



LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

STANDING AND SPECIAL COMMITTEES

GUIDE FOR WITNESSES
OCTOBER 2020

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Purpose

This practical guide is designed to assist individuals and organizations who may wish to submit or present information to a standing or special committee of the Legislative Assembly of Saskatchewan.

Introduction to Committees

The Legislative Assembly of Saskatchewan created its first committees in 1906. In the past, committees sought public input on a limited number of issues. In 2003, a new committee structure was adopted. Eight standing committees were established and divided into three types: House, scrutiny, and policy field committees.

The policy field committees have the authority to independently seek and request public participation in the legislative process. These committees may hold public hearings on legislation or conduct inquiries into specific public policy issues. In addition, these committees review bills, regulations, bylaws, and estimates and scrutinize the operation of government ministries and Crown corporations. Each policy field committee considers matters related to one of four sectors of public policy: Crown and central agencies, the economy, human services, or intergovernmental affairs and justice.

The policy field committees are composed of seven members of the Legislative Assembly, one of whom serves as Chair. The committees receive procedural, administrative, and logistical support from the Office of the Clerk and the Procedural Services branch of the Legislative Assembly Service.

When a committee decides to hold a public hearing on legislation or conduct an inquiry on a particular subject matter, the committee will contact stakeholders and the public to invite them to participate in the process. A member of the public, either in a professional capacity or as an interested party, may be given the opportunity to provide input to a committee through an oral presentation or written submission.

Persons appearing before a legislative committee are referred to as witnesses. Witnesses play a valuable role by providing insight and observations to assist a committee in making informed decisions. It is through the committee process that members of the public have the opportunity to participate directly in the legislative process and have their voices heard.

How do committees seek public input?

Committees may independently seek and request public participation in the parliamentary process. The legislative authority for committees to seek public input is found in *The Legislative Assembly Act, 2007*, sections 34 through 37, and in the *Rules and Procedures of the Legislative Assembly of Saskatchewan*. Public input is most frequently sought by a committee when it is reviewing bills or regulations or when it is conducting an inquiry into a particular aspect of public policy.

A standing committee may request public servants, academics, or professionals who have expertise in a particular field to appear before a committee. In addition, a committee will often ask to hear testimony from members of the public who have a specific interest or a detailed knowledge about the policy area that is being examined.

For more information about committees and how they work, please refer to *Standing and Special Committees Overview* at <https://www.legassembly.sk.ca/media/1303/committeesoverview.pdf>

I have something to say. Now what?

Notice of public hearings may be advertised in the province's daily and weekly newspapers, on the Legislative Assembly's website and social media accounts, or on the legislative television channel. Letters providing notice of upcoming hearings may be sent to stakeholders who have an interest in a specific area of public policy. To further broaden its understanding of an issue or gain a greater diversity of opinions, a committee may choose to travel to locations around the province to seek input.

Once notice of a hearing has been published, individuals and organizations wishing to make oral presentations are asked to register their request prior to the start of the hearing. This request may be registered by emailing it to committees@legassembly.sk.ca, phoning the Procedural Services branch, or sending a letter to the committee. The committee will set a deadline for all requests to be received, which is usually one to two weeks prior to the start of the hearing. A deadline will also be set for the receipt of written submissions.

What do I need to know about making a submission?

The following suggestions are meant to be general guidelines for making a written submission. These suggestions are offered to better facilitate the work of a committee and are not intended to place any limitations on anyone wishing to make their views known. If a witness does not or

cannot follow these guidelines, they will not be penalized in any way, and their submission will not receive any less attention.

Any submission, whether oral or written, should specifically address the subject matter under consideration by the committee. For clarification regarding a committee's subject and scope, please contact the Procedural Services branch.

Witnesses should take into account the following points regarding content when preparing a presentation:

- Use factual information, including specific references, to support points.
- Be as concise and to the point as possible.
- Preface the presentation with a summary of conclusions and recommendations.
- Any recommendations should be as specific as possible.
- Groups and organizations should include information on their membership and objectives.

