HOUSE OF COMMONS
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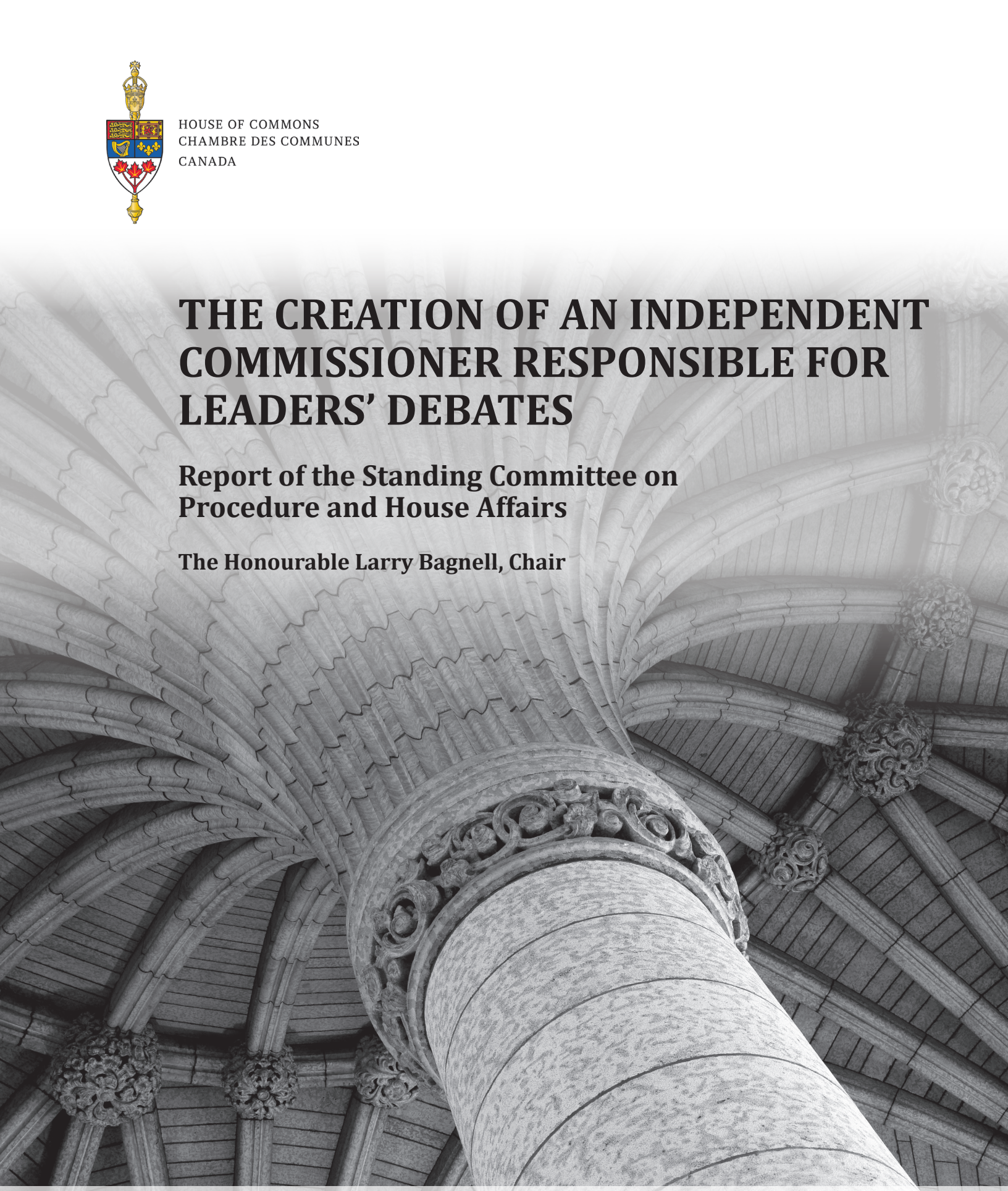
CANADA

THE CREATION OF AN INDEPENDENT COMMISSIONER RESPONSIBLE FOR LEADERS' DEBATES

Report of the Standing Committee on Procedure and House Affairs

The Honourable Larry Bagnell, Chair



MARCH 2018
42nd PARLIAMENT, 1st SESSION

The Creation of an Independent Commissioner Responsible for Leaders' Debates

Report of the Standing Committee on Procedure and House Affairs

Hon. Larry Bagnell
Chair

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NOTICE TO READER

Reports from committee presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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THE STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

has the honour to present its

FIFTY-FIFTH REPORT

Pursuant to its mandate under Standing Order 108(3)(*a*)(vi), the Committee has studied the Creation of an Independent Commissioner Responsible for Leaders' Debates and has agreed to report the following:

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LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That the government should proceed with establishing a new entity to organize leaders' debates during federal elections and that entity should be established in time to organize debates during the 2019 federal general election;

That this new entity must be created in such a way to ensure its independence and neutrality;

That the new entity be mandated to educate Canadians about how debates are organized, when debates are occurring, and how Canadians can experience the debates.....21

Recommendation 2

That a new autonomous office be created by the government called Canada's Federal Party Leaders' Debates Commissioner (for short: "Debates Commissioner"). The office should be placed within Elections Canada/the Office of the Chief Electoral Officer for the purposes of sharing appropriate internal services and receiving administrative support from Elections Canada. However, the Debates Commissioner would remain autonomous from Elections Canada in fulfilling its roles and responsibilities. Elections Canada must be kept separate and insulated from any decision-making on the part of the Debates Commissioner regarding the leaders' debates;

