

TELEVISION AND THE HOUSE OF COMMONS

**James R. Robertson, Principal
Law and Government Division**

Revised September 2005



Library of
Parliament
Bibliothèque
du Parlement

**Parliamentary
Information and
Research Service**

The Parliamentary Information and Research Service of the Library of Parliament works exclusively for Parliament, conducting research and providing information for Committees and Members of the Senate and the House of Commons. This service is extended without partisan bias in such forms as Reports, Background Papers and Issue Reviews. Analysts in the Service are also available for personal consultation in their respective fields of expertise.

**CE DOCUMENT EST AUSSI
PUBLIÉ EN FRANÇAIS**

TABLE OF CONTENTS

	Page
INTRODUCTION	1
THE DEVELOPMENT OF TELEVISION AND RADIO BROADCASTING	2
THE EFFECT OF BROADCASTING ON THE HOUSE OF COMMONS.....	4
THE COOK COMMITTEE REPORT	6
HOUSE MANAGEMENT COMMITTEE	10
THE PARLIAMENTARY CHANNEL	12
A. Interim Arrangements and Regulation	12
B. The Cable Parliamentary Channel (CPAC)	13
RECENT DEVELOPMENTS	16
CONCLUSION	18
BIBLIOGRAPHY	19



CANADA

LIBRARY OF PARLIAMENT
BIBLIOTHÈQUE DU PARLEMENT

TELEVISION AND THE HOUSE OF COMMONS

INTRODUCTION

Broadcasting of the proceedings of the Canadian House of Commons began in the autumn of 1977 after years of study and debate. At that time, the Canadian House of Commons was a pioneer in this area, since very few legislatures were permitting cameras to film their proceedings, except for special events. The idea of gavel-to-gavel coverage was unique.

Today, many legislatures permit some form of broadcasting of proceedings. The success of the Canadian experiment has inspired other legislative bodies to allow broadcasting, with the House of Commons often providing the model. At the same time, many of these legislatures have gone beyond the Canadian precedent, either because they have learned from the Canadian experience, or because they have different traditions, concerns or priorities.

Over the years, parliamentary committees have reviewed the issue of broadcasting and made recommendations that have led to important changes. In 1989, the House of Commons Standing Committee on Elections, Privileges, Procedure and Private Members' Business undertook a major study of broadcasting of Parliament. Its report, *Watching the House at Work*, recommended that the rules for the broadcasting of procedures of the House of Commons be relaxed and that electronic media be permitted to broadcast committee proceedings. In 1991-1992, the Standing Committee on House Management conducted a study of the broadcasting of committee proceedings. Its report, which was subsequently concurred in by the House, called for the videotaping and broadcast of proceedings of committees meeting in a specially equipped room, with the audio portion of all other public committee proceedings being made available to the media and other persons on Parliament Hill. The Committee was also successful in relaxing the rules governing camera angles for broadcasting of House proceedings. Since 2001, the House has permitted the electronic media to film public committee meetings, subject to certain conditions, on a trial basis.

These studies have caused Members of Parliament, the media, and the general public to re-evaluate the role and purpose of broadcasting parliamentary proceedings. The vast majority of Canadians accept parliamentary coverage as an important and very desirable service, if not a right to which they are entitled. The expectations of the public, the desire for openness in government, and the important role that television plays in modern political life have made it a fact of life. The extent to which television has changed political balance and influenced Parliament is open to discussion.

Television today is viewed as a necessary and essential part of the House of Commons. The process whereby this enormous change occurred over such a short period of time, and the changes it has wrought in the House of Commons and in how Canadians perceive their elected representatives are some of the issues that will be addressed in this paper.

THE DEVELOPMENT OF TELEVISION AND RADIO BROADCASTING

The general question of radio and television broadcasting of the Canadian House of Commons was referred to the Standing Committee on Procedure and Organization in 1970, following debates in the House in 1967 and 1969. The Committee's report was tabled on 30 June 1972. It was comprehensive but somewhat cautious; the Committee summarized the arguments for and against televising debates of the House of Commons and its committees, and detailed the various alternatives to and inherent limitations of each. The Committee opted for an "electronic Hansard" approach to any televising of parliamentary proceedings; rather than journalistic coverage, radio and television broadcasting should be a faithful record of the proceedings and debates of the House in the same sense as is the Official Report of Debates ("Hansard"). This fundamental recommendation of the Committee on Procedure and Organization has been the cornerstone of all subsequent decisions on the broadcasting activities of the House of Commons.