What are the guidelines for preparing a written submission?

Written submissions should be double spaced on 8 ½ x 11 paper with numbered pages. The name and address of the group, organization, or individual submitting the document should be clearly identified on the title page. It is preferred that electronic submissions be sent in .pdf or Word format with an electronic signature, but submissions in the form of an email will also be accepted by the committee.

What are the guidelines for making an oral presentation?

How am I scheduled to make an appearance? Once the deadline for receiving requests to appear has expired, the committee will review the list of those wishing to make a presentation. If there are too many requests to be accommodated, the committee may select those it wishes to hear from or may ask similar or related groups to make joint presentations. The Procedural Services branch, as instructed by the committee, are responsible for scheduling witness appearances.

If a request to appear is received after the deadline, the request will be kept on file. If a cancellation or other such change in the schedule occurs, presenters may be contacted on short notice to make an appearance. A committee will usually try to accommodate everyone who wishes to appear. Any individuals or groups unable to be scheduled are welcome to submit their views in writing.

When making an oral presentation, the witness should also provide the committee with a written submission that it can refer to later.

How much time will I have? Time limits for presentations are dependent on the number of days a committee has allocated for its hearings and the number of requests received. It is strongly urged that a presenter use half of the allotted time for the actual presentation and the other half to respond to questions.

What about electronic presentations? The committee room is equipped with a projector for electronic presentations. Whenever possible, presenters should bring their own laptop computer. Sometimes it is possible to have other equipment provided, but these arrangements need to be made in advance with the Procedural Services branch. A paper or electronic copy of an oral presentation should also be provided to the committee.

Is there information I need to provide ahead of time? Once scheduled, witnesses will need to provide the Procedural Services branch with a list of the names and titles of each person participating in the presentation. This will ensure that each person appearing can be properly identified to committee members and in the public record. Please email this information to committeewitnesses@legassembly.sk.ca.

How many people may I bring with me? Given the limited number of seats available at the witness table, no more than four presenters should participate directly in the presentation. This does not preclude other supporters from attending the committee meeting as there is ample room for those who may wish to observe the proceedings.

The Chair calls me to the table. Now what? The Chair of the committee will call upon each witness according to the committee agenda and will advise the witness of the process for presentations.

Before making the formal part of the presentation, witnesses should state their name and, if applicable, their title within the organization represented. They should also introduce anyone presenting with them. The Chair will then ask witnesses to make their presentation. Once the presentation is complete, committee members are likely to ask questions pertaining to the presentation or ask for additional information or opinions. The Chair will direct the questioning by recognizing each member who wishes to speak. Members are not permitted to engage witnesses in debate, and witnesses are not permitted to ask questions of the committee members.

When do committees generally meet? The Legislative Assembly's session is scheduled twice each calendar year: in the fall and in the spring. When the Assembly is in session, committees may schedule meetings at any hour that the Assembly itself is not sitting. Generally the policy

field committees will meet in the afternoon between 3:00 p.m. and 5:00 p.m., and on Monday and Tuesday evenings between 7:00 p.m. and 10:30 p.m. Other committees, particularly Public Accounts and House Services, tend to meet in the morning.

During the intersessional period, (i.e. when the Assembly is not sitting), committees will set their own meeting dates and times. Meetings are generally held during regular business hours, Monday through Friday. It is extremely rare for a committee to meet on a weekend.

The time, location, and agenda of a committee meeting can be found on the meeting notice. The notices are linked through the legislative calendar on the Legislative Assembly's webpage: <https://www.legassembly.sk.ca/calendar/expandedcalendar>

Who else will see me or read my presentation? Committee proceedings are broadcast on the Saskatchewan Legislative Network and video streamed on the Legislative Assembly's website. The Hansard (verbatim) record of a committee's proceedings is published in *Hansard*. While the majority of meetings are open to the public, committees will sometimes meet in camera, (i.e. in private or closed session), to hear sensitive evidence, to organize the business of the committee, or to deliberate on reports. In camera meetings are not broadcast, and *Hansard* is not produced.

