

# **THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**



## **STANDING AND SPECIAL COMMITTEES: A GUIDE FOR WITNESSES**

**April 2010**

## STANDING AND SPECIAL COMMITTEES: A GUIDE FOR WITNESSES

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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**

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 with the establishment of eight standing committees divided into three types: house committees, a scrutiny committee, 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 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, and intergovernmental affairs and justice.

The policy field committees are composed of seven Members of the Legislative Assembly (referred to as committee members), one of whom serves as the Chair. The committees receive procedural, administrative and logistical support from the Committees Branch and the Clerk's Office of the Legislative Assembly Service.

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

Persons appearing before a legislative committee are referred to as "witnesses". Witnesses play a valuable role by assisting a committee in making more informed decisions and by providing valuable insight and observations. It is through a committee that members of the public, appearing either as witnesses or through a written document sent to the committee, have the opportunity to participate directly in the legislative process and, therefore, have their voice heard.

## **How do committees seek public input?**

The new committee structure adopted in 2003 allows for a new approach to dealing with public policy. Committees can independently seek and request public participation in the parliamentary process. In addition to the resources already available to legislators, committees have the added tool of being able to engage the

public in discussions regarding public policies and legislation that directly affect Saskatchewan citizens.

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. The legislative authority for committees to seek public input is found in both *The Legislative Assembly and Executive Council Act, 2007*, sections 34 through 37, and in *The Rules and Procedures of the Legislative Assembly of Saskatchewan*.

A standing committee may request experts to appear before a committee. These individuals may be identified as having expertise in a particular field and may be a public servant, an academic or a professional. 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 *An Overview of Standing and Special Committees*, available on the Committees Branch website ([www.legassembly.sk.ca/committees](http://www.legassembly.sk.ca/committees)).

### **I have something to say, now what?**

All business before a committee at any given time is posted on the Legislative Assembly's website ([www.legassembly.sk.ca](http://www.legassembly.sk.ca)). Notice of public hearings may also be advertised in the province's daily and weekly newspapers, or by placing a notice on the legislative television channel. Letters providing notice of upcoming hearings may also 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.

Once notice of a hearing has been published, individuals and organizations wanting to make oral presentations are asked to register their request prior to the start of the hearings. A committee may be contacted by: emailing or phoning either the clerk or the researcher of the applicable committee directly, sending a letter to the committee, or emailing the request to [committees@legassembly.sk.ca](mailto:committees@legassembly.sk.ca). The committee will set a deadline for all requests to appear (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 an oral or written submission?**

The following suggestions are meant to be general guidelines for making a written submission. They 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.

With regard to the content of a submission, whether it is oral, written or both, it should specifically address the subject matter under consideration by the committee. For clarification regarding a committee's subject and scope, please contact either the committee clerk or the researcher.

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

- use factual information, including specific references, to support the points that are to be made;
- any recommendations should be as specific as possible;
- the presentation should be prefaced with a summary of conclusions and recommendations;
- be as concise and to the point as possible;
- groups and organizations should include information on their membership and objectives in their submission.

### **Are there any guidelines to follow when preparing a written submission?**

**What format should I use?** It is preferred that written submissions are double-spaced on 8 ½ x 11 paper and that pages are numbered. The name and address of the group, organization, or individual submitting the document should be clearly identified on the title page. All written submissions should be signed. Submissions may be sent electronically; however, they should be in a pdf or Word format and have an electronic signature. Submissions in the form of an email will also be presented to the committee.

### **What are the guidelines for making an oral presentation?**

**How am I scheduled to make an appearance?** Once the deadline for the receipt of requests to appear has expired, the committee will receive a list of all those wishing to make a presentation. If there are too many requests to be accommodated, the committee may select who it wishes to hear from, or may ask similar or related groups to make joint presentations. The clerk and the researcher, based on any instructions from the committee, are responsible for scheduling witness appearances.

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

If a witness is making an oral presentation, it is recommended that the committee be provided with a written submission so that it may be referred to later.

**How much time will I have?** The amount of time for presentations is dependent both on the number of days a committee has allocated for its hearings and the number of requests received. Blocks of 30 minutes per presentation are typical. It is strongly urged

that your time be divided equally, i.e. 15-20 minutes for the actual presentation and 10-15 minutes for responding to questions.

**What about electronic presentations?** The committee room is equipped with a projector for PowerPoint presentations. Whenever possible, presenters should bring their own laptop computer. Sometimes it is possible to have equipment provided, however, these arrangements need to be made in advance with the clerk of the committee. Due to the time used in setting up and taking down equipment, it is recommended that an electronic format should only be used for presentations over 30 minutes in length. A paper or electronic copy of the presentation should be provided to the committee.