That the first Debates Commissioner must be chosen by a unanimous decision of representatives of registered parties represented in the House of Commons within three months; or, if the consultations do not result in a unanimous decision, be named by the Governor in Council following a recommendation made by a panel composed of no fewer than three of the following individuals: the Broadcasting Arbitrator; the Chairperson and Chief Executive Officer of the Canadian Radio-television and Telecommunications Commission; a former Chief Electoral Officer; a former Officer of Parliament; or a retired judge within Canada;

THE CREATION OF AN INDEPENDENT COMMISSIONER RESPONSIBLE FOR LEADERS' DEBATES

On November 2, 2017, pursuant to its mandate under Standing Order 108(3)(*a*)(vi), the Standing Committee on Procedure and House Affairs ("the Committee") concurred in the Eighth Report from the Subcommittee on Agenda and Procedure and agreed to commence a study on the creation of an independent commissioner to organize political party leaders' debates during future federal election campaigns.[1]

On November 21, the Committee began its study by hearing testimony from the Hon. Karina Gould, Minister of Democratic Institutions. Over the course of eight subsequent meetings, the Committee heard from 33 witnesses (see Appendix A) and received written submissions from political parties and interested individuals. The Committee thanks all those who participated in this study for their important and thoughtful contributions.

The Committee is pleased to report as follows:

BACKGROUND

i. Historical overview of televised federal party leaders' debates

Canada's first televised federal party leaders' debate took place during the 1968 general federal election campaign. This bilingual debate occurred on June 9, 1968, just over two weeks before Election Day on June 25, 1968.

The debate was held in Parliament's West Block.[2] The debate lasted two hours, and the participants for its duration were Mr. Tommy Douglas of the Co-operative Commonwealth Federation, the Hon. Robert Stanfield of the Progressive Conservative Party, and the Rt. Hon. Pierre Elliott Trudeau of the Liberal Party of Canada. Mr. Réal Caouette of the Social Credit Party also participated in the debate but only for the last 45 minutes.[3]

1 House of Commons, Standing Committee on Procedure and House Affairs, *Minutes of Proceedings*, 1st Session, 42nd Parliament, Meeting No. 76, November 2, 2017.

2 The debate was held in Confederation Hall in West Block.

3 Youtube, "1968 Canadian Federal Election Debate."

The 1968 federal party leaders' debate was jointly broadcast on television by CBC/Radio-Canada and CTV, and could also be heard on short-wave radio broadcast by the CBC and the British Broadcasting Corporation.[4] Canada's population at the time was about 20 million people,[5] and newspaper reports prior to the debate noted that the Canadian audience was expected to be as large as 14 to 15 million people.[6] As broadcasting of the proceedings of Canada's House of Commons did not begin until 1977, the 1968 debates presented an opportunity to watch interactions between national party leaders.

Following this initial federal party leaders' debate, no such debates were held during either the 1972 or 1974 general elections. Likewise, no debate was held during the 1980 general election. The table below provides information on the 12 general elections held between 1968 and 2015 in which there was at least one party leaders' debate.

4 Anthony Westell, "Millions in Canada and abroad expected to hear debate," *Globe and Mail*, June 8, 1968.

5 British Columbia Statistics, "Census Population of BC and Canada 1871 to 2011."

6 Ibid.

Table 1: Past televised federal party leaders' debates in Canada (1968 to 2015)

General Election	Election Day	Date of Debate(s)	Number of Debates and Broadcasters	Debate Participants
28th	June 25, 1968	June 9, 1968	One: bilingual carried on CBC, CTV and Radio-Canada[7]	• Réal Caouette (Social Credit Party); • Tommy Douglas (Co-operative Commonwealth Federation); • Robert Stanfield (Progressive Conservative Party); and • Pierre Elliott Trudeau (Liberal Party of Canada).
	Notes: • Mr. Caouette was only invited to participate in the last 45 minutes of the debate.			
31st	May 22, 1979	May 13, 1979	One: in English and carried on CBC, CTV and Global[8]	• Ed Broadbent (New Democratic Party); • Joe Clark (PC); and • Pierre Elliott Trudeau (LIB).
	Notes: • The Social Credit Party, which took six seats in the 1979 general election, was not invited to participate in the debate.			
33rd	September 4, 1984	French: July 24, 1984; English: July 25, 1984; and bilingual: August 15, 1984	Three: French debate carried on Radio-Canada and TVA; English debate carried on CBC, CTV and Global; and the broadcasters of the bilingual debate could not be found.	• Ed Broadbent (NDP); • Brian Mulroney (PC); and • John Turner (LIB).
	Notes: • The bilingual debate had a theme: women's issues			

7 Anthony Westell, "Millions in Canada and abroad expected to hear debate," *Globe and Mail*, June 8, 1968.

8 "Trudeau thwarted in bid to extend the great debate – show must go on PM," *Edmonton Journal*, May 14, 1979. Note that no mention is made in news articles in the Library of Parliament's catalogue about the debate being broadcast on a French language channel.