The public is welcome to observe a committee meeting in person. As illustrated on page 7, seating is provided to anyone who may wish to watch the committee proceedings.

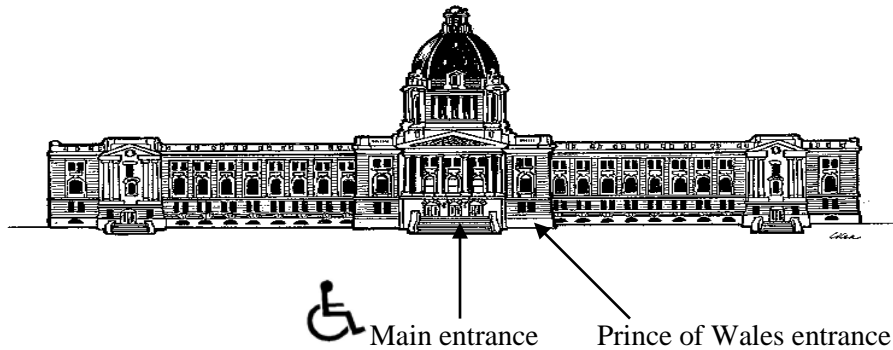
Once written submissions are received by the committee, they are tabled and become part of the committee's official record. As such, these documents are considered public and may be made available to anyone wishing to have a copy.

The legislative calendar, <https://www.legassembly.sk.ca/calendar/expandedcalendar>, provides links to the *Hansard*, committee minutes, meeting notices, and video for each committee meeting. Membership lists and committee reports are available at <http://www.legassembly.sk.ca/legislative-business/legislative-committees>. Written submissions and other documents tabled at committee meetings will be posted to the website but are also available by contacting the Procedural Services branch.

Where will the meeting be held? Unless a committee is holding hearings outside of Regina, all committee meetings take place within the Legislative Building, either in the māmawapiwin náyati room (Room 8) or in the Legislative Chamber.

Public access to the Legislative Building is through the main entrance. Anyone observing or presenting at a committee meeting will be required to proceed through security screening measures, report to the security desk, and present identification to obtain a security pass. Visitors will then be escorted to the committee meeting room by a security officer.

Is the Legislative Building wheelchair accessible? Anyone requiring physical accommodation may access the Legislative Building through the Prince of Wales entrance located to the right of the main entrance or through the south entrance at the rear of the building. There are designated parking spots near these entrances. In addition, fully accessible washrooms are located on the basement level and on the third floor of the building. Individuals requiring further information or additional assistance should contact the Procedural Services branch.



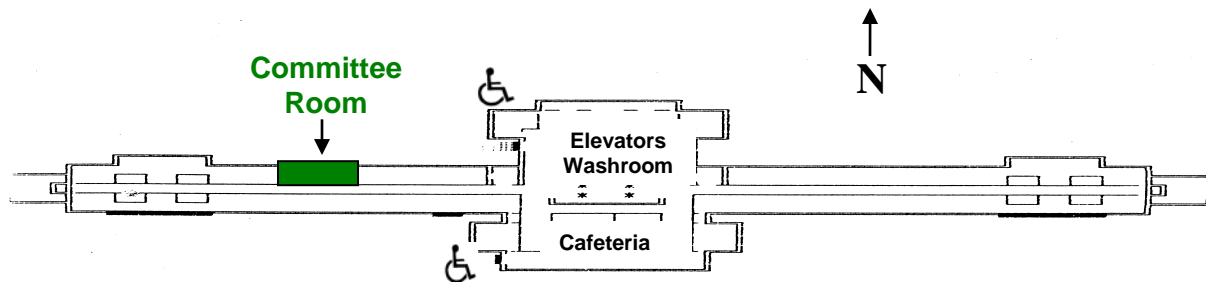
What do the meeting rooms look like?