**Is there information I need to provide ahead of time?** Once scheduled, witnesses will need to provide the committee clerk with a list of the names and positions or titles of each person participating in the presentation. This will ensure that the committee records are accurate and will assist in properly identifying each person appearing.

**How many people may I bring with me?** Given the limited number of seats available at the witness table, it is suggested that no more than four presenters participate directly in your presentation. This does not preclude other supporters from attending the committee presentation, 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. Typically, the Chair will advise the witness of the agreed upon process for presentations.

Before making the formal part of the presentation, witnesses should fully introduce themselves and anyone presenting with them. They should state both their name and, if applicable, their position within the organization represented. The Chair will then ask the individual to make the presentation. Once completed, committee members are likely to ask questions, to clarify what may have been said or to ask for additional information or opinions. The Chair will direct the questioning and recognize members in sequence. Members are not permitted to engage witnesses in debate and witnesses are not permitted to ask questions to the committee members.

**When do committees generally meet?** The Legislative Assembly's session occurs twice each calendar year, in the fall and the spring. When the House 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, usually between 3:00 p.m. and 5:00 p.m. Often, they will also meet 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 inter-session period, i.e. when the House is not sitting, committees will set their own meeting dates and times. Unless the committee is travelling, meetings are generally held during regular business hours, Monday through Friday. It is extremely rare for a committee to meet on the weekend.

Meeting notices for all committees set out the time, location, and agenda. The notices are posted on the Committees Branch section of the Legislative Assembly's website ([www.legassembly.sk.ca/committees](http://www.legassembly.sk.ca/committees)).

**Who else will see me or read my presentation?** Committee proceedings are broadcast on the Saskatchewan Legislative Network and are video streamed on the Legislative Assembly's website. While the majority of meetings are open to the public, committees will sometimes meet *in camera* (i.e. in private or closed session). This is most often done for the purpose of hearing 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.

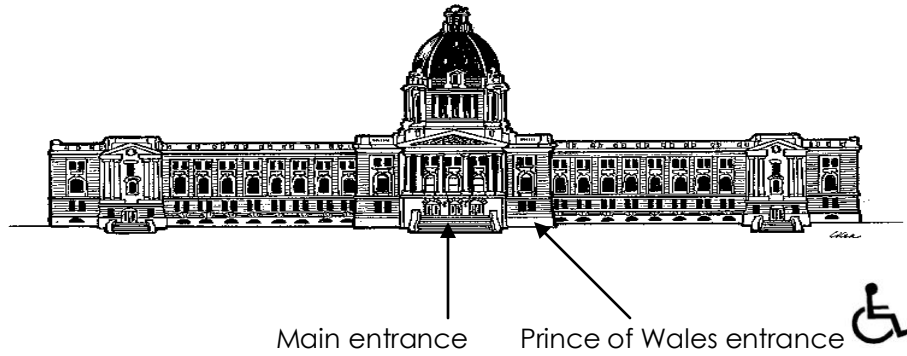
Written submissions, once received by the committee, become part of the committee's official record. As such these tabled documents are considered public documents and may be made available to anyone wishing to have a copy.

Each committee has its own web page within the Assembly's website, where *Hansard*, committee minutes, reports, meeting notices, membership lists, and other information is posted. *Hansard* is generally available within two or three days of the committee meeting.

Online documents are published in a format so that, when printed, they are identical to the original published versions. The written submissions and other documents tabled at committee meetings may be posted to the website, but are also available by contacting the Committees Branch.

**How do I find the room the committee is meeting in?** Unless a committee is holding hearings away from Regina, all committee meetings take place within the Legislative Building, either in 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 report to the security desk to obtain a security pass. Visitors can get directions to the committee meeting room from the security officer on duty.

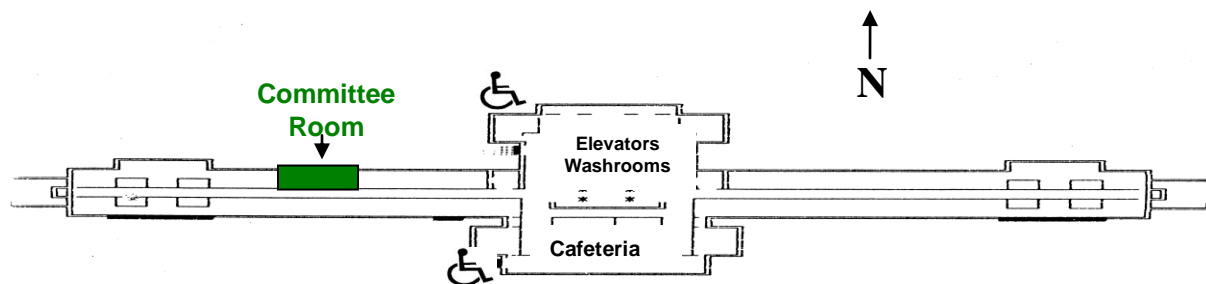


Anyone requiring physical accommodation may access the Legislative Building through the Prince of Wales entrance (located to the right of the main entrance) or through the South entrance at the rear of the building. There are designated parking spots near these entrances. In addition, fully accessible 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 clerk of the committee.