General Election	Election Day	Date of Debate(s)	Number of Debates and Broadcasters	Debate Participants
34th	November 21, 1988	French: October 24, 1988; and English: October 25, 1988	Two: French debate carried on Radio-Canada and TVA; and English debate carried on CBC, CTV and Global.[9]	• Ed Broadbent (NDP); • Brian Mulroney (PC); and • John Turner (LIB).
	Notes: • An estimated six million Canadians watched the English language debate and just under two million watched the French language debate.[10]			
35th	October 25, 1993	French: October 3, 1993; and English: October 4, 1993.	Two:[11] English debate carried on CBC, CTV and Global;[12] and French debate carried on at least Radio-Canada.[13]	• Lucien Bouchard (Bloc Québécois); • Kim Campbell (PC); • Jean Chrétien (LIB); • Preston Manning (Reform); and • Audrey McLaughlin (NDP).
	Notes: • During the French language debates, Mr. Manning restricted his participation to making opening and closing statements through an interpreter. • Leaders of the Canada Party, Christian Heritage party, Green Party Libertarian Party, Marxist-Leninist Party, Natural Law Party and the Party for the Commonwealth of Canada held a debate in Ottawa, televised on CBC Newsworld on October 5, 1993.[14] • The format of at least the English debate provided for questions from audience members for the first time.[15]			

9 "Six million turned on TV debate," *Globe and Mail*, 1988.

10 Ibid.

11 A third debate was held among leaders of smaller parties on October 5, 1993. See notes section of the 1993 general election.

12 Canadian Radio-television and Telecommunications Commission, "Public Notice CRTC 1995-44," March 15, 1995.

13 Library of Parliament, "[Debate '93 93-10-03] [videorecording]," FC630 D43, transcription. Library collection states the recording of the debate was done by Radio-Canada; no confirmation could be found of whether TVA broadcasted the French language debate.

14 Daniel Drolet, "Citizen panel unmoved by debate," *Ottawa Citizen*, October 5, 1993.

15 Youtube, "1993 Canadian Federal Election Debate."

General Election	Election Day	Date of Debate(s)	Number of Debates and Broadcasters	Debate Participants
36th	June 2, 1997	English: May 12, 1997; and French: May 13, 1997	Two: English debate carried on CBC, CTV and Global; and French debate carried on Radio-Canada and TVA.[16]	• Jean Charest (PC); • Jean Chrétien (LIB); • Gilles Duceppe (Bloc); • Alexa McDonough (NDP); and • Preston Manning (Reform).
	Notes: • The English debate was divided into five thematic segments: jobs, health care and social programs, the economy, national unity, and how well Parliament serves Canadians. • The French debate had four thematic segments: unemployment, the economy and quality of life, the role of government, and the future of minorities.			
37th	November 27, 2000	French: November 8, 2000; and English: November 9, 2000.	Two: English debate carried on CBC, CTV and Global; and French debate carried on Radio-Canada and TVA.[17]	• Jean Chrétien (LIB); • Joe Clark (PC); • Stockwell Day (Canadian Alliance); • Gilles Duceppe (Bloc); and • Alexa McDonough (NDP).
	Notes: • The English debate was divided into four thematic segments: the future of Canada's public health care system, government finances, leadership and the political future, justice and society, and the role of government. • The French debate had four thematic segments: Canada's health system, public finances, leadership and the political future, justice in our society, and the role of government.			
38th	June 28, 2004	French: June 14, 2004; and English: June 15, 2004.	Two: English debate carried on CBC, CTV and Global; and French debate carried on Radio-Canada and TVA.[18]	• Gilles Duceppe (Bloc); • Stephen Harper (Conservative Party of Canada); • Jack Layton (NDP); and • Paul Martin (LIB).

16 Library of Parliament, "[Leaders debate 97-05-12] [videorecording]," FC635 N56, Transcript and "[Le débat des chefs 1997 97-05-13] [enregistrement vidéo]," FC635 N561, Transcription.

17 Library of Parliament, "[Debate 2000 2000-11-09] [videorecording]," FC635 D424, Transcript and "[Débat des chefs 2000 2000-11-09] [enregistrement vidéo]," V8528, Transcription.

18 Library of Parliament, "[Debate 2004 2004-06-15] [videorecording]," FC635 F43, Transcript and "[Débat 2004-06-15] [enregistrement vidéo]," V11162, Transcription.

General Election	Election Day	Date of Debate(s)	Number of Debates and Broadcasters	Debate Participants
38th	Notes: • The English debate was once again divided into four thematic segments. • The English debate also included a series of short one-on-one debates held between party leaders during each thematic segment. • The French debate had four thematic segments: Canada's health system, public finances, leadership and the political future, justice in our society, and the role of government.			
39th	January 23, 2006	French: December 15, 2005 and January 10, 2006; and English: December 16, 2005 and January 9, 2006.	Four: English debate carried on CBC, CTV and Global; and French debate carried on Radio-Canada and TVA.[19]	• Gilles Duceppe (Bloc); • Stephen Harper (Conservative Party of Canada); • Jack Layton (NDP); and • Paul Martin (LIB).
	Notes: • The English debate in December 2005 featured only questions submitted by the public and selected by the broadcasters. Over 10,000 questions were submitted. The January debate featured only questions crafted by the broadcasters. • The French debate in December 2005 also featured only questions submitted by the public, while the January 2006 debate featured only questions crafted by the broadcasters.			
40th	October 14, 2008	French: October 1, 2008; and English: October 2, 2008	Two: English debate carried on CBC, CTV and Global; and French debate carried on Radio-Canada and TVA.[20]	• Stéphane Dion (LIB); • Gilles Duceppe (Bloc); • Stephen Harper (CPC); • Jack Layton (NDP); and • Elizabeth May (Green Party of Canada).

