

# The Role of Parliamentary Secretaries

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Parliamentary secretaries are those Members of Parliament who occupy what has been described as a "Parliamentary No Man's Land". They are neither ministers nor ordinary backbenchers; neither a part of the cabinet nor of the ministry. Parliamentary secretaries have been attacked as political payoffs by some and praised by others as an on-the-job school for future cabinet stars. Some observers have hailed the job as an easy reward for loyal backbenchers; some see it as a consolation prize to those who have been passed over for the cabinet for the time being or perhaps forever; and others view it as an effective way to silence caucus rebels. These mixed views serve to illustrate the divergence of opinions on the definition of what parliamentary secretaries are and what their proper role is within the Canadian parliamentary structure.

Confusion over the definition of a parliamentary secretary's job description began with the first two appointments in 1916 and continue to this day. The number of secretaries has steadily grown throughout the years to the present twenty-seven under Prime Minister Trudeau.<sup>1</sup> But it was not so long ago that former Prime Minister Clark was considering scrapping parliamentary secretaries altogether. In October of 1979 Mr. Clark described them as "purely decorative" and questioned the rationale for continuing the tradition of appointing parliamentary secretaries to cabinet ministers. Instead he talked about easing the burden of cabinet ministers by naming 'junior ministers' to handle mini-portfolio's held by some cabinet ministers. But only weeks later Mr. Clark reconsidered and appointed twenty-two parliamentary secretaries to senior ministers. "I found out how much value they can be to ministers during the summer", Mr. Clark said. He admitted that "there is a real need for help in some ministries".<sup>2</sup>

Despite some doubts and criticisms, most observers agree that what a parliamentary secretary does is to take some of the workload off an already overworked cabinet minister. That is about as close as anyone has managed in obtaining a precise definition of their duties. Hence, the practices vary tremendously. Some MP's walk away from their term as parliamentary secretary with no real learning experiences, while others leave with a wealth of knowledge on how bureaucracy functions, on how cabinet functions and how the two interact with each other. Some members

have had the opportunity to participate directly in policy formulation. It is these diverse experiences which demand explanation. This paper attempts to discern the various explanations for the confusion surrounding the role of parliamentary secretary.

## Historical Background

Legislation concerning parliamentary secretaries did not come into existence until 1959. However, their presence can be traced back to World War I. In 1912, Richard Cartwright, who served as a minister under both Mackenzie and Laurier, suggested that "what we need very much is to have a few posts like the English parliamentary under-secretary, to which young politicians would be appointed without giving them cabinet rank."<sup>3</sup> Sir Robert Borden, in 1916, appointed for the first time two positions below cabinet rank including a Parliamentary Secretary of the Department of Militia and Defence, and Parliamentary Under-Secretary of State for External Affairs. Later in 1918, a third parliamentary secretary was appointed to the Department of Soldiers' Civil Re-establishment. The Borden experiment was shortlived and these positions terminated with the end of the war.

In 1921, when Mackenzie King became Prime Minister he appointed a Parliamentary Under-Secretary for External Affairs. None of his colleagues wished to follow suit and when the parliamentary under-secretary resigned to take a diplomatic post, no successor was named. However that was not the end of these positions. The Speech from the Throne in 1936 suggested that Prime Minister King intended introducing legislation for the establishment of parliamentary secretaries. It was not until seven years later, during another wartime Parliament that King appointed seven parliamentary assistants. These positions were not established by a specific act but by a provision in the annual *Appropriations Act*. This placed the parliamentary assistants on a non-permanent basis, as Parliament was required to approve the salaries involved on an annual basis. King stated that "while the Prime Minister himself had to take responsibility for making the appointments, it had to be made in consultation with the minister who was head of the department in which the parliamentary assistant would be called upon to serve. The appointee would be expected to help the minister in any way the minister may think his services are likely to be most advantageous."<sup>4</sup>

The position itself, according to Mr. King, was expected to provide for the parliamentary assistant the opportunity to get in close contact with the affairs of the department as well as require the confidence of the minister with whom the incumbent would be

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closely associated. Furthermore, the appointments themselves would have to be distributed over the nine provinces of the country without at the same time mitigating against the suitability and qualifications of the appointees. Finally, he stated "... the appointment of parliamentary assistants to ministers is not to be understood as in any way implying that it gives preferment in the matter of subsequent appointments to the Cabinet ... It would be a help undoubtedly ... Nevertheless the appointments should not in any way affect one's freedom to express one's own view".<sup>5</sup>

This informal, non-statutory system of Parliamentary Assistants was replaced in 1959 by the *Parliamentary Secretaries Act* which gave statutory recognition to the duties of a parliamentary secretary. The Act states that the "parliamentary secretary or secretaries to a minister shall assist the minister in such a manner as the minister directs."

