

Ethics, Responsibility, Accountability

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PRIME MINISTER • PREMIER MINISTRE

Message from the Prime Minister

February 4, 2004

Democratic reform is critical to providing Canadians with more responsive and more effective government. Parliament should be the centre of national debate on policy. For this to happen, we must reconnect Parliament to Canadians and renew the capacity of Parliamentarians — from all parties — to shape policy and legislation.

On December 12, 2003, I announced specific measures to implement democratic reform. One of my first priorities in this new session of Parliament is to table an action plan with initiatives the government will implement, as well as proposals for reforms to the way that the business of the House of Commons is conducted.

Democratic reform includes ensuring that Members have greater freedom to voice their views and those of their constituents, reinforcing the role of House Committees and their capacity to influence and shape legislation, having Ministers engage Members and House Committees on policy priorities and legislation, giving Parliament a greater role in the appointment process for public office holders, and modernizing the procedures of the House of Commons.

Democratic reform affects all parties and all Canadians. I ask the leaders of the other parties for their support in implementing this action plan so that Parliamentarians and Canadians can be reconnected to the democratic process.

The Right Honourable Paul Martin, P.C., MP



Message from the Leader of the Government in the House of Commons and Minister responsible for Democratic Reform

February 4, 2004

I am very honoured to have been asked by the Prime Minister to serve as Leader of the Government in the House of Commons and Minister responsible for Democratic Reform. The new government has made democratic reform a top priority, and it is one which I take very much to heart.

Canada's democratic tradition has enabled the development of a modern, open, and multicultural society that many countries now hold up as an example. Much like other established democracies, however, Canadians' faith and participation in the democratic process have declined. And, determined to renew our commitment to the public, to engage citizens, and to reinforce our democracy, the government has decided to take action.

As Minister responsible for Democratic Reform, I believe that we must achieve three essential goals in order to restore the public's faith in its democratic institutions. First of all, we must meet exemplary standards of ethics and integrity. Secondly, we must restore Parliamentarians' role in generating authentic, thoughtful, and constructive debate. And finally, we must increase the accountability of our elected officials and public institutions.

The action plan I am tabling today represents the very first step in reforming Canada's democracy, but we must also ensure that democratic reform becomes an ongoing process. Moreover, strengthening our democracy also means implementing measures that serve every Canadian, and every Member of Parliament — regardless of political affiliation: a condition without which democratic reform would be left incomplete.

That is why I invite all my fellow Parliamentarians, as well as citizens from across the country, to share their ideas and inspire me with their experiences. We need to work together to ensure that democratic reform succeeds.

The Honourable Jacques Saada, P.C., MP
Leader of the Government in the House of Commons and
Minister responsible for Democratic Reform



Message from the Deputy Leader of the Government in the House of Commons and Chief Government Whip

February 4, 2004

It is a great honour to accept the post of Deputy Leader of the Government in the House of Commons and Chief Government Whip. I am pleased to be able to support the Leader of the Government in the House of Commons and Minister responsible for Democratic Reform in his efforts to strengthen the faith that Canadians express in their Parliament and governmental institutions.

We are on the eve of important changes in our parliamentary history. Democratic reform will require a concerted effort and a reform of the current parliamentary culture. As Deputy Leader of the Government in the House of Commons, I will actively participate in efforts to rebalance the legislative and executive roles within our parliamentary system.

As Chief Government Whip and a member of Cabinet, my role falls well within the objectives outlined in the proposed action plan for democratic reform. First, I will help implement a new voting system that will allow greater flexibility for Members of the government caucus. Another dimension of my role will be to encourage my Privy Councillor colleagues to be more attentive to Parliamentarians and their work.

I look forward to working with you in this regard toward positive change.

The Honourable Mauril Bélanger, P.C., MP
Deputy Leader of the Government in the House of Commons
and Chief Government Whip



**Message from the Parliamentary Secretary to
the Leader of the Government in the House of Commons
with special emphasis on Democratic Reform**

February 4, 2004

It was with great pleasure that I accepted the position of Parliamentary Secretary to the Leader of the Government in the House of Commons and with special emphasis on Democratic Reform.

Democratic reform is an objective, the fundamental principle of which is to re-establish the representative and deliberative role of individual MPs in a House of Commons that reflects the diversity of Canada. It is a subject to which I have devoted a great deal of effort for several years.