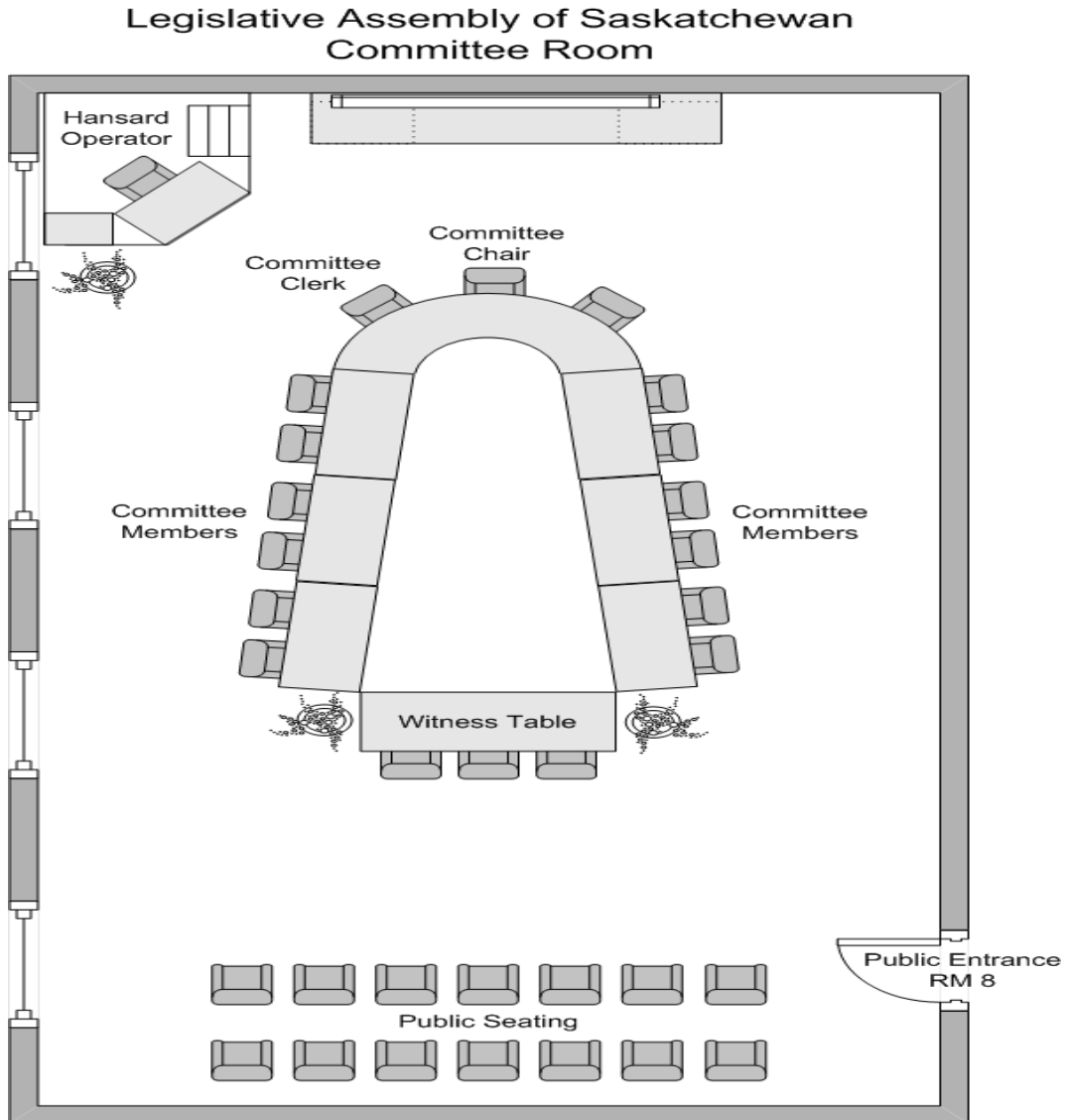


At present, the Assembly has a single dedicated committee space, Room 8. It is located in the west wing of the basement of the Legislative Building. It is equipped with all the facilities required for hearings and presentations and can accommodate approximately 30 observers. Whenever possible, public 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 and broadcast on television and video streamed on the Internet.

