

Publié | Published: 2020-11-04  
Reçu | Received: 2020-11-04 00:01 (HNE)



Hill Times

# Slow Senate start amid pandemic a lesson to limit delay tactics, says CSG leader

'Our job is not to play procedural inside baseball around organization of the Senate, and we've done a lot of that, and I'm tired of it,' says Sen. **Scott Tannas**.

Samantha Wright Allen

With Senators finally nailing down hybrid sittings and striking committees after months of disagreement that led to limited work during the pandemic, one Senate leader says his colleagues have learned their lesson about capitulating to procedural delays and will likely have "little patience" for such tactics going forward.

"Our job is not to play procedural inside baseball around organization of the Senate, and we've done a lot of that, and I'm tired of it. A lot of people are tired of it," said **Canadian Senators Group** Leader **Scott Tannas**.

One example of that inside baseball played out on Oct. 29, said the Alberta Senator, with the long path to setting up committees coming to an end. The agreement guarantees allocated **committee** seats stay with various groups rather than individual Senators, which some said leaves powers in leaders' hands and violates the rules granting rights to Senators.

The Progressive Senate Group (PSG), the smallest of the four recognized groups, said the vote in the Chamber-held before hybrid sittings were instituted was done at the expense of giving all Senators a voice, while the other three groups said a clear majority supported the move.

Sen. Tannas said it was a good example of Senators responding "to a lesson that we ought to have learned from last spring." That is, deal with procedural issues right away because it can put off important work delayed by bigger matters—a pandemic, for instance. Following the October 2019 election, there was "no rush" to set up committees, he said, and by February that laid-back approach continued with Senators "fiddling around for months with no committees."

In March, negotiations on pandemic-response oversight committees fell apart for the first time when Senate leaders could not agree on their composition. **Independent Senators Group** (ISG) facilitator **Yuen Pau Woo** (British Columbia), could not get unanimous support for a motion that would have set up the committees without giving any seats to the then-13 non-affiliated Senators.

Eventually, on April 11, the Senate [set up two committees](#), National Finance and Social Affairs, focused on the government's response to the coronavirus pandemic. The Senate Internal Economy, **Budgets**, and Administration **Committee**, a powerful body that manages the administration and finances of the Upper Chamber, was in place throughout.

"That was the lesson: you get stuff done as quickly as you can when it comes to organization," and last week was that reflex playing out in what Sen. Tannas said he hopes is the new approach going forward.

"I think there will be less tolerance for delay tactics of any kind, especially around procedural stuff like this," he said. "This isn't our job."

Senators agreed, on division, on Oct. 27 to start hybrid sittings, which began on Nov. 3.

"The Senate was not able to do anything like its job [during the pandemic], but those were unusual times and they're now behind us," said Sen. Tannas, adding with the Selection **Committee** meeting Nov. 2, more committees should soon follow.

Speaking to *The Hill Times*, all Senate leaders struck a similar tone when asked to assess the Chamber's performance during the pandemic: it's not great, but still the best that could've been done in the circumstances. Even if there was a will to strike more committees, since the Senate's support system for virtual sittings is provided by the House, according to Progressive Senator **Pierre Dalphond** (De Lorimier, Que.), they said it wasn't clear if the technological capabilities would have made regular virtual meetings possible. Plus, the Senate rules needed to change to permit such meetings.

The House didn't turn to fully hybrid proceedings-complete with remote voting-until Sept. 23 at the start of the second session, but MPs previously had the ability to participate remotely in standing **committee** meetings and the House's special COVID-19 **committee** that emulated many aspects of a House sitting.

Still, the Senate has not been able to do its job during the pandemic, agreed Conservative Senate Leader **Don Plett** (Landmark, Man.), and that's in part why at the start of this session he put the government "on notice," that his caucus would not allow any more **legislation** to proceed without committees.

It's more important Senators be ready to study the billions in government spending, said Sen. Plett, than waste time in the Chamber this week voting on keeping **committee** seats when it would end up with the same result.

The [agreement leaders came to in early October](#) will stand, Sen. Plett and others said.

The Oct. 1 understanding, of which *The Hill Times* has seen a copy, allocated the most chair positions to the 44-member ISG and 21-member Conservative caucus, at 11 and six, respectively, also giving both groups deputy chair positions on all other committees. Most committees would have all four groups represented on the steering **committee**, though not all would have four paid positions.

The ISG is expected to chair Internal Economy, Foreign Affairs, Banking, Energy, Legal, National Security, Social Affairs, Aboriginal People, Official Languages, and the joint **Library of Parliament** and **Scrutiny of Regulations** committees, while the Conservatives were handed chair of Rules, National Finance, Audit, Fisheries, Transport, and Human Rights.

