon an external consultant's review of the Ombudsman's office. The report recommended organizational and operational changes to the office, perhaps most significantly, "that the current combined one-half time Ombudsman/IPC appointment be increased to a combined full-time position." The press release noted that Mr. Koepke (who had signed on for a half-time position) submitted his resignation as

Ombudsman/Information & Privacy Commissioner effective May 1, 2013, so that the Report's recommendations could be implemented. The Members' Services Board accepted the recommendation to make the Ombudsman/IPC a combined full-time appointment, and on February 25, 2013 established a sub-committee to search for, and recommend to the Legislative Assembly, a new Ombudsman/Information & Privacy Commissioner.

Linda Kolody
Deputy Clerk

British Columbia

The 40th provincial general election was held on May 14, 2013. Preliminary voting results indicate that the BC Liberal Party, led by Premier **Christy Clark**, won 50 seats and will have a fourth consecutive term as government. The BC NDP, led by **Adrian Dix**, secured 33 seats and will form the Official Opposition. **Vicki Huntington** (Delta South) was re-elected as an Independent. Also notable was the election of **Andrew Weaver** in Oak Bay-Gordon Head, the first Green Party of BC candidate to be elected a Member of the Legislative Assembly.

While the governing BC Liberal Party increased its majority by 5 seats, Premier Clark was unsuccessful in her constituency of Vancouver Point-Grey, losing to **David Eby**, the

BC NDP candidate, by 785 votes. This is the first time since 1924 that a BC Premier has lost their seat in a general election while their party formed government.

The turnout of eligible voters was 52 percent, up one percentage point from the 2009 general election.

Final Session of 39th Parliament

On February 12, 2013, the 4th Session of the 39th Parliament prorogued. That afternoon, the 5th Session opened with the Speech from the Throne. Delivered by British Columbia's new Lieutenant Governor **Judith Guichon**, the final Throne Speech of the 39th Parliament focused on the importance of maintaining a strong economy in the face of global economic instability by increasing BC's trade with Asia. Another major theme of the speech was the "generational opportunity" presented by BC's nascent liquefied natural gas (LNG) industry. The government announced a plan to create a prosperity fund from the royalties generated by this industry and to use that fund to work towards paying off the provincial debt, increase services, and ultimately eliminate the provincial sales tax.

In response, the opposition criticized the Throne Speech for failing to address key issues facing the province, such as economic productivity, social inequality, and sustainability, and its singular focus on LNG exports, claiming that the government has "narrowed the debate about our future to one project". The opposition pointed out that construction has not begun on a single LNG plant and that any benefits of the prosperity fund would not be realized until 30 years in the future.

On February 19, Minister of Finance **Mike de Jong** delivered the budget address for fiscal year 2013/14 projecting a surplus of $197 million in 2013/14, increasing to $460 million in 2015/16. The budget included several tax increases, namely to personal income taxes for those earning over $150,000, corporate income taxes, tobacco taxes, property taxes levied on light industry, and to Medical Services Plan premiums.

Minister de Jong stressed that tough decisions were needed to balance the budget. Given declining resource revenues, the budget constrains spending growth to an annual average of 1.5% over the next three years. The Minister announced that the budget was balanced and did not contain the kind of new spending usually associated with election-year budgets.

Prior to the introduction of the budget, the government arranged for the economist Dr. **Tim O'Neill** to review the 2013/14 budget economic and revenue projections. He concluded in a public report that the Province's revenue projections, methodologies and assumptions were generally well-founded, with the exception of the natural gas forecast.

Opposition finance critic **Bruce Ralston** characterized the budget as being more about re-election than governing. He contended that the budget was not balanced for several reasons: it underestimated spending and overestimated revenue; it moved revenues already counted in previous years into 2013/14 and expenses from 2013/14 into other years; and it relied on the future sale of public assets, including crown real estate holdings, as a source of revenue.

In his closing comments on the budget, the Minister re-iterated the government's view that the budget was balanced 'in every sense of the word.'

Legislation

During the brief 20-day session, the House passed 14 government bills and two private bills. Noteworthy pieces of legislation include:

- *Tla'amin Final Agreement Act*: approves and gives force to the Tla'amin Final Agreement reached under the BC Treaty Commission process. The treaty removes the Tla'amin Nation from the federal *Indian Act* and provides them with self-government powers that will allow them to design and deliver programming in a way that best supports the Tla'amin community and their families. Following the introduction of the bill, on February 14, Chief **Clint Williams** of the Tla'amin First Nation addressed the Legislative Assembly from the Bar of the House. He spoke about how the treaty will help create positive change and meaningful opportunities that will sustain the Tla'amin people both economically and culturally.

- *Auditor General Amendment Act:* will provide for the appointment of future Auditors General to a single, non-renewable eight-year term. Previously an Auditor General could be re-appointed to a second term of up to six years. The Act also provides that, if the term of office of an incumbent Auditor General is scheduled to expire, or the Speaker "reasonably believes that the term of office will otherwise end", after the dissolution of the Legislative Assembly, a committee may appoint by unanimous resolution, an Acting Auditor General (see Committee Activity below).