19 Library of Parliament, "[Canada votes 2005-12-16] [videorecording]," JL198 2006 L42, Transcript, "[Canada votes 2006-01-09] [videorecording]: debate," JL198 2006 T96, "[Élections Canada 2006 2005-12-15] [enregistrement vidéo]," JL198 2006 D424, Transcription, and "[Élections Canada 2006 2006-01-10] [enregistrement vidéo] : le débat des chefs," JL198 2006 D424.

20 Library of Parliament, "[Election 2008 2008-10-02] [videorecording]," JL198 2008 L433, Transcript and "[Élections Canada 2008 2008-10-01] [enregistrement vidéo] : le débat des chefs," JL198 2008 D423, Transcription.

General Election	Election Day	Date of Debate(s)	Number of Debates and Broadcasters	Debate Participants
40th	Notes: • For the English debate, leaders debated eight questions that were selected from over 45,000 questions submitted by the public. The questions were video recorded and played during the debate.[21]			
41st	May 2, 2011	English: April 12, 2011; and French: April 13, 2011	Two: English debate carried on CBC, CTV and Global; and French debate carried on Radio-Canada and TVA.[22]	• Gilles Duceppe (Bloc); • Stephen Harper (CPC); • Michael Ignatieff (LIB); and • Jack Layton (NDP).
	Notes: • The format of both the English and French debates featured questions selected from public submissions. Leaders debated topics for a short period one-on-one, after which a four person debate was held on the topic.			
42nd	October 19, 2015	English: August 6, 2015, September 17, 2015 and September 28, 2015 French: September 24, 2015 and October 2, 2015	Five: all five debates were carried on CPAC. The debate held on September 24, 2015 was carried on CBC, CTV, Global Radio Canada and Télé-Québec. The debate held on October 2, 2015 was carried on TVA.	6 August: • Stephen Harper (CPC); • Elizabeth May (Green); • Thomas Mulcair (NDP); and • Justin Trudeau (LIB) 17 September: • Stephen Harper (CPC); • Thomas Mulcair (NDP); and • Justin Trudeau (LIB) September 24: • Gilles Duceppe (Bloc); • Stephen Harper (CPC); • Elizabeth May (Green); • Thomas Mulcair (NDP); and • Justin Trudeau (LIB) 28 September: • Stephen Harper (CPC); • Thomas Mulcair (NDP); and • Justin Trudeau (LIB)

21 *CBC Digital Archives*, "2008 leaders' debate."

22 Library of Parliament, "[Canada votes 2011-04-12], Leaders' debate [videorecording]]," V18437 Transcript and "[Élections 2011 le débat 2011-04-13] [enregistrement vidéo]," V18443, Transcription.

General Election	Election Day	Date of Debate(s)	Number of Debates and Broadcasters	Debate Participants
42nd				2 October: • Gilles Duceppe (Bloc); • Stephen Harper (CPC); • Thomas Mulcair (NDP); and • Justin Trudeau (LIB)
	Notes: • The debate held on 6 August was hosted by Maclean's and had four topics: the economy; energy and the environment; the state of Canada's democracy; and foreign policy and security. • The debate held on 17 September was hosted by the *Globe and Mail* and its theme was the economy. • The debate held on 24 September had five topics: governmental services for Canadians; the economy; governance, democracy and institutions; the environment; and Canada's place in the world. • The debate held on 28 September was hosted by Munk Debates and its theme was foreign policy. • The debate held on 2 October had three topics: the economy and public finances; security and Canada's place in the world; and social policy and governance for Canadians.			

Source: Table prepared by the author using numerous sources; consult footnotes.

ii. Organization and legal framework of debates

In Canada, federal party leaders' debates are not subject to any provisions of the *Canada Elections Act*[23] (CEA). All previous party leaders' debates have occurred during the election campaign period. While numerous elements of campaigns and the electoral process are regulated by the CEA, it does not create any legal obligations related to debates for political parties, candidates and/or third parties.

Under the *Broadcasting Act*[24] and its regulations, the Canadian Radio-Television and Telecommunications Commission (CRTC), the independent public authority responsible for regulating and supervising broadcasting and telecommunications in Canada, has issued a policy that requires broadcasters to cover election campaigns and give all

23 *Canada Elections Act* (S.C. 2000, c. 9).

24 *Broadcasting Act* (S.C. 1991, c. 11).

candidates, parties and issues equitable treatment. This policy states, however, that "equitable does not mean equal."[25]

Specifically, with respect to party leaders' debates, the CRTC policy states that "debate programs do not have to include all parties or candidates."[26] Rather, broadcasters must ensure that "in general, they are informing their audiences on the positions of candidates and parties on the main issues in a reasonable manner."[27]

During past elections, party leaders' debates have been organized through negotiations between political parties and television broadcasters, along with other media organizations. These negotiations dealt with, among other things:

- Which party leaders would participate?
- How many debates would be held?
- When and where the debates would be held?
- What the format would be for each debate, including who would be the moderator?
- What media organization(s) would broadcast each debate?
- How the cost of each debate would be paid?