A federal general election in 1972 intervened before the recommendations of the Standing Committee on Procedure and Organization could be considered or implemented. Following the election, the Canadian Broadcasting Corporation (CBC) conducted a feasibility study. Eventually, a motion was introduced in the House by the government on 24 January 1977. In essence, the amended terms of the motion were to approve radio and television broadcasting of the proceedings of the House of Commons and its committees, on the

principles governing the publication of Hansard, and to establish a special committee under the chairmanship of the Speaker to supervise its implementation. The motion was adopted, without a recorded division, on 25 January 1977, and parliamentary broadcasting was set in motion.

Early on, the crucial decision was taken that the control of the system was to remain with the House and under the direct supervision of the Speaker acting on behalf of all Members. The actual implementation of the system took place during the summer recess in 1977, so that broadcasting could commence when Parliament resumed at the end of October. As there were few precedents, the special committee was charged with making the necessary decisions about the placement of cameras, lights, and other associated matters.

Members of Parliament were concerned about the effect that television might have on the House's proceedings; there was, for instance, a fear that tapes could be used out of context to embarrass a Member or to misrepresent what went on in the House.

At the outset, the guidelines regarding camera shots and so forth were word-of-mouth and fairly loose and unrestricted. Problems soon developed, however; as John Fraser, the former Speaker of the House, once explained it, "the directors saw the proceedings through the eyes of experienced professionals trained to produce good television. Like Foster Hewitt on *Hockey Night in Canada*, their eyes followed the puck, an approach that did not sit well with Members, especially when their team was scored against." The result was that the Speaker was inundated with complaints from Members on both sides of the House.

This led to a series of changes which, while individually quite minor, collectively created a fairly restricted broadcast format. Specifically, camera shots of Members were generally limited to the torso and head. The cameras took their cue from the Speaker, showing only those individuals who were formally recognized by the Speaker and reverting to the Chair at all other times.

The main object of broadcasting parliamentary debates is to give listeners and viewers a direct and first-hand experience of Parliament at work, as opposed to what they would otherwise receive from news reports or commentaries prepared by journalists. Traditionally, the proceedings of Parliament have been open to the general public, but for most Canadians, the opportunity to sit in the galleries and watch the proceedings live is rare; television and radio broadcasting makes parliamentary proceedings accessible to many more people. At the same time, the broadcasting of parliamentary proceedings assists journalists, who often use clips in their reports.

In Canada, the presence of an extensive cable television system has helped in distributing broadcasts of the House of Commons proceedings and has made gavel-to-gavel coverage possible. The signal provided by the House of Commons is distributed via satellite to cable companies and individual satellite dish owners across the country. The cable companies in turn make the parliamentary channel available to their subscribers as part of basic cable service. Because of the widespread cabling of Canadian households, this is an extremely efficient and effective way to make the proceedings of the House of Commons available to most Canadians.

The result is that most Canadians have the option of watching the verbatim proceedings of the House of Commons. A small but dedicated audience watches the proceedings on a regular basis; others tune in occasionally or watch debates of particular interest to them.

THE EFFECT OF BROADCASTING ON THE HOUSE OF COMMONS

Proposals to broadcast parliamentary proceedings have generally been received with caution by politicians. The enormous importance of television in our political system is a relatively recent phenomenon. In the early 1970s, many politicians did not appreciate or want to encourage the role played by the electronic media. Many Members of Parliament were not convinced that the status of Parliament would be enhanced by broadcasting its debates. There were also concerns that the ultimate effect might be to make Parliament's proceedings appear mannered and trivial, that television would adversely affect the procedures and proceedings of the House, and that Members would play to the cameras.

A 1973 article, for instance, discussed a number of issues related to the broadcasting of Parliament: the trivializing effect of television, its visual distractions and distortion of reality, its impact on the French-English question, and Marshall McLuhan's suggestion that television would drive home Parliament's obsolescence. As the author of the article noted, the fundamental questions about whether television and parliamentary proceedings were meant for each other had seldom been addressed: "Is the nature of television as a medium of communication compatible with the nature of Parliament as an institution? Would television coverage of the Commons help or hinder popular understanding of, and participation in, Canadian politics?"⁽¹⁾

(1) Peter W. Johansen, "Television Parliament: What the Commons Report Left Out," *Journal of Canadian Studies*, Vol. VIII, No. 4, November 1973, pp. 39-51 (pp. 40-41).

The experience of the Canadian House of Commons with television since 1977, as well as the experience in other jurisdictions, may assist in answering such questions, although little empirical study or other analysis has been done as yet.

Many Canadians are critical of politicians, and dislike what they see of them on television. Time and again, people criticize the childishness or irrelevance of politicians, and their behaviour in the House of Commons. Many viewers are fully aware of the tactics employed by Members (such as congregating behind a speaker to make the House look full) and feel that such tactics are juvenile. Whether public attitudes to federal politicians and to Parliament have been exacerbated or not by the presence of television is difficult to say. Criticisms may instead be attributable to the general cynicism that the public feels about its political leaders. Faced with the prospect of losing the parliamentary channel, however, many Canadians react strongly, saying that it is extremely important that they be able to follow the proceedings.