In 1971, the *Government Organization Act* amended this Act so that the authorized number of P.S.'s to hold office at any one time is to correspond to the number of ministers receiving salaries. This made it possible for Prime Minister Trudeau to almost double the number of appointments. The term of office was also extended to two one-year renewable terms. The explanation for the increased numbers of parliamentary secretaries was given by C.M. Drury who cited a need to free ministers from administration and to devote more time to policy development and the need to promote greater sensitivity of the public service to popular opinions.<sup>6</sup> The *Parliamentary Secretaries Act* was revised by an amendment to the *Salaries Act* of 1974-75 which placed their salaries within the general Act to be revised on an annual basis according to a formula which contains an adjustment for inflation. The salary set in 1959 was \$4,000 per annum and this has been revised upwards to the present \$6,900.

Parliamentary secretaries are mentioned only twice in the House of Commons Standing Orders. Section 40(3) concerning the adjournment debate states, "a minister of the Crown or a parliamentary secretary speaking on behalf of a minister ... may speak for not more than 3 minutes" and in section 41(2) which states that a "parliamentary secretary acting on behalf of the minister may in his place in the House, state that he proposes to lay upon the Table of the House, any report or other paper ...". Neither the existing legislation nor the Standing Orders provide much guidance as to the role of the parliamentary secretary. The legislation is neither specific nor determinative. The role depends largely on the 'practices' of parliamentary secretaries. One method of examining this is by reviewing any rulings the Speaker of the House of Commons has made with regard to parliamentary secretaries.

## Parliamentary Secretaries and Question Period

In March 1966, Speaker Lucien Lamoureux ruled "that there is nothing in our rules, nothing in our precedents, and nothing in our practices to prevent parliamentary secretaries from asking questions, though I realize there may be a question of propriety in certain instances."<sup>7</sup> Mr. Lamoureux did not condone the practice and did his best to discourage it. On February 26, 1973 he ruled, "It is a long established practice in Canada, going back for many years, that questions are essentially, or basically, the privilege of

members of the opposition ... It seems to me that if parliamentary secretaries are to be recognized as having authority to speak on behalf of the government in reply to questions, it is debatable whether they ought to be given the privilege of asking questions." In November 1974, Speaker James Jerome delivered an important ruling on this matter. He recognized that prestige and advantages come to parliamentary secretaries from their position. Not only do they occasionally answer questions during the question period, but they do so on a regular basis during the adjournment proceedings at 6 pm when they answer for the ministry. He concluded with this statement, "I have taken the position, to which I hold that those who are clothed with the responsibility of answering for the government ought not to use the time of the question period for the privilege of asking questions of the government."

On May 20, 1976, Speaker Jerome ruled on the question of whether the opposition must accept an answer given by a parliamentary secretary rather than the minister during the oral question period. To be consistent with his earlier ruling the Speaker said, "If I refuse them (parliamentary secretaries) the right to ask questions because they have the obligation or the right to answer them, surely I am being consistent and I would not now be able to say that a parliamentary secretary ought not to have the capability to answer questions."<sup>8</sup>

## Responsibilities of Parliamentary Secretaries

The Privy Council Office has prepared a document entitled "Briefing Notes for Parliamentary Secretaries" which they distribute to each new secretary. Their interpretation of the role is quite clear. According to this document responsibilities may be divided into house business, committee business and extraparliamentary responsibilities.

The first set of responsibilities include assisting in carrying out the more routine duties involved in the House. These mundane chores include handling of written questions, notices of motions for the production of papers and other business under routine proceedings. This would include discussions with the questioner or mover as to the information sought. Generally, these responsibilities are performed in association with the minister's political staff. The parliamentary secretary may read the answers to starred questions and occasionally he or she will table a document. The second House responsibility is following the timetable for private members' hour and organizing the government's response (almost always to talk out) to private members' bills and motions. Generally only parliamentary secretaries to high-profile ministries have the opportunity to talk out a bill. Most never carry out this responsibility.

The third area concerning the House and that which most parliamentary secretaries have the opportunity to perform is responding for the government on adjournment motions under Standing Order 40. Again it is those parliamentary secretaries with the higher profile ministries who fulfill this duty on a regular basis. Opposition days are another area of responsibility. It is their duty to organize the debate on the government side including his/her own participation. According to the Privy Council document, "It is the government policy to have a minister rather than a parliamentary secretary, as the primary respondent for the government to the

motions on opposition days." The last House responsibility is to supervise passage through all stages in the House of legislation not involving any major policy decisions.