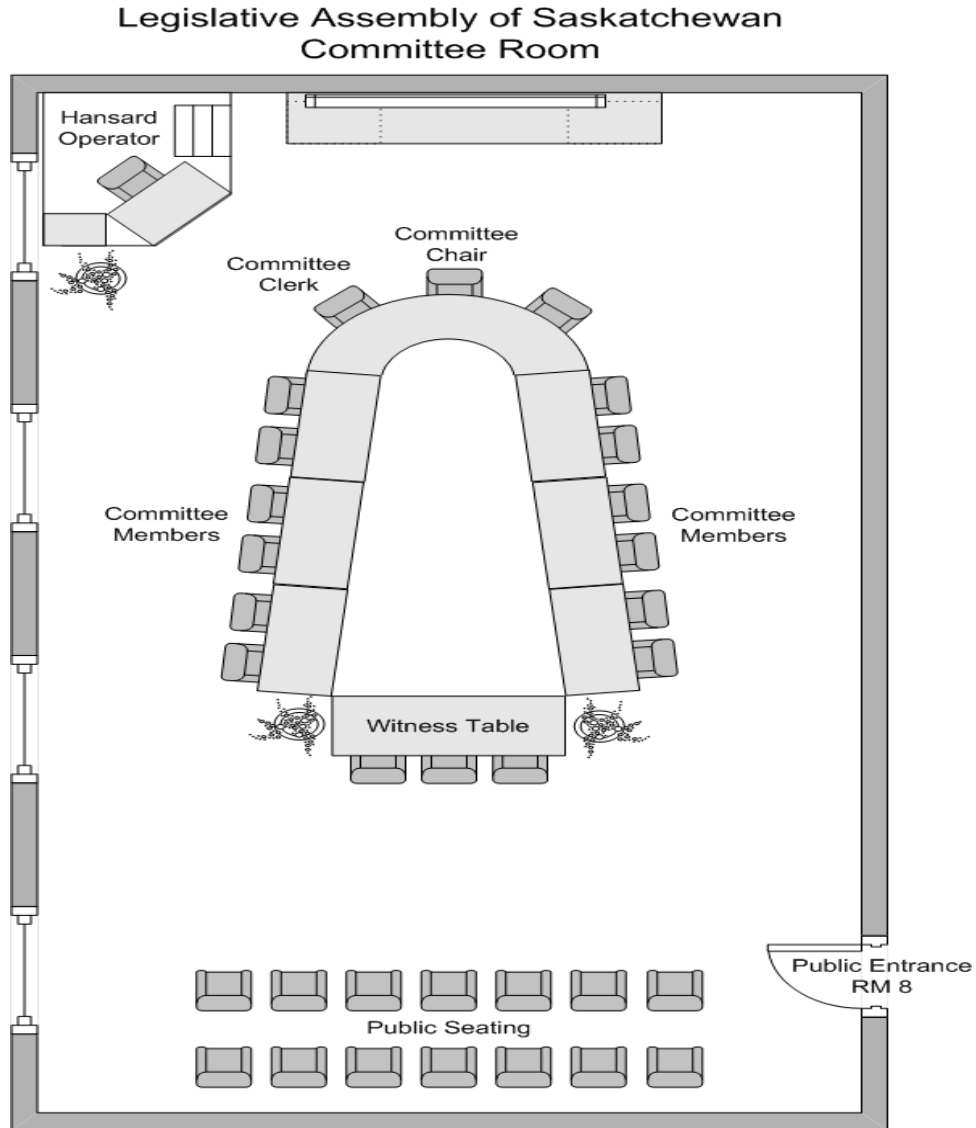
At present, the Assembly has a single dedicated committee space, the māṁawapiwin náyati room (Room 8). It is located in the west wing of the basement of the Legislative Building. It is equipped for hearings and presentations and can accommodate approximately 30 observers. Whenever possible, public hearings in the Legislative Building will be held at this location.

Presentations using the committee room projector will be displayed on the monitors in the committee room, broadcast on television, and video streamed on the Internet.