Broadcasting has affected the House of Commons in a variety of ways. The Clerk of the House of Commons at the time of its introduction, Alistair Fraser, concluded that many of the difficulties anticipated did not arise, or turned out not to be as formidable as had been feared. “The concern over the possible rush of prima donnas anxious to usurp the floor has not occurred. Speeches remain much as they were – neither brighter nor duller. Attendance in the House has not increased or decreased. In general, things remain very much as they were.”⁽²⁾ These sentiments were echoed by James Jerome, the Speaker of the House at the time of the introduction of broadcasting; he told the staff of the United States House of Representatives Rules Committee on 29 January 1978, shortly after the introduction of television, that he did not think that it had changed the House substantially. “I am saying, to those who harboured any fears about what it might do, they can relax a little because the presence of the cameras does not change the House or its work in a very substantial way.” He was, however, aware of some changes:

I do see some changes in style, but I think that it is quite natural. ... Members attempting to adjust their style of debate asking or responding to questions in order to be more effective on television. But I think that is to be expected and in any case it is probably a change for the better. In terms of behaviour generally and decorum, it's a little too early to see changes in that direction.⁽³⁾

(2) Alistair Fraser, “Televising the Canadian House of Commons,” *The Table*, Vol. XLVII, 1979, pp. 66-71 (p. 70).

(3) *Ibid.*, p. 71.

Some of the changes have been relatively minor. The attire of Members is said to have improved, and certain colours and clothes (such as blue shirts) are popular because they look good on television. It has been suggested that Members are more likely to read their speeches now. The old tradition of thumping on desks has been replaced by more the more genteel (and more photogenic) hand-clapping. Members must be careful not to doze off, bury their heads in a newspaper, or have inappropriate expressions on their face if they are near someone who is speaking.

Many people attribute the increased importance (and, to some, irrelevance) of Question Period to the introduction of television. It is felt that the constant need for a “15-second clip” or “sound bite,” and the dramatics to which Question Period lends itself, have enhanced its visibility out of all proportion to its value. Whether such criticisms are supported by the evidence is not entirely clear. Question Period tends to receive considerable attention whether it is televised or not: it deals with topical issues, consists of a dialogue of sorts rather than long speeches, and is good political theatre. It is also the one time of the day when the House is full, and when the party leaders are in attendance. Moreover, most viewers, if they watch only part of the proceedings of the House, will watch Question Period.

It should be noted that the broadcasting of Parliament has greatly assisted the news-gathering task of the media. Before the introduction of television, most news reports relied on Members repeating their speeches or comments outside the House of Commons. Today, it is far more likely that actual audio-visual clips from Question Period or debates will be used in news reports.

THE COOK COMMITTEE REPORT

In 1989, a consortium of cable companies and the CBC jointly proposed a new public affairs channel to be known as CPaC (Canadian Parliamentary Channel). This specialty cable channel would have incorporated the proceedings of the House of Commons and committees, where available, into public affairs programming, along with proceedings of royal commissions, inquiries, court hearings and provincial legislatures. It precipitated a wide-ranging review of the broadcasting of the House of Commons. After 12 years of broadcasting, it was opportune and appropriate to re-evaluate and reassess the experience, and to consider possible changes.

The Standing Committee on Elections, Privileges, Procedure and Private Members' Business, under the chairmanship of Chuck Cook, MP, spent nine months in 1989 studying the whole question of broadcasting and the House of Commons. The Committee heard from numerous witnesses, consulted extensively, and travelled to Washington and Toronto to see the broadcasting operations of the U.S. Congress and Ontario Legislature respectively. The Committee issued two interim reports, with its final report being tabled in December 1989.

During the course of the Committee's deliberations, a number of major issues were identified. One of these involved the restrictions on camera angles and shots. While some observers strongly supported retention of an "electronic Hansard," others argued for a more flexible approach. It is safe to say, however, that in 1977 Members would not have agreed to the introduction of television without the safeguards inherent in an "electronic Hansard." There were fears that training television cameras on empty seats or on MPs in unflattering situations would not produce an accurate or positive public perception of the House. As early as 1979, however, there was pressure, particularly from broadcasters, for freer and more relaxed coverage, with more wide-screen shots and other camera angles.

The effect of rather stringent guidelines and policies for broadcasting parliamentary proceedings has been criticized as being dry and stilted. The limitations of this approach are clear, since they prevent much of the drama and atmosphere of the House from being conveyed and many events of major interest from being shown. At the same time, it is often pointed out that the proceedings of the House of Commons are not designed as entertainment, nor are they staged for the benefit of viewers. Proponents of each of the two basic approaches – an "electronic Hansard" or a news-orientated record – both have strong arguments in their favour. At the same time, it was hoped it might be possible to achieve some compromise – to loosen up the existing restraints, without sacrificing the serious intent of the exercise.