With the exception of the 2015 general election, during past general elections various news organizations[28] worked together to negotiate terms with political parties and to collectively broadcast the debates. Over time, this ad hoc group of English and French language broadcasters was dubbed the "broadcasting consortium." The Committee heard from broadcasters that have participated in the consortium that while they were competitors, they nonetheless opted to work together to collectively broadcast party leaders' debates because:

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25 Canadian Radio-television and Telecommunications Commission [CRTC], *Broadcasting Information Bulletin CRTC 2016-96A* citing the Policy with Respect to Election Campaign Broadcasting, Public Notice CRTC 1988-142, September 2, 1988, applicable to federal and provincial general elections.

26 CRTC, *Election campaigns and political advertising*.

27 Ibid.

28 The news broadcasting organizations that have, from 1968 to 2015, been a partner in the so-called "broadcasting consortium" have included: CBC, CTV, Global, Radio-Canada, Télé-Québec and TVA.

- political parties did not want to participate in multiple debates;
- the individual broadcasters did not want to be pitted against one another for the right to hold a debate; and
- they wanted to reach as large an audience as possible when a debate is held.[29]

iii. Role of federal party leaders' debates in Canada

During its study, witnesses who appeared before the Committee ascribed a variety of attributes to federal party leaders' debates. Witnesses said the debates:

- form part of the tradition of election campaigns and are important events for the public to understand their choices;[30]
- serve an education function and help cultivate citizenship;[31]
- provide for meaningful public engagement and deliberation;[32]
- provide unmediated access to party leaders;[33]
- let citizens understand party policies and come to a judgment on the character of leaders;[34]
- allow the public to compare and evaluate the ideas and performance of party leaders;[35]

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29 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 82, November 30, 2017, 1110 (Mr. Troy Reeb, Corus Entertainment Inc.).

30 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 80, November 23, 2017, 1155 (Mr. Paul Adams, Carleton University).

31 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 81, November 28, 2017, 1250 (Mr. Max Cameron, University of British Columbia).

32 Cameron, 1245.

33 Adams, 1255.

34 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 80, November 23, 2017, 1200 (Mr. Graham Fox, Institute for Research on Public Policy).

35 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 80, November 23, 2017, 1210 (Ms. Jane Hilderman, Samara).

- provide important information to citizens for only a modest expenditure of effort;[36]

- give undecided voters an opportunity to compare the positions of the main political parties on key issues for society; and [37]

- provide party leaders with a unique opportunity to reach out to and connect with a large portion of the electorate in both official languages.[38]

However, several witnesses also asked the Committee to consider the interplay between a debate's education function and its entertainment value. The Committee heard that while debates do serve a civic education function, some witnesses considered them to be essentially media spectacles.[39] Furthermore, some witnesses stated that the debates can place excessive focus on party leaders[40] and that this could distort the public's understanding of the functioning of Canada's electoral system and the way citizens elect their representatives.

iv. Recent federal party leaders' debates

When party leaders' debates have been held during general elections, all matters related to a given debate have been decided through negotiations involving political parties and news/host organizations. The Committee was told by media organizations that have participated in organizing leaders' debates, that during such negotiations, political parties invited to participate in a leaders' debate often attempt to gain terms that each considers the most favourable, and will at times employ the threat of withholding their participation in order to gain more favourable terms.[41]

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36 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 81, November 28, 2017, 1200 (Mr. Thierry Giasson, Université Laval).

37 Giasson, 1200.

38 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 81, November 28, 2017, 1155 (Mr. Vincent Raynauld, Emerson College; Université du Québec à Trois-Rivières).

39 Marland, 1245 and Adams, 1155.

40 Ibid.

41 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 82, November 30, 2017, 1100 (Ms. Jennifer McGuire, Canadian Broadcasting Corporation).

During 2015 general election, only one of out of the five leaders' debates held was organized by the broadcasting consortium.[42] This made the 2015 election the first in which a debate (in this case, four debates) was organized by an entity that was not a partner to a larger broadcasting consortium. Some witnesses and Committee members stated the reason for this change was that the Conservative Party of Canada declined to participate in an English-language debate organized by the broadcasting consortium.[43]

In place of having all debates organized by a consortium, a broad range of media organizations organized five party leaders' debates during the 2015 election campaign, two of which had themes ("Economy" and "Foreign Affairs"). The dates, formats and participants in the 2015 debates were negotiated between the host organizations and participating political parties.

Over the course of the Committee's study, a number of comparisons were drawn by witnesses between the 2011 and 2015 leaders' debates. The Committee heard that the combined television and digital viewership for the 2015 leaders' debates was around 10 million Canadians.[44] Furthermore, the Committee was provided with information on the expansive digital reach that digital-first media entities have in Canada. For example, in 2017, there were 30 million Canadian internet users and 29.3 million Canadian mobile device users; and in 2016, Canadians between the ages of 18 to 34 spent an average of five hours per day on the internet.[45]

Regarding the 2011 leaders' debates, the Committee heard that the English-language debate reached over 10 million Canadians, while four million Canadians watched the French-language debate.[46] In comparing the 2011 and 2015 debates, the Committee was told that in 2015 only "a fraction of Canadians were reached when you compare the audience numbers with those of 2011;"[47] in another instance, the Committee heard that the viewership of the 2015 debates was "alarmingly low."[48]

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42 The French-language debate held on September 24, 2015 was jointly organized by the following media organizations: CBC, CTV, Global, La Presse, Radio-Canada and Télé-Québec.