- *Senate Nominee Election Act*: Minister of Justice **Shirley Bond** introduced

Bill 17 on February 27, advising the House that it was the government's intention to bring the bill forward as an exposure bill to help generate a discussion on electing Senate nominees and not to pass it during the current session. The bill proposes that Senate nominee elections to be held either in conjunction with provincial elections or as stand-alone events. Nominee elections would be administered by Elections BC.

- *Seniors Advocate Act:* provides for the position of a government appointed seniors advocate to be a voice for seniors, to monitor seniors' services, and to promote awareness of seniors' issues.

Committee Activity

During the brief final session of the 39th Parliament, 12 parliamentary committee reports were tabled including:

- The unanimous report of the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills on its review of the *Members' Conflict of Interest Act* which makes 34 recommendations to modernize and strengthen the legislation. They include recommendations to expand the jurisdiction of the commissioner, update and clarify existing provisions, promote greater transparency of Members' financial disclosure statements, and to require future reviews of the legislation.

- The unanimous report of the Special Committee to Inquire into the Use of Conducted Energy Weapons and to Audit Selected Police Complaints, which recommended: provincial governmental action to advocate for the establishment of national electrical safety standards for new conducted energy weapons; that police officers provide more information on the communication techniques they use to de-escalate a crisis; and that there be ongoing evaluation of crisis intervention and de-escalation training.

- The unanimous report of a Special Committee which recommended the reappointment of the Conflict of Interest Commissioner **Paul Fraser** and the Merit Commissioner **Fiona Spencer**.

- The unanimous report of the Special Committee to Appoint an Acting Auditor General which was deposited with the Office of the Clerk after the House rose. Pursuant to the *Auditor General Amendment Act*, the appointment of the Acting Auditor General was made by unanimous resolution of the Committee. As the Committee would not complete its work before the House adjourned, the Committee's terms of reference allow for the Speaker to 'lay the report before the House in a new Parliament'. The Committee released its report on March 28, 2013, appointing **Russ Jones** as Acting Auditor General. Mr. Jones, a chartered accountant, has worked with the Office of the Auditor General for more than 20 years and in the role of Assistant Auditor General since 1993.

Gordon Robinson
Committee Researcher

Letters

Re: Federal Electoral Boundaries 2012

Sir:

The federal electoral boundaries commissions for each of the ten Canadian provinces were established in 2012 with each commission consisting of three members. Each commission had to follow several rules including a population for each riding as close as reasonably possible to the electoral quota for each province, community of interest, community of identity, and historical patterns. The variance from the population equality rule was limited to plus or minus 25%, except in extraordinary circumstances.

The publication of the ten reports demonstrates that each commission developed its own provincial approach within the required rules. However, some unusual features did occur.

The Manitoba Report set a tolerance goal of plus or minus 5% from the provincial average rather than plus or minus 25%. The Ontario Report noted an inappropriate involvement of two members of Parliament in the redistribution process.

The Commission for Alberta introduced what appears to be a new term called the doughnut approach. This method can be used to deal with large populations outside municipalities. In this way a riding may be designed to take in several small communities surrounding a city.

The Commission for Prince Edward Island decided to make no changes to the electoral boundaries established in 2002 for its four ridings.

The Commission of Saskatchewan published both a majority report supported by a judge (chair) and a university professor (vice-chair) and a dissenting report by a third member (president of Saskatchewan Association of Rural Municipalities). Their differences centred on the number of seats in Regina and Saskatoon and the growth in size of rural ridings.

All of the commissions were required to establish ridings based on effective representation as described by the *Carter* case and not follow closely equal population in each constituency. A useful statistical method to determine the variation in the size of ridings is to calculate the Gini index. The Gini scale varies between 0, which is complete equality, and 1, which is complete inequality. For example, complete equality (0) would occur when all constituencies in a province had the same population and complete inequality (1) would occur when one riding had all the population and other ridings had no people in them

The table below shows the Gini indices for the federal electoral boundaries of each province. The lowest index of .011 is for Prince Edward Island; the highest index is .128 for Newfoundland and Labrador. These results show that no commission created ridings based only on ridings equal in population size.

The comments and indices shown are based on reports presented to the chief electoral officer and sent to the members of Parliament for assessment. Parliament could alter these reports and send them back to one or more of the commissions. Then these commissions could accept or reject these changes. Thus final authority rests with the federal commission in each province.

Harvey Pasis
Hamilton, Ontario

Gini Indicies for Reports of the Federal Electoral Boundaries Commission Presented to Chief Electoral Officer of Canada 2012	
Prince Edward Island	.011
Alberta	.014
Manitoba	.023
Saskatchewan	.027
Québec	.041
British Columbia	.041
Nova Scotia	.050
Ontario	.059
New Brunswick	.074
Newfoundland and Labrador	.128
Source: Report of each provincial commission for 2012	

For an explanation of the Gini index see H. Alker Jr. and B. Russett, "On Measuring Inequality," *Behavioral Science*, vol 9, 1964, pp. 207-218.