In its December 1989 report, the Committee concluded that the existing guidelines for televising the House of Commons were unnecessarily strict. It felt that so long as television does not interfere with the proceedings, or distort the facts, there are no valid reasons for unduly restricting the cameras. Rather than attempting to formulate detailed rules or policies, however, the Committee recommended that responsibility be delegated to the producers or programming directors. As professionals, these individuals would be expected to use their judgment as to the most appropriate camera angle or shots. Their job, as the Committee expressed it, would be to convey the full flavour of the House of Commons, and to ensure that parliamentary broadcasts provided a dignified and accurate reflection of the House.

It was pointed out that more creative camera angles or shots could be used very effectively to help viewers to appreciate the proceedings more fully. Not all of these techniques would be appropriate or possible, but they ought to be considered. For instance, split screens, wide-angle shots, over-the-shoulder and reaction shots could be usefully employed in certain situations. At the same time, the Committee recognized that there were limited opportunities for different camera angles in the House. Some flexibility in shots can be usefully employed to show the context, such as where a Member sits in relation to others. Other techniques such as split screens are inherently difficult to use and in fact are seldom employed even in legislatures where they are permitted.

It should be noted that the Committee anticipated that the programming director and producers would report to the Speaker, and be subject to the overall direction and supervision of a committee of the House of Commons (and, through it, to the whole House). Thus, the House would continue to control the broadcasting of its proceedings.

Another issue that the Committee addressed involved the broadcasting of committee proceedings. Much of the work of parliamentarians is done in committees, whose importance has been greatly enhanced as a result of the procedural reforms that grew out of the 1985 Report of the Special Committee on Reform of the House of Commons (the McGrath Committee).

Interestingly, the original 1977 House of Commons motion on broadcasting provided for radio and television coverage of committees. The special committee set up to oversee the introduction of broadcasting, however, frankly observed in one of its reports that the concept of an “electronic Hansard” might not be applicable to committees. It concluded that it would be contrary to the order of the House for any committee coverage to be undertaken prior to consideration and authorization by the special committee. It was noted that there would also be a problem of selection, as many committee meetings are scheduled concurrently.

Pressure to televise committee meetings seemed to disappear for a while, but it resurfaced in recent years. Since 1977, several committees had received special permission for broadcasting from the House of Commons, but this was done on a single-issue basis: the Special Joint Committee on the Constitution of Canada in 1982; the Special Joint Committee of the Senate and House of Commons on the 1987 Constitutional Accord; the Standing Committee on Finance’s hearings on the proposed Goods and Services Tax in 1989; the Standing Committee on Communications and Culture’s 1989 hearings on certain order-in-council appointments to

several cultural agencies; the 1990 Special Committee on the Proposed Companion Resolution to the Meech Lake Accord; the 1991 Special Joint Committee on the Process for Amending the Constitution of Canada; and the 1991 Special Joint Committee on a Renewed Canada. In all these cases, special permission of the House was required to allow cameras into the committee rooms. As the Standing Committee on Elections, Privileges, Procedure and Private Members' Business observed, the general consensus about these experiments has been positive; journalists and ordinary Canadians have expressed their appreciation at having electronic access to such committee hearings. The politicians involved have also been favourably impressed, and further requests for permission to televise committees have been made.

The Committee recommended that each committee of the House of Commons should determine whether any meeting or meetings would be open to the electronic media; the committee could impose any arrangements that it deemed necessary to ensure the decorum of the meeting. Fixed camera positions, the existing lighting and audio system and other guidelines could be imposed, so as to respect the spirit of an "electronic Hansard" and to minimize disruption to the meeting. Such guidelines have been successful in other jurisdictions where legislative committees are telecast, and have been applied to the broadcasting of the hearings of royal commissions and judicial inquiries. Indeed, it was journalists themselves who proposed that reasonable guidelines be imposed.

Very important work is carried on in committees, and the Standing Committee felt that it was unfortunate that Canadians were denied the opportunity to see this. Since the House of Commons is often empty because Members are at committee meetings, it is only by being able to watch both parliamentary and committee proceedings that Canadians can form the whole picture. It had been suggested that one reason for the media emphasis on Question Period is that the other work of parliamentarians, especially committee work, could not be broadcast.

Committee meetings tend to be relatively informal and collegial; there was some concern that this might change if cameras were allowed in, but the Standing Committee felt, on the basis of the experience elsewhere, that such fears were groundless. Question Period and other House proceedings tend to involve government ministers, and a few other Members of Parliament, whereas televising committee work would enable Canadians to see ordinary Members of Parliament at work.