The diagram below illustrates the location of the Māṁawapiwin Room (Room 8) in the basement of the Legislative Building.



The following diagram illustrates the arrangement of the committee room.



The Legislative Chamber serves as a second committee room. To facilitate committee operations, several adjustments are made to the layout of the Chamber. Members of the committee sit at the desks in the front row on either side of the Chamber, while the Chair and committee clerk occupy the centre table. Up to four witnesses can be seated at two tables placed beside the Sergeant-at-Arms's desk. The committee meeting can be observed from the galleries. It should be noted that the Chamber is not equipped for electronic presentations.

What time should I arrive? Presenters should arrive 10 to 15 minutes prior to their scheduled appearance time. A Procedural Services branch employee will greet presenters and verify the names of individuals making a presentation. By arriving early, presenters are able to observe others, gain a better understanding of the type of questions that the committee may ask, and ensure their promptness. If witnesses have a written submission, it may be distributed to the committee members prior to the start of the presentation.

Do I have any special rights when appearing before a committee? Witnesses appearing before a legislative committee are entitled to the same freedom of speech and protection from arrest as the members. Although freedom of speech is extended to the testimony of witnesses, it is important that witnesses don't take advantage of this protection by uttering defamatory remarks that might give rise to legal proceedings if they were made elsewhere. Witnesses should exercise judgment and restraint in presenting views to the committee.

Depending on the nature of the hearing, (i.e. in the case of a specific legal inquiry), the committee may advise witnesses of their rights and responsibilities before any testimony is received. The following is an example of such an advisory:

Witnesses should be aware that when appearing before a legislative committee, your testimony is entitled to have the protection of parliamentary privilege. The evidence you provide to this committee cannot be used against you as the subject of a civil action. In addition, I wish to advise you that you are protected by section 13 of the *Canadian Charter of Rights and Freedoms*, which provides that:

A witness who testifies in any proceedings has the right not to have any incriminating evidence so given used to incriminate that witness in any other proceedings, except in a prosecution for perjury or for the giving of contradictory evidence.

A witness must answer all questions put by the committee. You are advised that you may be recalled to appear again before this committee at a later date if the committee so decides. You are reminded to please address all comments through the Chair.

Under certain circumstances, witnesses may be required to swear an oath or make an affirmation. This is detailed in section 34 of *The Legislative Assembly Act, 2007*. The following is an example of such an oath or affirmation:

Do you solemnly swear (or affirm) that the evidence you shall give to this committee touching the subject of the present inquiry shall be the truth, the whole truth, and nothing but the truth? So help you God (omit this phrase in an affirmation).

Witnesses are expected to answer all questions asked by the committee. If a witness wishes to voice an objection, the objection should be made to the Chair of the committee who will decide if the question is relevant. If it is deemed relevant, the committee will decide whether or not to insist on an answer. The refusal to answer a relevant question could be reported to the Assembly, and the witness may be found to be in contempt of the Assembly.

If the subject matter under review is of a particularly sensitive or confidential nature, legally or personally, witnesses may be allowed to testify in camera.

Normally witnesses appear on a voluntary basis. Although unusual, committees do have the power to order witnesses to attend a meeting, give evidence, or produce documents. If a witness refuses to appear, the committee can request that the Speaker of the Legislative Assembly issue a Speaker's warrant. This authority is found in section 35(2) of *The Legislative Assembly Act, 2007*.

Who supports the committees, and how do I contact them? The Procedural Services branch provides assistance to all legislative committees. It is part of the Legislative Assembly Service and is strictly non-partisan.

The committee clerk is the procedural and administrative adviser to both the Chair and the committee. A committee clerk's duties and responsibilities are carried out in consultation with the Chair and at the direction of the committee. The Clerk also serves as the liaison between the public and the committee and answers questions regarding the operation, procedures, rules, or mandate of the committee. The Clerk will be able to advise witnesses of any committee requirements.

Please contact the Procedural Services branch with any questions or concerns:

Procedural Services
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Legislative Building
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