43 For example, Adams, 1255.

44 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 83, December 5, 2017, 1100 (Ms. Catherine Cano, Cable Public Affairs Channel).

45 Kevin Chan (Head of Public Policy, Facebook and Instagram Canada), written submission to the House of Commons Standing Committee on Procedure and House Affairs, December 14, 2017.

46 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 82, November 30, 2017, 1115 (Ms. Wendy Freeman, Bell Media Inc.).

47 Maguire, 1100.

48 Freeman, 1115.

In discussing lessons learned from broadcasting the 2011 and 2015 leaders' debates, witnesses told the Committee that the options made available to Canadians for receiving their media information was rapidly evolving. This has a number of potential implications in relation to the Committee's study, including that advertising information about the debates and debate content should be accessible on multiple media platforms and be readily accessible to individuals both during the live broadcast and at times they consider convenient.

Furthermore, the Committee heard that the Canadian viewing audience has become increasingly fragmented. Some posited that this fragmentation added importance to the leaders' debates as a shared unifying experience among a critical mass of voters, especially when the debates were broadcasted by the major television networks.[49] Others emphasized that media organizations need to provide the debates to the public using a diversity of media formats in order to reach different audiences.[50]

Overall, a key theme that emerged from witnesses in their evaluation of the 2011 and 2015 election debates was that emphasis needed to be placed on putting the Canadian public's interests first. This leads the Committee to believe that an important goal of its present study is to examine options for how federal party leaders' debates can be organized so that future debates can readily be accessed by as many Canadians as possible across a multiplicity of media platforms.

v. Exploring changes to how federal leaders' debates are organized in Canada

Having reviewed the history of federal party leaders' debates in Canada and examined the role that the debates have assumed, over time during election campaigns, a key question that emerged for the Committee was whether federal party leaders' debates could be considered a public good?

Specifically, should the organization of all aspects of the leaders' debates be left to the discretion of media/host entities and political participants, as is the current case, or should some or all aspects of leaders' debates be made subject to some type of more formal process, oversight entity and/or guiding framework?

During its study, those witnesses and interested parties who addressed the matter of whether leaders' debates could be considered a public good raised the point that numerous other aspects of the functioning of federal election campaigns in Canada have

49 Adams, 1220.

50 Fox, 1205.

already been made subject to formal regulation. In their view, providing some formality to leaders' debates would be consistent with Canada's electoral framework. Similarly, the Executive Director of the U.S. Commission on Presidential Debates expressed the view that the presidential debates in the U.S. were the last campaign event that belonged solely to the public.[51]

The Committee only heard testimony and written submissions to the effect that the current manner by which party leaders' debates have been organized and broadcast could benefit from an examination by Parliament, with a view of seeking improvements to the debate organizing process and/or product.

At the same time, a number of witnesses struck a cautionary tone in suggesting reforms. The Committee heard the concern that the creation of an entity responsible for aiding in organizing leaders' debates could lead to innovation being stifled or inhibited.[52] Such an entity, according to one witness, ought to operate with a light touch and maintain organizational independence from debate participants.[53] One witness stated that while Parliament had a legitimate right to study proposing reforms to leaders' debates, it was difficult to envisage what changes could be made to improve the status quo.[54] Along the same lines, many witnesses spoke in favour of distinguishing between those aspects of the leaders' debates that offered the potential for improvement through formalization and those that should be left flexible and subject to negotiation between debate stakeholders.

In the following section of this report, the Committee will present its findings about changes that could be made in order to ensure that future leaders' debates reflect the public's interests and are broadly accessible. These findings are based on the various viewpoints and recommendations about reforming federal party leaders' debates made by witnesses appearing before the Committee and through written submissions to the Committee.

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51 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 84, December 7, 2017, 1225 (Ms. Janet Brown, Commission on Presidential Debates).

52 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 85, December 12, 2017, 1140 (Mr. François Cardinal, La Presse).

53 Reeb, 1140.

54 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 81, November 28, 2017, 1305 (Mr. Paul Wells, Maclean's).

DISCUSSION

A. Mandate of an entity responsible for organizing federal party leaders' debates

In contemplating the merits of putting in place an entity responsible for organizing federal party leaders' debates, a natural starting point for the Committee was to gather views about the objectives and principles that would guide such a structure. The Committee frequently heard during its study that leaders' debates should place the interests of citizens first, as they are the key participants in Canada's democratic process.[55]

In broader terms, the Committee was told that, in order for the debates to be considered as neutral and fair, they should be organized and delivered to the public in a way that provides predictability, participation, and partnership.[56] Regarding predictability, citizens would benefit from knowing if there is going to be a debate, what media platforms will carry it, when is it going to take place and where. Regarding participation, the Committee was told it would be desirable for clear criteria to be established for determining which parties may participate in a debate. And regarding partnership, it was important to consider how media organizations could be engaged to cooperate to ensure that the debates are made as widely available as possible to all Canadians.