It is interesting that in the United States Congress and other legislative bodies, the proceedings of committee meetings were allowed to be broadcast long before those of the legislature. In Canada, the print media already had the right to attend public meetings, take notes and report on what was being said and done. As the Standing Committee's report noted, "On the basis of equity, it is argued that the electronic media should be entitled to use the tools of their trade."

It was claimed that, besides assisting the media to gather news, the televising of committee meetings would also allow Canadians to follow specific issues or concerns; much of the work done by committees was either not reported extensively or was summarized and filtered through the media. The CPaC proposal would have involved the broadcasting of gavel-to-gavel coverage of selected committee hearings, similar to the practice of the C-SPAN cable channels in the United States, which televise congressional committees. The Standing Committee on Elections, Privileges, Procedure and Private Members' Business suggested that, if funds were available, two committee rooms should be equipped for broadcasting. Committees meeting in these rooms would be televised as part of the CPaC programming. The Committee felt that the chairs of the committees would be able to sort out scheduling and the selection of committees; if they were unable to do so, a committee of members would be able to arbitrate.

The report of the Standing Committee on Elections, Privileges, Procedure and Private Members' Business was not concurred in by the House of Commons, although a motion was passed endorsing the CPaC proposal in principle. Meanwhile, the Standing Committee (re-named the Standing Committee on Privileges and Elections) tabled a number of reports on various enhancements to the parliamentary channel, including the daily re-broadcasting of House proceedings to capture more viewers, the telecasting of informational videos, and the provision of information about parliamentary committees. Many of these proposals were endorsed by the House, and introduced on an interim basis.

HOUSE MANAGEMENT COMMITTEE

On 11 April 1991, the House of Commons adopted amendments to the Standing Orders. For the first time, these included provisions for committee proceedings to be broadcast:

119.1. (1) Any committee wishing to use the facilities of the House of Commons for the broadcasting of its meetings shall first obtain the consent of the House thereto.

(2) The Standing Committee on House Management shall establish, by report to the House of Commons, experimental guidelines governing the broadcasting of committee meetings. After concurrence by the House in such a report, any committee may permit the presence of the electronic media at its meetings, subject to the said guidelines.

Accordingly, the Standing Committee on House Management, chaired by Albert Cooper, MP, undertook a study and review specifically of the broadcasting of committee proceedings in the autumn of 1991, and tabled its report in February 1992. The Committee recommended that the audio feed of all public committee meetings be made available throughout Parliament Hill, and could be recorded by the media. It was proposed that initially one committee room should be equipped for videotaping the proceedings of all committee meetings held there; the tapes would be made available to the media, and broadcast as part of the parliamentary channel programming. Committees would decide themselves if they wished a meeting to be broadcast. If more than one committee wanted to be broadcast at the same time, the matter would be referred to the House Leaders for a decision, and, if they could not agree, to the House Management Committee. The recording of committee proceedings would be undertaken by the House of Commons, subject to the same general guidelines, rules and policies as applied to the proceedings of the House itself. Thus, the decision was made in favour of having gavel-to-gavel coverage, rather than allowing the electronic media themselves to record or film committee proceedings.

The House Management Committee's report was concurred in by the House of Commons, and the broadcasting of committee proceedings began on an experimental basis in the spring of 1992. The Standing Orders of the House were also amended to provide that the House Management Committee would be responsible for the ongoing monitoring of the broadcasting of the proceedings of the House and its committees.

After several months' experience, the Committee recommended that the broadcasting of committee proceedings be made permanent. The Committee noted that the experience had been very successful, and that both Members and the public were pleased with the experiment.⁽⁴⁾ This report was concurred in by the House on 28 April 1993. The audio distribution of committee proceedings throughout Parliament Hill also began in the spring of 1993.

(4) Standing Committee on House Management, Eighty-third Report, *Minutes*, Issue 53, pp. 145-147, 2 April 1993.

In a separate report, the Standing Committee on House Management proposed that the guidelines for televising Question Period should be loosened somewhat to permit the use of different and wider camera angles and thus provide a more accurate presentation of the House. After this report had been approved by the House on an experimental basis and the recommendations implemented, even those who had been opposed to them were pleased with the results. The new guidelines were later extended, and there was further experimentation with camera angles in an effort to introduce greater flexibility to the televising of the House, and to better convey the full flavour of its proceedings. On 11 December 1992, the House agreed to make permanent the new camera angles for Question Period and the taking of divisions. The Standing Committee continues to monitor and work with the broadcasting staff of the House “to produce a more accurate visual image of the House.”