The agreement gave the CSG the chair position for the Agriculture and Forestry **Committee** and PSG chair of Selection, which was to have its mandate broadened to include co-ordination of virtual sittings in the Chamber and for committees.

## PSG disappointed debate denied during hybrid sitting

Sen. Dalphond raised an ultimately unsuccessful point of privilege about the motion dealing with **committee** seats being stripped from Senators if they leave a specific group. Sen. Dalphond said this represents an important aspect of modernization and power, but he said "all changes won't happen in a day" and it's time to move on.

"I am disappointed to see many people who valued so much the hybrid [model] could not take this as a first opportunity to give a say [to Senators]," said Sen. Dalphond, while acknowledging the result likely wouldn't have been different.

The way the Senate has been functioning amid the pandemic is "better than nothing, but it was not the perfect solution," said Sen. Dalphond, who raised concerns that the Red Chamber is being used to rubber stamp **legislation**.

PSG Leader **Jane Cordy** wasn't in the Chamber last week, instead back in the Atlantic bubble after the Nova Scotian made the trek to Ottawa in early October. She said she was frustrated by how the motion played out last week, and said the PSG didn't want to hold up committees, but believed "firmly" that leaders should not "own" **committee** seats and all Senators should vote on the matter.

The group was given a choice: have the proportionality question separate and have the vote last week, or have one motion on committees and do it this week.

It turned out neither happened.

"It went against what was agreed upon," she said, and while she normally wouldn't discuss a leaders' agreement in detail, she noted Senators brought it up in the Chamber last week.

It's about pragmatism for the moment, rather than power, said Sen. Tannas, countering the PSG's assessment of the debate.

"This is a symptom of Senate modernization. This issue really has arisen because of it," but it's not a problem to solve today, he said. "I'm a fan of the way the Senate is evolving. Sure it's tougher to manage and it creates funny little circumstances that we'll have to get used to or figure our way around, [but] at the end of the day, if we ever get some runway where we can have some normal times, the way this Senate is now set up, it will add immense value."

It's about procedural fairness and "not some high-minded principle of Senate independence or Senatorial autonomy," said Sen. Woo, noting ISG gave its leadership team a strong mandate to negotiate.

It comes down to the "boring math" of seat assignments, and when Senators join groups, they accept and expect the

leadership team to negotiate on their behalf. Asked why not put it to a vote in the hybrid sitting, Sen. Woo, who was not part of leadership discussions, said he believed having the vote right away was a "matter of preserving the integrity of the agreement," and to put it off would risk further delays.

Committees didn't meet earlier because of the resistance to changing rules, he said, and now it's important to get them up and running. Urgency has been the theme for the last six months, and he's happy there's collective agreement to move forward.

"For us to do further good work, it will require the Senate to meet on a more normal basis," he said, including focus on more than narrowly defined COVID-19 issues given its broader economic and social impacts.

## Bellemare failed amendment a 'good compromise'

Though her amendment last week failed, Independent Senator **Diane Bellemare** (Alma, Que.) said she will continue to press for reform on this front. Seat portability is an important part of Senate modernization, and she said her amendment struck the right compromise, keeping deputy and chair seats in the hands of groups, but giving Senators who leave groups the right to stay on that **committee**.

"It impedes the fluidity of movement in groups that can be very good—it's not bad, it's good for an independent Senate," said Sen. Bellemare, who, in the last Parliament was a part of the government's team, and before that the Conservative caucus.

"We really need that debate," she added, and it's one she plans to try and convince colleagues to have so that "major" changes can come around **committee** make-up. "I'm not done with that."

Her amendment won support from all the PSG Senators in the Chamber, two other Independent Senators (Ontario's **Rosemary Moodie** and Manitoba's **Marilou McPhedran**), and Conservative Senator **Leo Housakos** (Wellington, Que.). Senators Moodie and Housakos didn't respond to questions by email.

When she saw the way that the ISG, Conservative, and CSG leadership had united against Sen. Bellemare's amendment, Sen. McPhedran said she felt it was important to move ahead with the selection process after so much delay and the backlog of work facing many of our Senate committees.

But, she said she held firm on support for Sen. Bellemare "practical and achievable" approach because it spoke to her own discomfort with the concentration of control for leadership.

It's "tilting toward the dominance of a few over an entire group that operates in a traditional partisan caucus model, but is not what I believe the ISG is supposed to be as a catalyst for Senate reform," said Sen. McPhedran by email, calling it "a good compromise."

[swallen@hilltimes.com](mailto:swallen@hilltimes.com)

*The Hill Times*

Url: <https://www.hilltimes.com/2020/11/04/slow-senate-start-amid-pandemic-a-lesson-to-limit-delay-tactics-says-csg-leader/270431>