The involvement of parliamentary secretaries in committee business has grown with the expansion of committee activity. With the increased use of House Committees for dealing with clause-by-clause stage of government bills, and for detailed scrutiny of estimates, the responsibilities of the parliamentary secretary before committees has been greatly enhanced. It is this increased use of the committee system which spurred the notion that all ministers with major legislative programs should have the assistance of a parliamentary secretary. The Privy Council interpretation sees the parliamentary secretary performing at least four functions in the committee. He is to organize and give leadership to the government members on the committee. In actual practice this means acting as a whip to encourage other government members to attend committee. It also often means feeding questions to government members designed to make the government and/or minister look good, or questions intended to eat up a lot of time so the opposition members have less opportunity to embarrass the government.

Secondly, the parliamentary secretary is to be the advocate of the government's position in discussions of committee business or on procedural questions. Thirdly, the parliamentary secretary is to accompany public service witnesses presenting evidence to a committee and in the absence of a minister, to set forth government policy and defend it before the committee. For those parliamentary secretaries who have a good working relationship with their minister, the parliamentary secretary ensures that he or she is informed of the schedule and progress of the legislation.

Finally, the parliamentary secretary has the potential for becoming the indispensable link between government and the committee aspect of the legislative process. Because of the rather mundane chore of sitting countless hours in committee, especially during estimates, the minister generally does not regularly participate. The parliamentary secretary is a useful tool for keeping tabs on the committee work and acting as the government spokesman.

The last area of responsibility comes under the title extra-parliamentary responsibilities. The first function identified is that of liaison with other Members of Parliament and Senators. Because the parliamentary secretary is part way from the back-bench but probably even more because he has the time, he can be of great value to the government in a liaison role with members. This can work in both directions: by intervening on behalf and at the request of members to get departmental action on their problems, and by carrying back responses to his policies and actions. Both because of his availability, and because the minister rather than the parliamentary secretary, is the object of criticism, the parliamentary secretary can play a useful role as conciliator.

Another extra-parliamentary function is representing the minister in dealings with members of the public and it is here that parliamentary secretaries often play their most visible role. In dealing with members of the public, individually or in delegations, and by representing the minister at public occasions in and outside Ottawa, a parliamentary secretary may in effect, add to the political impact of the minister's policies and position. Here again, a con-

siderable load may be lifted off the minister's timetable by his representative. In effect, the parliamentary secretary will fill speaking engagements or attend public ceremonies when the minister is either too busy, engaged elsewhere, or simply does not want to be bothered but feels it necessary to have political representation. The other occasion where parliamentary secretaries have been utilized quite extensively is meeting business groups, community groups, or other interest organizations who wish to make representations to the minister about either existing legislation or proposed legislation. They all desire to effect changes which favour their cause. The minister will usually agree to meet the important and major groups and often the parliamentary secretary will receive the less important and more peripheral delegations.

An important factor in the matching of parliamentary secretaries to ministers is the variable of language and region. Generally, an anglophone minister is paired with a francophone parliamentary secretary and vice versa. It is also interesting to note that where electorally possible a parliamentary secretary is drawn from a province and usually a locale different from the ministers.

A parliamentary secretary may also act as a Canadian representative abroad in portfolios with international dealings. This may add to the effectiveness of Canadian representations abroad by taking a leadership role at international meetings.

The job description provided by the Privy Council Office rather narrowly defines the role. The memo states that one of the occupational disabilities in accepting the role is that the parliamentary secretary (except in the case of dealing with constituency problems on behalf of the member) has *no power* to initiate departmental action. The powers to alter policy, to re-direct expenditures, to hire and fire public servants all rest with the minister. It is only by persuading the minister that the parliamentary secretary can effect change. The Privy Council Office admits that as a consequence of accepting the appointment, a parliamentary secretary may to a degree undergo the disadvantage of assuming a power that is more apparent than real. This in fact is probably true for the majority of parliamentary secretaries. However, there are parliamentary secretaries who are unofficially in charge of branches of a department and who not only command the direction the civil servants should take but do initiate departmental action. This is the exception rather than the rule.

The guidelines suggested by the Privy Council restrict the class of knowledge to which a parliamentary secretary has access. Due to the restrictive nature of the oath for parliamentary secretaries, they have only authority for general knowledge of the department activities and not information that is of a confidential or classified nature. Here again, the experience of parliamentary secretaries varies. Some parliamentary secretaries have never been allowed (either by the department or the minister) access to cabinet documents while others see them on a regular basis. This is really the key difference between a parliamentary secretary being an errand boy and being treated like a partner in the department.

Another important factor is the personality of the minister. Some ministers desire to make the parliamentary secretary an integral and meaningful partner in their administrative and political team. Others may have difficulty in accommodating themselves to

the idea and the reality of another political personality playing an active role in what they consider their territory. A minister who wishes to husband all of the prestige and power may refuse to delegate any meaningful responsibility to the parliamentary secretary. The confidence and security that the minister has in his own abilities will often determine whether a parliamentary secretary will be used beneficially or not. Under the legislation it is the minister's prerogative to decide.