THE PARLIAMENTARY CHANNEL

A. Interim Arrangements and Regulation

In 1977 and 1978, as an interim measure, the Canadian Radio-television and Telecommunications Commission (CRTC) authorized cable systems to carry the House of Commons proceedings on their special programming channels, or community channels. At the time, the programming consisted of a videotaped replay of earlier proceedings, except in the National Capital Region, where it was carried live.

In 1979, the CBC received a temporary network licence to begin live, gavel-to-gavel distribution of House proceedings. Subsequently, the CRTC called for applications for a network licence. After a hearing in 1980, the CBC was issued a licence “to carry on a network to distribute the proceedings of the House of Commons and other programming material” in both official languages. The CRTC specifically limited the additional material that could be broadcast, and in fact the CBC never developed the “wrap-around” programming even to the degree envisaged in the original application.

The CBC’s network licences for distributing the proceedings of the House of Commons were renewed for short periods on a number of occasions. Several renewal hearings were scheduled, but were cancelled. Eventually, in 1989, the CPaC proposal was developed, and an application was filed with the CRTC. The CRTC’s hearing of the CPaC application was postponed a number of times. When the CBC’s licences for the service came up for renewal, the CRTC indicated that it wanted to deal with the CPaC proposal, or a fresh application from the

CBC, within six months. Even after the CBC announced in 1990 that it would discontinue financing the distribution of the parliamentary channel, it continued to hold the licences, pending a final resolution of the matter.

Following the enactment of a new *Broadcasting Act*, the CRTC issued in 1992 an exemption order for “House of Commons and provincial or territorial legislature proceedings.”⁽⁵⁾ If certain criteria are met, the distribution of proceedings of legislative bodies is exempt from licence requirements of the Act.

B. The Cable Parliamentary Channel (CPAC)

On 29 November 1990, the President of the CBC, Gérard Veilleux, told the Standing Committee on Privileges and Elections that, due to budgetary constraints, he would be recommending to the Corporation’s Board of Directors that the CBC discontinue funding the distribution of the parliamentary channel as of 1 April 1991, the start of the new fiscal year. Subsequently, on 5 December 1990, the CBC announced various cutbacks and closures. The news release included the following statement: “The Corporation has also indicated to the government that it is no longer able to bear the cost of operating the English- and French-language parliamentary channels. The government will seek the views of the Speaker of the House and consider means of maintaining the service.”

Subsequently, the Board of Internal Economy of the House of Commons considered a number of options for the continued broadcasting of parliamentary proceedings. In March 1991, the Board invited proposals from interested and qualified parties to operate a national satellite distribution network for the daily televised proceedings of the House of Commons. It indicated that it was interested in receiving proposals for each of the following: the continuation of a service similar to that being offered currently; the provision of a reduced service; and the provision of an enhanced version of the service. According to the Board: “A reduced service could be based on a more economical approach to providing the service by using, for example, only one transponder. An enhanced service could include additional non-partisan public affairs programming during times when the House is not sitting.” The deadline for submitting proposals was 1 May 1991. The Board of Internal Economy indicated that it would assist any accepted proposal in making submissions to obtain a broadcast licence to operate the service and to obtain the necessary satellite transponders.

(5) CRTC, Public Notice 1992-6, 17 January 1992, *House of Commons and Provincial or Territorial Legislature Proceedings Exemption Order*.

In order to avoid any interruption of the broadcasting of House proceedings, the Board entered into a one-year contract with the CBC to continue its operation of the service, beginning 1 April 1991. Under the new arrangement, the CBC was asked to distribute the proceedings of the House using one satellite transponder only. This allowed the continued distribution of the proceedings in English and French with floor sound and sign language, but meant the end of the televised introductions. These changes to the format were introduced during the summer of 1991. The interim arrangement allowed other proposals to be developed and approved. The contract with the CBC contained an opting-out clause that allowed the House of Commons to terminate the agreement on 90 days' notice to the CBC.

In 1992, the House of Commons entered into a new arrangement for the distribution of its proceedings and those of committees. A consortium of 25 cable companies formed the Cable Parliamentary Channel Inc./*La chaîne parlementaire par câble inc.* (CPAC, renamed the Cable Public Affairs Channel in 1996). CPAC assumed responsibility for the satellite distribution of the daily proceedings of the House and its committees, and replays of Question Period. The House continued to be responsible for taping proceedings and providing a live feed and videotaped replays. Originally for a two-year term, the arrangement was expected to save the House of Commons the annual \$2-million cost of distributing the House signal via satellite.

The new agreement granted CPAC decision-making authority with respect to the programming on the channel, while guaranteeing that proceedings of the House and its committees would have priority access. The contract between the House and CPAC provided that CPAC would advise the Speaker before making any applications to the CRTC for temporary licences to broadcast other programming.