The following is a list of further principles and objectives that witnesses suggested an entity responsible for organizing leaders' debates should be guided by:

Independent and neutral: The entity should abide by the principles of fairness, non-partisanship and transparency.[57] It should strive to establish itself as a trusted resource by participants and prove itself capable of producing a professional product.[58]

55 For example, Giasson, 1205.

56 Cano, 1200.

57 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 82, November 30, 2017, 1210 (Mr. Stéphane Perrault, Elections Canada). Similarly, in a written submission to the Committee, the New Democratic Party (NDP) proposed the entity be fair and impartial, while the Liberal Party of Canada proposed the entity be independent.

58 Brown, 1205.

Educational:[59] The entity should be credible.[60] It should seek to ensure debates occur in a way that is respectful, dignified, and substantive,[61] and that they inform the electorate of the range of political options they have to choose from.[62] It should also ensure the debates provide information to citizens and facilitate their election decisions.[63]

Open and transparent: The entity should ensure that decisions about the debates reflect the broadest public interest and be transparent and open to public engagement.[64]

Flexible: The entity should be flexible in its role[65] and be light, adaptable and agile in structure.[66]

Accessible and inclusive: The entity should make certain that the debates are made broadly accessible to the public;[67] that the official language rights of Canadians are respected; and that the debates are made accessible and inclusive to all Canadians, including, but not limited to, persons with disabilities, youth, women and Indigenous people.[68]

The committee believes that debates are a public good and recommends:

Recommendation 1

That the government should proceed with establishing a new entity to organize leaders' debates during federal elections and that entity should be established in time to organize debates during the 2019 federal general election;

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59 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 86, January 30, 2017, 1250 (Mr. Noel daCosta, Jamaica Debates Commission). Mr. daCosta told the Committee that the Jamaican Debates Commission holds moderated town halls where debates are watched communally and then discussed.

60 Azam Ishmael (National Director, Liberal Party of Canada), written submission to the House of Commons Standing Committee on Procedure and House Affairs, December 10, 2017.

61 Brown, 1240.

62 Perrault, 1210.

63 Giasson, 1200.

64 Cameron, 1255.

65 Fox, 1220.

66 Brown, 1250, among others. Ms. Brown stated: "When I saw that phrase in someone's testimony, I underlined it. I couldn't agree more."

67 Perrault, 1210 and Ishmael.

68 House of Commons, Standing Committee on Procedure and House Affairs, Evidence, 1st Session, 42nd Parliament, Meeting 79, November 21, 2017, 1215 (Hon. Karina Gould, Minister of Democratic Institutions).

That this new entity must be created in such a way to ensure its independence and neutrality;

That the new entity be mandated to educate Canadians about how debates are organized, when debates are occurring, and how Canadians can experience the debates.

B. Establishing an entity responsible for organizing federal party leaders' debates

On the question of whether an entity responsible for organizing federal party leaders' debates should be established, witnesses and those submitting briefs either expressed no opinion or gave their views about the role such an entity could play.

Among those who favoured establishing an entity responsible for organizing at least some aspects of the federal party leaders' debates, three options were frequently mentioned. These were:

- creating a new independent leaders' debates facilitator or commissioner;
- creating a new leaders' commissioner or commission that would be housed within Elections Canada but would operate independently of Elections Canada and the Chief Electoral Officer (CEO); and
- assigning the responsibility of organizing the leaders' debates to the Broadcasting Arbitrator, a position that currently exists under section 332(1) of the CEA.

In general, most witnesses did not favour creating a large commission. Rather than creating an unwieldy decision-making entity, witnesses tended to favour a light and agile entity, one that could consist of as few as one person. For example, the Committee heard that the office of the U.S. Commission on Presidential Debates consists most of the time of an Executive Director and an assistant.[69] Furthermore, an organizing entity would need to be independent of the media and political parties in order to limit the incursion of strategic and business interests on the democratic role of debates.[70] The debates commissions in both Jamaica and Trinidad and Tobago require their

69 Brown, 1210.

70 Giasson, 1205.

commissioners to adhere to a code of conduct that prohibits partisan activities.[71] A new independent debate organizing entity could, instead, seek advice and receive input and feedback from an advisory panel of debate participant stakeholders that it could convene from time to time.

The establishment of an advisory panel composed of a diverse set of representatives was suggested by several witnesses. Appointments to the panel should be done using a formula that prevents partisanship.[72] Membership on this panel could include:[73]

- broadcasters and media organizations;
- representatives of political parties;
- representatives of new media;
- representatives of groups with disabilities;
- citizens;
- civil society groups;
- representatives of universities; and
- other experts.

A representative of the Canadian Association of the Deaf proposed that an accessibility advisory committee be established to advise the independent debate organizing entity, to ensure that the implementation of access services is being planned well in advance.[74] Similarly, in a written submission to the Committee, the Green Party of Canada suggested that an advisory broadcasting panel be formed to provide the debate organizing entity with expertise and capacity on running debates.

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71 House of Commons, Standing Committee on Procedure and House Affairs, Evidence, 1st Session, 42nd Parliament, Meeting 86, January 30, 2017, 1110 (Ms. Catherine Kumar, Trinidad and Tobago Debates Commission) and daCosta, 1210.

72 Perrault, 1210.

73 The list for membership of an advisory panel is a compilation of suggestions made by Perrault, 1210; Cameron, 1255; and House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 83, December 5, 2017, 1235 (Mr. Frank Folino, Canadian Association of the Deaf).