The diagram below illustrates the location of Room 8 on the basement level 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 and researcher occupy the centre table. It should be noted that the Chamber is not equipped for electronic presentations. Two tables for up to four witnesses are placed on the floor of the Chamber beside the Sergeant-at-Arms' desk. The committee meeting can be observed from the galleries.

**What time should I arrive?** Presenters should arrive 10 to 15 minutes prior to their scheduled appearance time. A Committees Branch staff member will greet presenters and request verification of the names of the individuals making a presentation. By arriving early, presenters will be able to observe others, gain a better understanding of the type of questions that the committee may ask, and ensure their promptness to appear before the committee at the appointed time. 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. Nevertheless, witnesses should exercise judgment and restraint in presenting views to the committee. Depending on the nature of the hearings (usually 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 and Executive Council Act, 2007*:

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)*

Although freedom of speech is extended to the testimony of witnesses, it is important that witnesses not take advantage of this protection by uttering defamatory remarks that might give rise to legal proceedings if they were made elsewhere.

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*.

Witnesses are expected to answer all questions put by the committee. If a witness wishes to voice an objection, it should be made to the Chair of the committee. The Chair will decide if the question is relevant and then 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 you may be found in contempt of the Assembly.

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 and Executive Council Act, 2007*

### **Who supports the committees, and how do I contact them?**

The Committees Branch staff includes two clerks, a researcher and an administrator, who provide assistance to all legislative committees. These employees are part of the Legislative Assembly Service and are strictly non-partisan.

The committee clerks are the procedural and administrative advisers to both the Chair and the committee. The clerks carry out their duties and responsibilities in consultation with the Chair and at the direction of the committee. The clerks also serve as the liaison between the public and the committee, to whom questions regarding the operation, procedures, rules, or mandate of the committee may be directed. The clerks will be able to advise witnesses of any committee requirements.

The committee researcher provides research, briefing materials, summaries and analysis of the information presented to the committee, and drafts committee reports.

The committee administrator provides administrative and logistic support to the committees. This individual may be the first point of contact when requesting information regarding a committee, scheduling an appearance before the committee, or requesting general information regarding committees.

To assist with contacting the appropriate support person, a list is provided on the next page.

<b>Standing Committee</b>	<b>Committee Clerk</b>	<b>Contact information</b>
<b>Crown and Central Agencies</b>	Kathy Burianyk Senior Committee Clerk	<a href="mailto:kburianyk@legassembly.sk.ca">kburianyk@legassembly.sk.ca</a> (306)787 4989
<b>Economy</b>	Nathan Elliot Committee Clerk	<a href="mailto:nelliott@legassembly.sk.ca">nelliott@legassembly.sk.ca</a> (306)787 9920
<b>Human Services</b>	Nathan Elliot Committee Clerk	<a href="mailto:nelliott@legassembly.sk.ca">nelliott@legassembly.sk.ca</a> (306)787 9920
<b>Intergovernmental Affairs and Justice</b>	Kathy Burianyk Senior Committee Clerk	<a href="mailto:kburianyk@legassembly.sk.ca">kburianyk@legassembly.sk.ca</a> (306)787 4989
<b>Public Accounts</b>	Kathy Burianyk Senior Committee Clerk	<a href="mailto:kburianyk@legassembly.sk.ca">kburianyk@legassembly.sk.ca</a> (306)787 4989
<b>Private Bills</b>	Kathy Burianyk Senior Committee Clerk	<a href="mailto:kburianyk@legassembly.sk.ca">kburianyk@legassembly.sk.ca</a> (306)787 4989
<b>House Services</b> <i>(matters relating to the Rules)</i>	Iris Lang Principal Clerk Greg Putz Clerk	<a href="mailto:ilang@legassembly.sk.ca">ilang@legassembly.sk.ca</a> (306)787 1743 <a href="mailto:gputz@legassembly.sk.ca">gputz@legassembly.sk.ca</a> (306)787 2335
<b>Privilege</b>	Greg Putz Clerk	<a href="mailto:gputz@legassembly.sk.ca">gputz@legassembly.sk.ca</a> (306)787 2335
<b>Supporting staff</b> Fax: (306) 798-9650	Stacey Ursulescu Committee Researcher  Rob Park Committee Administrator  Zorka Stepic Administrative Assistant  Ken Ring Law Clerk and Parliamentary Counsel (Regulations and Private Bills)	<a href="mailto:sursulescu@legassembly.sk.ca">sursulescu@legassembly.sk.ca</a> (306)787 7327  <a href="mailto:rpark@legassembly.sk.ca">rpark@legassembly.sk.ca</a> (306)787 9930  <a href="mailto:zstepic@legassembly.sk.ca">zstepic@legassembly.sk.ca</a> (306) 787 2279  <a href="mailto:kring@legassembly.sk.ca">kring@legassembly.sk.ca</a> (306) 787 2298