In 1993, CPAC applied to the CRTC for licences "to carry on English- and French-language satellite to cable undertakings to provide, to cable distribution undertakings across Canada, via satellite, coverage of proceedings of the House of Commons as well as public affairs programming." On 29 September 1993, the CRTC issued licences on an experimental basis, expiring on 30 September 1994, subject to certain conditions. CPAC proposed that it be allowed to provide additional, complementary public affairs programming on the parliamentary channel, including unedited coverage of public proceedings and events of interest to all Canadians. As the CRTC decision explained:

CPAC will originate and distribute across Canada complete coverage of public proceedings such as royal commissions, task forces or special committees of inquiry, federal-provincial conferences, premiers' conferences, the proceedings of federal regulatory agencies,

and public proceedings of federal and provincial political parties. CPAC will also seek co-operative arrangements with other Canadian broadcasters, such as the Canadian Broadcasting Corporation, and the CTV Television Network, to provide national, full-length coverage of public affairs programming which these services may choose not to broadcast in its entirety. In addition, CPAC will provide national coverage of events or proceedings of national significance that are originated by local cable companies on their community channel. From time to time, CPAC will distribute programming produced by agencies, such as Elections Canada, which provide information to Canadians on the Canadian democratic process and opportunities to participate in this process.

CPAC stated that the amount of public affairs programming to be broadcast on its expanded service will vary, depending upon the availability of appropriate events and proceedings. The applicant stressed that, in scheduling its programming, priority will be given to the proceedings of the House of Commons, as stipulated in its agreement with the Speaker of the House.⁽⁶⁾

Although CPAC agreed to be neutral in its coverage, concerns were expressed over the editorial control inherent in the selection of programming. The CRTC noted that the *Broadcasting Act* requires balanced programming, and also that CPAC's application had contained certain key operating principles to which it would adhere.

As a result of the CRTC licence, it is no longer necessary for CPAC to advise or obtain the approval of the Speaker of the House of Commons for proposed wrap-around programming. Concerns and complaints are directed to the CRTC, rather than to the House.

As noted above, the CRTC licences were granted on an experimental basis and scheduled to expire on 30 September 1994. They were subsequently renewed for the period 1 October 1994 to 31 August 1995 in order to allow the Commission to consider the renewal of the licences at a public hearing to be held in late 1994 or early 1995.

In January 1995, the CRTC issued a seven-year licence to CPAC.⁽⁷⁾ During the public hearing on the application, numerous interventions had been received "emphasizing CPAC's contribution to the diversity of the Canadian broadcasting system by providing Canadians with access to a wide variety of non-editorial, long form coverage programming which would not otherwise be available, and by complementing the journalistic public affairs

(6) CRTC, Decision CRTC 93-635, 29 September 1993, pp. 2-3.

(7) CRTC, Decision CRTC 95-22, dated 20 January 1995.

programming provided by other broadcasters.” The CRTC indicated that it expected CPAC to adhere to its policy on balance, by observing six programming principles: respecting the letter and spirit of its agreement with the House of Commons; not presenting its own editorial position; presenting a balance of diverse points of view; reflecting Canada’s dual linguistic nature; complementing public affairs programming provided by other broadcasters; and being non-commercial.

RECENT DEVELOPMENTS

In December 1998, the House of Commons Standing Committee on Procedure and House Affairs tabled a report in the House regarding the televising of committee proceedings.⁽⁸⁾ The Committee noted that a great deal of the work of Parliament is carried out in committees, which are relatively informal, collegial and less partisan than the House. The report noted that the experience with committee broadcasting since 1991 had been positive, and that it would now be appropriate to expand the coverage of committee proceedings. Rather than suggesting that another committee room be permanently equipped for broadcasting, the Committee recommended a series of other measures designed to meet the long-standing request of the Parliamentary Press Gallery and electronic media for assistance with their news-gathering and to promote the interests of the House in terms of informing the public and making proceedings more accessible.

The Committee recommended that there continue to be one room available for broadcasting by the House of Commons Broadcasting Service. In addition, the House would be able to use existing portable broadcasting equipment to tape meetings of other committees on Parliament Hill, without the need for a House order. These tapes would be made available to the media, and be available for broadcast on CPAC. More significantly, it was recommended that the electronic media be allowed, on a trial basis, to film any public committee meetings held within the parliamentary precincts in Ottawa, subject to certain guidelines. These included filming on a gavel-to-gavel basis, respecting the spirit of an “electronic Hansard,” with two or three cameras in fixed positions, and using the existing lighting and sound system. It would also be a requirement that the media deposit with the House of Commons a copy of a complete tape of each committee meeting filmed. Members also indicated that they expected the House and the

(8) Standing Committee on Procedure and House Affairs, Forty-eighth Report, 8 December 1998.

electronic media to provide balanced coverage of all committees, rather than focusing on only a few. The Committee proposed that a subcommittee be appointed to oversee and monitor the implementation of the report, and to deal with issues and problems that might arise. The access by the electronic media to committee meetings was to be assessed by the end of June 1999. The Committee also urged that, in planning for renovations on Parliament Hill, the House be encouraged to ensure that all committee rooms are wired and cabled so as to allow possible broadcasting in the future by the House or the electronic media. The report, however, was never adopted by the House of Commons.

