

Opinion

Parliamentary accountability need not be a casualty of the pandemic

Parliament has survived many crises, over many centuries. It has evolved to meet changed circumstances and needs. This is one of those times. An adaptive Parliament with smaller, but responsible components, meeting virtually and openly, can both hold the government to account and effectively and efficiently enact the legislation that Canada needs.



Name Lastname

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OTTAWA—The COVID-19 pandemic is not only putting extraordinary pressures on medical care workers, governments and economies, but on Parliament and legislatures. These bodies are required in democracies to pass necessary legislation, provide funding and, most importantly, to hold governments to account.

No doubt the present circumstances require expediency, efficiency, and flexibility. But these goals cannot be achieved at the expense of democracy, transparency, and accountability. As governments are required to spend billions of dollars, expand and create social programs, and make decisions over the life and death of millions of Canadians, our democratic representatives need to be able to hold governments to account for how they are managing the crisis.

It is now clear that because of the requirements of health, travel, and social distancing, traditional, in-person sittings not only set a bad example, but are dangerous, and in a country as large as Canada, would disenfranchise MPs who represent communities at a distance from Ottawa.

Millions of people work from home, and businesses, particularly those based on information, continue to function. More importantly, governments seem to have no problem continuing to meet, make decisions and communicate their messages. The same technologies must be leveraged to ensure that Parliament does not become a casualty of the pandemic.

Countries that share the Westminster system of government, are exploring digital means of legislating and of holding the government to account. Some have found innovative solutions, with none requiring physical sitting.

For example, the Welsh National Assembly has amended its rules to allow it to sit virtually, in plenary session, with a small number of representatives of each party participating. The first minister and others appear, make statements, and are questioned by other members. Where legislation is considered, the group is expanded



The House of Commons Speaker's Parade, pictured on April 11, 2020, opening up the emergency House sitting to pass the government's \$73-billion wage subsidy bill. *The Hill Times* photograph by Andrew Meade



Finance Minister Bill Morneau, left, International Trade Minister Mary Ng, Deputy Prime Minister Chrystia Freeland, Government House Leader Pablo Rodriguez, Prime Minister Justin Trudeau, and Employment Minister Carla Qualtrough, pictured April 11, 2020, in the House. *The Hill Times* photograph by Andrew Meade



House of Commons Clerk Charles Robert, pictured on April 11, 2020. *The Hill Times* photograph by Andrew Meade



Middle Class Prosperity Minister Mona Fortier, pictured April 11, 2020, inside the House. *The Hill Times* photograph by Andrew Meade

to include the leaders of the party who are entitled to cast block votes for their entire caucus. Independent members can also participate virtually in any vote. Believed to be the first virtual vote ever in the Commonwealth, a vote took place on April 8.

The New Zealand House has established the Epidemic Response Committee with a mandate to hold the government to account. Composed of members of all parties where the opposition has a majority of members, and the leader of the opposition chairs, the committee has the power to require anyone to attend to be questioned. It too, meets virtually and is televised.

A combination of the two is being considered in the U.K. House of Lords, which will sit virtually as a Grand Committee. As such, it can discuss and debate, but not vote. The U.K. House of Commons will sit as a hybrid, with up to 50 MPs in the Chamber and an additional 120 by video. Because of numbers, the 120 will rotate. In both cases, the rules of debate are tightened so that only one at a time can speak without interruption. How voting will take place in the U.K. has not yet been determined. In the U.S., the House of Representatives is working on a remote voting system.

While none of these necessarily meets

all the needs of the Canadian Parliament, they provide examples of quickly developed, imaginative solutions that meet the twin needs and purposes of legislating and holding government to account.

Any solution must recognize that all MPs are equally elected. A means must be found for all MPs, representing all parts of the country to be accounted for and participate. The process must be as inclusive of all MPs as possible so that rule changes do not become yet a further way to impose greater discipline in determining who gets to "sit". The decision of participation should be up to the various party caucuses to decide, not merely the leaders.

The two functions of accountability and legislating need not be performed by the same group, using the same process. While proceedings will be smaller, this does not mean that those not present cannot still participate. Those at the meeting do so in a representative capacity and must be prepared to express the views of their caucus members.

Accountability through a specially designed committee chaired by the leader of the opposition, and at which the prime minister must present a statement and be questioned, would no doubt provide transparency and accountability. If chaired

by the leader of the opposition with the presence of the prime minister and cabinet ministers, the necessary media coverage would also follow.

A smaller virtual plenary House for legislation, supported by robust virtual committees, could allow for broader participation and votes. The plenary meeting could allow for a rotation of MPs to speak to a bill, chairs of committees could report and votes could be done through caucus block votes. If block votes are seen as problematic, despite that fact that they are used when votes are taken "on division" technological solutions with necessary security, such a PINs and encryption, could be developed in time.

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