This action plan for democratic reform proposes a fundamental change in parliamentary culture, a rebalancing of the relationship between the Cabinet and the House. It will require some additional resources and modest changes to the Standing Orders. Above all, it presents a new opportunity for every MP to shape policy and legislation in a meaningful, representative role. It will restore our House to the centre of debate on matters which fundamentally affect all Canadians.

As Parliamentary Secretary, my role is to work with all House Members to effect change that is consistent with the constitutional and political role of the House.

I invite all colleagues to share their ideas. As well, I invite those we represent, all Canadians, to participate in this process.

Canada is recognized as a leading democracy. This action plan is a most important first step to ensure a better country for future generations.

The Honourable Roger Gallaway, P.C., MP
Parliamentary Secretary
to the Leader of the Government in the House of Commons
with special emphasis on Democratic Reform

Introduction

Democracy is an active process — one that requires ongoing engagement between citizens and their elected representatives. Democratic institutions must constantly adapt and change in order to ensure that the process continues to work the way it was intended. Individuals, through their elected representatives, must have a strong voice in the great debates facing the nation. There needs to be real exchanges of opinion and constructive dialogue between Members of Parliament, reflecting the views of the people they represent.

This action plan for democratic reform is the first step in a strategy aimed at improving our political institutions and our parliamentary system. The three pillars of democratic reform are:

- Ethics and integrity.
- Restoration of the representative and deliberative role of MPs.
- Accountability.

What this means for individual Canadians is that the people they elect will be able to better reflect their views in the process of government. It also means increased responsibilities for individual Members of Parliament to ensure that these reforms result in real change.

While this action plan is focused largely on changing the process of how Parliament functions, this is only the beginning. The plan also outlines a procedure for ongoing consultations with Canadians — especially youth — in order to hear their views on how to improve our democracy. The government is taking real action to make democratic reform a reality.

Statement of General Principles

1. Ethics and integrity are at the core of public confidence in government and in the political process.
2. Democratic mechanisms should re-engage Canadians in national policies.
3. Parliament should be a national forum for debating and shaping national policies and legislation and for considering regional concerns and issues.
4. Members of the House should have more opportunity to express their own views and those of their constituents.
5. House Committees should have the resources and mechanisms necessary to become a central focus of debate, and to shape and modify legislation.
6. Ministers, supported by their Parliamentary Secretaries, and with the assistance of their political staff and officials, should seek the support of Parliamentarians regularly on priorities and issues within their portfolio.
7. A functional and transparent system of appointments should involve Parliamentarians.
8. Parliament should have the tools to hold the government to account for the good stewardship of public resources.

Ethics and Integrity

Ethics and integrity are at the core of building public confidence in government and in the political process.

- The government will reinstate legislation to establish the office of an independent Ethics Commissioner and a Senate Ethics Officer reporting to their respective Chambers.
- The government will seek the adoption of codes of conduct to support this legislation.
- This is in addition to a new *Conflict of Interest and Post-Employment Code for Public Office Holders* and new guidelines for Ministers and Ministers of State entitled *Governing Responsibly: A Guide for Ministers and Ministers of State*, which were released by the Prime Minister on December 13, 2003, and will be tabled in Parliament.

Three-Line Voting System

A Greater Role for Parliamentarians

Members will have much greater freedom to voice their views and those of their constituents.

- Effective immediately, the government will use a new system to classify votes for its own Members.
 - On *one-line free votes*, all government MPs, including Ministers, will be free to vote as they see fit.
 - *Two-line free votes* are votes on which the government will take a position and recommend a preferred outcome to its caucus. Ministers are bound to support the government's position on a Two-line vote, as are Parliamentary Secretaries of Ministers affected by it, but other Members are free to vote as they wish.
 - A *Three-line vote* will be for votes of confidence and for a limited number of matters of fundamental importance to the government. Government Members will be expected to support the government.
 - Most votes will be either two-line or one-line free votes, and Ministers will be unable to take approval for granted. Achieving parliamentary consent will be an exercise in coalition building, and Ministers must earn the support of Members through hard work and active engagement.
 - The government believes that a system based on consensus building will enhance respect for Parliament and strengthen Canadian democracy.
- The government will invite all parties to join in this initiative so that all Members of Parliament can represent the views of Canadians and to allow for parliamentary coalitions to be built that cross party lines.

Expanded Role of Committees to Shape and Influence Legislation

Parliamentary Committees should be a central focus of debate.