The minister of a large and complex department may become swamped if he tries to carry out all the work. There are some ministers who have visibly broken off a chunk of departmental responsibility for their parliamentary secretary but some ministries are better suited to the delegation of responsibility than others.

Ministers are constrained by their own position, their rank in the cabinet hierarchy, their relations with the Prime Minister, the importance of their ministry and the political and administrative problems facing them. All these factors affect the degree of responsibility a parliamentary secretary is assigned.

The personality of the individual parliamentary secretary may be equally as important in determining his or her role. Some members may have been selected solely for representational, linguistic, or other reasons and may lack the requisite administrative or political skills to be given much responsibility. There are others who are too aggressive or have little sensitivity for the minister or his staff or the departmental bureaucracy and are hence handed little or no responsibility. The parliamentary secretary must remember and give due respect to the fact that the minister may be his colleague but the parliamentary secretary is not his equal. The parliamentary secretary has to accept his subordinate status in the line of hierarchy. It is important that not only does the parliamentary secretary have the necessary political and administrative skills but that the minister has confidence and trust in him. In order for the minister to delegate responsibility, it is necessary that there exists (or is the potential for) a good 'personal chemistry' between the two personalities.

Just as important are the personalities of the senior departmental officials and legislative assistants to the minister. These people often see the parliamentary secretary as a competitor for both the time and attention of the minister. In addition, having a parliamentary secretary can cause priority confusion for the departmental official for now they have two political masters to serve. Some deputy ministers use the parliamentary secretary to their own advantage. For example if there is good news to bring to the minister, the deputy minister will be the bearer but if there is bad news the job is passed to the parliamentary secretary.

The Privy Council Office guidelines suggest it is the exception for a minister to permit his parliamentary secretary to attend the regular briefings which the minister receives from his officials. How then can a parliamentary secretary answer properly and responsibly in the House of Commons if he is not made aware of the workings of the department for which he is supposed to speak? The memoranda does nothing to ease this contradiction but at least it recognizes the problem. Nevertheless, the majority of parliamentary secretaries have been hampered in their advocacy of government policy by not being treated as full, if junior, partners in this concern.

## Conclusion

As the position exists today, almost all ministers have one parliamentary secretary. This needs to be reviewed. Some of the larger, busier departments may need more than one parliamentary secretary. For example transport could be divided into land, air and marine transport and if warranted have a parliamentary secretary for each section. Energy, could be divided into oil and gas, nuclear, and alternative energy. Some of the ministries of state which are small and do not have heavy loads could either forgo or double up with parliamentary secretaries. Perhaps it is time to consider strongly the idea of junior ministers.

A political decision must be made by the Prime Minister as to what the role for a Parliamentary Secretary should be. If it is to simply be a rotational position available to all Members of Parliament then this view should be clearly and definitively expressed. If the intention of the Prime Minister is to limit the role of the parliamentary secretary to several defined duties then it would be well to declare this intention and precisely identify those responsibilities in the Act.

If we are to continue the practice of parliamentary secretaries answering responsibly in the House of Commons, if they are to play a meaningful part then they too must have access to all departmental work and to cabinet documents. There exists an even greater need for an explicit definition of the responsibilities of a parliamentary secretary. This would provide greater consistency and less confusion for all parties concerned, including the minister, the parliamentary secretary, departmental officials, and the opposition. If the parliamentary secretary's role is precisely defined and codified in a document setting out the terms of appointment, this would make it no longer entirely left to the discretion of the Minister. The present haphazard method would be transformed into a consistent, understood aspect of parliamentary government.<sup>9</sup>

## Notes

1. Since this article was written the House of Commons passed Bill C-152 to amend the *Parliamentary Secretaries Act* and permit the appointment of Senators as parliamentary secretaries.
2. *Ottawa Journal*, October 9, 1980
3. Richard J. Cartwright, *Reminiscences*, W. Briggs, Toronto, 1912, p. 288.
4. Canada, *House of Commons Debates*, April 20, 1943, p. 2344.
5. *Ibid*, April 20, 1943, p. 2345.
6. *Ibid*, January 26, 1971, p. 2773.
7. *Ibid*, March 7, 1966, p. 2289.
8. *Ibid*, May 20, 1976, p. 13707.
9. For further information on the role of Parliamentary Secretaries see the recent articles by Claude Majeau, Linda Rivington and Kathryn J. Randle in *Parliamentary Government*, Vol. 4 (No. 3, 1983), pp. 3-15.