In 2001, the Standing Committee on Procedure and House Affairs tabled a new report proposing a mechanism for the televising of committee meetings. This report recommended that the electronic media have access to all public committee meetings, on a trial basis, subject to certain guidelines. It was adopted by the House of Commons on 16 May 2001.⁽⁹⁾ The trial period originally ended on 31 December 2001, and has since been extended on several occasions. Most recently, the Committee has recommended that it continue in place until the end of the first session of the 38th Parliament.⁽¹⁰⁾

In April 2001, the CRTC decided that CPAC should be broadcast in the language of the majority for each given market.⁽¹¹⁾ Therefore, in Toronto, CPAC would be broadcast in English, whereas in Montréal it would be in French. Those who speak the minority language in an area would still have access to the proceedings by using the Secondary Audio Programming (SAP) on their television set to hear the feed in the appropriate language. In November 2001, the CRTC further announced that the proceedings of Parliament must be made available in both official languages. This change came into effect on 1 September 2002.⁽¹²⁾ There still remained an issue with respect to the public's lack of awareness of the SAP option and the lack of access to the technology in some segments of the population. These issues were further addressed by the CRTC in a 2002 decision.⁽¹³⁾

(9) Standing Committee on Procedure and House Affairs, Nineteenth Report, 16 May 2001.

(10) Standing Committee on Procedure and House Affairs, Fifth Report, 20 October 2004.

(11) CRTC, Public Notice 2001-46, *Cable Public Affairs Channel (CPAC)*.

(12) CRTC, Public Notice 2001-115, *The distribution of the proceedings of the House of Commons on CPAC*; SOR/2002-322, *Regulations Amending the Broadcasting Distribution Regulations*.

(13) CRTC, Broadcasting Decision 2002-377, *Licence renewal for CPAC; and issuance of a distribution order*.

During the public hearing for a licence renewal, CPAC proposed the simultaneous translation of all programming, beginning 1 September 2003, by way of SAP. Furthermore, CPAC promised to develop funds for the equipment and marketing of this service, to ensure that members of the public had reasonable knowledge of how to access the language of their choice. SAP service is to be available in all markets by 31 August 2007, when the current licensing term comes to an end.

During the 2002 public hearing, CPAC also applied to expand its programming to include analysis and interpretation, long-form documentaries, and informal education. Various interveners were concerned about these proposals, arguing that they would negatively affect specialty documentary channels, as well as cause a fundamental shift in nature of CPAC's service. In granting these changes, the CRTC addressed the concerns by placing limits on how much time may be devoted to each form of programming, with 70% being left for the "gavel-to-gavel" service of the House of Commons and the long-form coverage of conferences, public inquiries, and government hearings.⁽¹⁴⁾

Finally, during the 2002 public hearing, the CRTC accepted the request of the Standing Senate Committee on Internal Economy, Budgets and Administration that CPAC provide regular programming produced by the Senate and profiling the work of the Senate. It is now required that CPAC broadcast at least eight hours of Senate committee proceedings for every week the Senate is in session. The Commission also clarified that the programming of the committee work of both chambers is to be provided in an equitable manner, and the live coverage of the House of Commons chamber shall, at all times, take precedence.⁽¹⁵⁾

CONCLUSION

The broadcasting of the House of Commons performs an important function in enabling Canadians to see their elected representatives at work, and in making politicians accountable to their electors. Greater flexibility in filming the proceedings in the House has been suggested as a means of better conveying the nature and flavour of that work. It remains to be seen how the broadcasting of committee proceedings will develop. All these proposals are designed to enhance the openness of the system, and the public's access to parliamentary activities.

(14) *Ibid.*

(15) *Ibid.*

Television and radio are pervasive influences in our society, and legislatures cannot remain immune. The challenge is to use the electronic media so as to exploit the opportunities they offer, without compromising the integrity of Parliament. This seems to have been largely achieved in the Canadian House of Commons. As experience accumulates and technology develops, still further re-evaluation and review of the broadcasting of House of Commons proceedings will be necessary, for this is an ongoing exercise.

BIBLIOGRAPHY

Library of Parliament. Bibliography No. 175, *Broadcasting of Parliamentary Proceedings*.