Expanded Authority and Independence for Committees

- Effective immediately:
 - Bills subject to two-line and one-line free votes will be routinely referred to Committee before second reading so that MPs have a greater capacity to shape and influence legislation.
 - Government Members will have a role, through the Caucus executive, in choosing the Committees on which they wish to sit.
 - Committee Membership for government Members will be more static through each session.
 - With the adoption of a three-line voting system for government Members, Ministers should achieve parliamentary consent through persuasion and coalition building. Ministers are therefore expected to engage Committees early in the policy development process and meet with Committees regularly on priorities and issues to obtain input on legislative initiatives.
 - The government will ensure that all government responses to Committee reports are comprehensive and substantive.

Greater Resources for Committees

- Greater resources should be provided to Committees so that they have the ability to be a central focus of debate. This can be accomplished by:
 - Increasing resources for the Library of Parliament and Parliamentarians for research and for engaging Canadians.
 - Giving Committees greater authority to allocate their budgets, subject to oversight and accountability to the Board of Internal Economy.
 - Providing more resources to Committees to conduct independent studies in areas of concern with the right to commission such work, subject to an allocated yearly budget. These studies could be sub-contracted through the Library of Parliament for cost and accountability control.
 - Asking the Standing Committee on Procedure and House Affairs for an action plan on new mechanisms of e-consultation. This could include greater use of modern technology by Committees for citizen engagement, greater use of webcasting and videoconferencing, and electronic filing of motions and questions.
 - Increasing resources for the House Law Clerk and Parliamentary Counsel Office to provide legislative counsel services.
 - Providing increased training for Members to enhance their ability to perform their role in reviewing Estimates and related matters.

National Security Committee

- The government will seek the support of Parliament to create a National Security Committee of Parliamentarians. Members would be sworn-in as Privy Councillors so they could be briefed on national security issues.

Election of Committee Chairs

- The government will support a permanent change to the Standing Orders to have the election of Committee chairs by secret ballot to promote the independence of Committees.

Estimates

Parliament is responsible for holding the government to account for the good stewardship of public resources. In recent years, Members have indicated that the Estimates process needs to be modernized so that Members can do a more effective job in this area.

An initial step was taken in 2002 with the creation of the Standing Committee on Government Operations and Estimates. Members recommended practical improvements to the Estimates process in their sixth Report, which was tabled in the House of Commons in September 2003.

- As announced by the Prime Minister on December 12, 2003, departments will use the government's Management Accountability Framework to report to Treasury Board on their stewardship of public resources and that these reports will be published on departmental Web sites for review by Parliamentarians and Canadians.
- Acting on the recommendations in the September 2003 report of the Standing Committee on Government Operations and Estimates, the government will ask the Standing Committee on Procedure and House Affairs to review the Standing Orders for a way to provide greater incentives for Committees to review the Estimates.
- The government will also work with Committees to ensure closer scrutiny of the Estimates, Reports on Plans and Priorities, and Departmental Performance Reports.
- The President of the Treasury Board will work with the Standing Committee on Government Operations and Estimates on ways to improve reporting to Parliament.

Role of Ministers and Parliamentary Secretaries

Ministers, with the support of Parliamentary Secretaries, are responsible for actively engaging Parliamentarians. Ministers should meet regularly with their respective House Committees to get input on legislative initiatives and to discuss annual priorities.

Cabinet Structure

- Changes have been made to the structure of Cabinet to ensure effective Ministerial engagement of the House of Commons:
 - The Leader of the Government in the House of Commons has been named the Minister responsible for Democratic Reform and will be accountable for ensuring that the government's democratic reform initiative is implemented.
 - The Chief Government Whip has joined Cabinet as the Deputy Leader of the Government in the House of Commons to ensure better representation of parliamentary concerns within Cabinet.
 - Ministers' offices have been realigned within existing budgets to include a new staff position entitled Director of Parliamentary Affairs. The Director will act as a senior political staff liaison with government Members and House Committees and will provide support to the Minister's Parliamentary Secretary.
 - Ministers and their offices will be subject to an annual review by the Prime Minister. This will include an evaluation of Ministers' relations with Parliament and their progress toward achieving democratic reform.

