

GOVERNMENT RESPONSE TO THE FORTY-THIRD REPORT OF THE STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

DEMOCRATIC RENEWAL

Canada's democratic institutions and practices are viewed by many around the world as a model to emulate. Nevertheless, it is essential for every democracy to take stock regularly, to ensure that all aspects of its system of governance meet the needs and aspirations of its citizens. The Government of Canada has a duty to build on Canada's strong democratic traditions by modernizing our democratic processes to ensure that they reflect the values and interests of Canadians.

The Canadian experience over the last thirty years demonstrates that our democracy has continually evolved to meet new challenges. Indeed, the list of changes to our democratic framework over that period is impressive and touches every aspect of our system of governance. It includes: the enactment in 1974 of Canada's first modern regime of political financing; the introduction of the *Canadian Charter of Rights and Freedoms* in 1982; the enactment of the *Access to Information Act* in 1983; changes to the parliamentary process itself, including: the selection of the Speaker by secret ballot, an overhaul of the committee system and an increase in committee powers, in 1996; and a general overhaul and modernization of the *Canada Elections Act* through Bill C-2, in 2000.

More recently, in 2003, with the passage of Bill C-24, the Government introduced substantial reforms to our political financing regime which improved fairness, transparency and confidence in our party financing regime. Moreover, in 2004, the Government passed Bill C-3, which allowed for greater political pluralism by replacing the long-standing 50-candidate threshold for registration with a purpose-based definition and single-candidate requirement, giving small parties access to a number of key benefits.

In February 2004, as Prime Minister Paul Martin's first order of business, the Government tabled its Action Plan for Democratic Reform. The initiatives outlined in the Action Plan were developed to ensure that Members of Parliament play a significantly larger role in the decision-making process. The first Annual Report on Democratic Reform, tabled in Parliament in June 2005, provides a detailed account of these reforms. The Report set out the substantial achievements that have been made in strengthening the role of Parliament, including the creation of an independent Ethics Commissioner reporting to Parliament; an independent Senate Ethics Officer for Senators and Conflict of Interest Codes for Members of the House of Commons and for Senators. Moreover, the Action Plan resulted in more free votes than ever before for Government members and increased referral of Government bills to Committee before second reading, giving MPs and Committees greater ability to shape and debate national policy.

The Government's ongoing commitment to democratic renewal was set out in the October 5, 2004 Speech from the Throne where it pledged “to examine the need and options for reform of our democratic institutions including electoral reform”. This was reflected in an Order of Reference given to the Standing Committee on Procedure and House Affairs on November 25, 2004, “to recommend a process

that engages citizens and Parliamentarians in an examination of our electoral system with a review of all options.”

The Government appreciates the significant work of the Committee on this important commitment and it agrees with the primary recommendations set out in the Committee's Forty-Third Report. In particular,

- flowing from a decision at the first Cabinet meeting following the tabling of the Committee's report, steps have been taken to initiate the required tendering process to establish a deliberative citizen consultation process that would engage Canadians in the identification of the values and principles they believe should underpin Canada's democratic institutions and practices. The tendering process will begin in mid-October;
- the Government will work closely with Opposition House Leaders to create a Special Committee that will receive the findings of the citizen consultation process and will result in specific recommendations to the Government on democratic renewal; and
- the Government fully supports the proposed broad mandate for both the citizen consultation process and the Special Committee. Accordingly, the Government is pleased that both groups will examine the role of Members of Parliament and political parties; citizen engagement and rates of voter participation, including youth and aboriginal communities; civic literacy; and how to foster a more representative House of Commons, including, but not limited, to increased representation of woman and minorities, and questions of proportionality, community of interest and representativeness.

While the Government is pleased with the substantive recommendations in the Committee's Forty-Third Report, it cannot accept the timeframe for the process that has been recommended.

The Committee has called for a concurrent, two-track process to begin by October 1, 2005, with a joint session mid-way through the process in November. According to the Committee's proposal, the citizen consultation process would conclude its work, and submit its report to the Special Committee by January 30, 2006. This report would then be taken into account by the Special Committee in the development of its final report and recommendations on Canada's democratic and electoral systems that would be tabled in the House on or by February 28, 2006.

The Government finds this time frame unrealistic for a number of reasons:

- it does not reflect fully the time required to administer the public tendering process that must support an initiative as extensive as a national citizen consultation process. The Government is advised that the industry standard for the timing of a procurement process for a project of this magnitude is a minimum of seventy days;
- the committee also underestimated the time required for the winning bidder to prepare the documents required to administer the type of deliberative process that has been recommended by the Committee. For example, the winning bidder must prepare a workbook to guide participants and facilitators throughout the deliberative process. Moreover, to be in a position to measure outcomes at the conclusion of the deliberative process, a pre- and post-survey must be designed and tested. While this would need to be worked out with the winning bidder, it is estimated that approximately

two to three months are required to complete the preparations necessary to ensure a productive deliberative process.

- Beyond underestimating the time required to undertake these necessary preparations, the Government has concerns regarding the amount of time the Committee would allow for the completion of the citizen consultation process and the Special Committee's hearings. In the Government's view, allowing only four months to conclude such a national consultation process is insufficient. In comparison, both New Brunswick and British Columbia undertook democratic renewal processes that had a duration of twelve months.

While recognizing the time required to complete the tendering process and for the winning bidder to prepare the necessary material for the consultation process, the government will launch the consultation process as soon as these timeframes permit, noting that the citizen consultation process would be suspended by a federal election. Obviously these considerations would also have implications regarding the timing of the creation of the Special Committee. The Government will work with the Opposition House Leaders to create the Special Committee so that it is able to receive the results of the citizen consultation process and make recommendations to the Government on democratic renewal.

In conclusion, while the Government endorses fully the substance of the recommendations in the Committee's Forty-Third Report, it cannot accept the proposed timelines. The Government would like to express its thanks to all members of the Committee for this valuable contribution to the important ongoing work on democratic renewal in Canada. And the Government looks forward to working with all Members of the House in the implementation of the Committee's recommendations.