Parliamentary Secretaries

- On December 12, 2003, the Prime Minister announced changes to enhance the role of Parliamentary Secretaries, making them a key link between Ministers and Parliamentarians. These changes include:
 - Parliamentary Secretaries will now play a more active role in ensuring meaningful relations between Ministers and Parliamentarians. In Committees, they will support productive dialogue by sharing departmental information and acting as the Minister's representative to address political issues during appearances by departmental officials. In turn, they will also play a greater role in presenting the concerns of Parliamentarians to the Minister and within government more broadly.
 - The Prime Minister has assigned Parliamentary Secretaries specific policy responsibilities in support of the Ministers they are appointed to assist.
 - The Parliamentary Secretary to the Leader of the Government in the House of Commons will have special responsibility for democratic reform.
 - The practice of automatic rotation of Parliamentary Secretaries after a two-year term will be ended so that policy continuity and a successful partnership between Ministers and their Parliamentary Secretaries can be maintained.
 - Reflecting this new role, Parliamentary Secretaries are being made members of the Queen's Privy Council for Canada and are expected to support the solidarity of Cabinet in the case of policy related to their responsibilities.
 - Parliamentary Secretaries will be invited to meetings of Cabinet and its committees when a policy matter for which they have specific duties is to be discussed.

- The new responsibilities of Parliamentary Secretaries will be carried out within the policy and program frameworks set out by their Minister. The Minister will remain fully accountable and will retain overall responsibility for the direction of public servants and departmental resources.
- As public office holders, Parliamentary Secretaries are subject to the *Conflict of Interest and Post-Employment Code for Public Office Holders*.

Annual Report on Federal/Provincial/Territorial Relations

- The Minister of Intergovernmental Affairs will report annually to Parliament on the state of federal/provincial/territorial relations, priorities, and initiatives. This will strengthen the engagement of Parliamentarians on these key issues.

Review of Appointments

The government believes a transparent appointments system must be put in place to ensure that citizens have confidence that the best people to serve Canadians are being appointed to public institutions.

Prior Review of Appointments

- The government believes that appointments to certain key positions, including heads of Crown Corporations and agencies, should be subject to prior parliamentary review. At the same time, it is essential that the appointment process does not deter qualified candidates from public office by partisan excesses during parliamentary review, and Committee recommendations on prior review should be provided in this context.
 - Committees will be asked to review which appointments falling within the Committee's mandate should be subject to prior review, and to report to the House with recommendations by March 26, 2004, if possible. The list of appointments pertaining to each Committee will be provided to the Committee.
 - The Government House Leader will write to the chair of the Standing Committee on Procedure and House Affairs to ask the Committee to consult with Parliamentarians and the appropriate Senate Committee on the possible enhancement of the role of Parliamentarians in the review of appointments.

Supreme Court of Canada Appointments

- The government will specifically consult the appropriate parliamentary committees on how best to implement prior review of appointments of Supreme Court of Canada Judges.

House Procedure

Many of the initiatives in the democratic reform package, such as a three-line voting system, can be implemented by the government immediately and without formal changes to the Standing Orders. However, to fully implement the principles of democratic reform, the government will seek recommendations from Members on how House procedures can be changed.

- The Standing Committee on Procedure and House Affairs should consult with Parliamentarians on changes to House procedure to enhance the ability of Members to represent their constituents in the House of Commons.

Ongoing Consultations

Democratic reform must be an ongoing process that engages Parliamentarians as well as Canadians on renewing Canada's political process.

Provincial Consultation

- The Leader of the Government in the House of Commons and Minister responsible for Democratic Reform will write to his provincial counterparts to establish co-operation on the issue of democratic reform.

Consultation with Canadians

- Teams of Parliamentarians will be established and given the mandate to consult with Canadians, especially young Canadians, on democratic reform and youth engagement. Other forms of consultations will also be defined.

Annual Report on Democratic Reform

- The Government House Leader will table an annual report in the House of Commons on progress in implementing democratic reform, consultations with Parliamentarians and Canadians, and the next steps in democratic reform.

Conclusion

The initiatives outlined in this action plan will ensure that Members of Parliament will play a significantly larger role in the decision-making process. As a result, Canadians will be better represented and given a greater voice.

The steps in this action plan — ethics and integrity; a three-line voting system; expanded roles for Committees (including Estimates); a greater role for Parliamentary Secretaries; prior review of appointments, and the other recommendations — will greatly empower Members of Parliament to more effectively do the jobs they were elected to do. This will ensure that Parliament will once again be the place where the great debates of the nation occur.

These reforms are just the beginning of an ongoing process. The government is committed to increasing the confidence of Canadians in government and to encouraging greater citizen engagement.