74 Folino, 1235

The following section explains how a new leaders' debates facilitator or commissioner could be created through either a legislative or a non-legislative process and provides information on the role of the Broadcasting Arbitrator under the CEA.

i. Federal party leaders' debates facilitator or commissioner

Creating a role for an individual or small entity to be responsible for organizing leaders' debates could be accomplished through a legislative or non-legislative process.

A non-statutory entity could be created in a number of ways. In her appearance before the Committee, Minister Gould indicated that a non-legislative option for establishing an independent debate organizing entity could be through criteria created under government transfer payments known as grants and contributions.[75]

Both grants and contributions are funding mechanisms that are subject to approval by a vote in Parliament. A grant is an unconditional transfer payment. To receive a grant, the applicant must meet pre-established eligibility requirements. These criteria assure that the grant objectives will be met. An individual or organization that meets the eligibility criteria for a grant can usually receive the payment without having to meet any further conditions. Grants are not subject to being accounted for or audited.[76]

A contribution is a conditional transfer payment. For each contribution, specific terms and conditions must be met by the recipient before payment is given by the governmental department. Contributions, unlike grants, are subject to performance conditions that are specified in a contribution agreement. Prior to receiving a contribution, the recipient must provide a performance measurement strategy; performance indicators and targets; and internal audit and evaluation strategies. Furthermore, the government can audit the recipient's use of a contribution.[77]

To create a statutory body responsible for organizing leaders' debates, legislation would need to go through the federal legislative process. Examples of independent oversight and/or administrative bodies with their powers and mandate established by statute include officers of Parliament, such as the CEO, the Conflict of Interest and Ethics Commissioner and the Information Commissioner.

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75 Gould, 1225.

76 Lydia Scratch, *Grants and Contributions*, PRB 05-49E, Parliamentary Information Research Service, Library of Parliament, Ottawa, February 7, 2006.

77 Ibid.

In general terms, officers of Parliament carry out duties assigned to them by statute, report directly to one or both chambers of Parliament and not to a minister, and exercise independence from the government of the day. Statutory officers of Parliament are also usually Governor in Council appointments, usually involving consultation with recognized parties of either or both the Senate and the House of Commons and made after approval of the appointment by resolution of the Senate and/or the House of Commons.

Some witnesses spoke in favour of establishing a debates commissioner who would have the independence and broad support of political parties and comparisons were drawn with the support from political parties required to be an officer of Parliament.[78]

ii. Broadcasting Arbitrator

The Committee heard that, should it recommend that an independent debate organizing entity be established, an option worth considering would be to assign the responsibility of organizing federal party leaders' debates to the Broadcasting Arbitrator.[79] Alternatively, the Acting CEO, Mr. Perrault suggested that the model of the Broadcasting Arbitrator could be emulated in the establishment of a new entity responsible for organizing federal party leaders' debates. A number of witnesses suggested this entity could be housed inside Elections Canada. In providing his suggestions, Mr. Perrault made it clear that it was Elections Canada's view that it must be kept insulated from any decision-making regarding the leaders' debates and that the CEO should not be involved in any matters that could be perceived as having an influence on the orientation of the campaign or the results of the election.[80]

The Broadcasting Arbitrator is appointed to that role either through a unanimous decision of representatives of the registered political parties represented in the House of Commons, or, if consultations do not result in unanimity, through being named by the CEO.[81] The Broadcasting Arbitrator holds office until six months after Election Day of the general election that follows his or her appointment and can only be removed for cause by the CEO.[82]

78 Cameron, 1305; Giasson, 1305; Wells, 1305; and NDP written submission.

79 Perrault, 1215; Hilderman, 1215; and in a written submission to the Committee, the Bloc Québécois stated that the organization of federal party leaders' debates could be assigned to the Broadcasting Arbitrator.

80 Perrault, 1215.

81 *Canada Elections Act*, section 332(1).

82 *Canada Elections Act*, sections 332(2) and 332(3).

Between elections, the duties of the Broadcasting Arbitrator generally consist of meeting and consulting with representatives of all registered political parties on the allocation of broadcasting time and allocating broadcasting time to every registered or eligible party.[83] During the campaign period, the Broadcasting Arbitrator must inform the CRTC of guidelines regarding the allocation of broadcasting time and procedures for booking broadcasting time by registered and eligible parties.[84] He or she also arbitrates any conflicts that arise between a broadcaster or network operator and the representative of a registered or eligible party concerning the purchase of broadcasting time under the CEA.[85]

Having considered the options provided to it by witnesses, the Committee recommends:

Recommendation 2

That a new autonomous office be created by the government called Canada's Federal Party Leaders' Debates Commissioner (for short: "Debates Commissioner"). The office should be placed within Elections Canada/the Office of the Chief Electoral Officer for the purposes of sharing appropriate internal services and receiving administrative support from Elections Canada. However, the Debates Commissioner would remain autonomous from Elections Canada in fulfilling its roles and responsibilities. Elections Canada must be kept separate and insulated from any decision-making on the part of the Debates Commissioner regarding the leaders' debates;

That the first Debates Commissioner must be chosen by a unanimous decision of representatives of registered parties represented in the House of Commons within three months; or, if the consultations do not result in a unanimous decision, be named by the Governor in Council following a recommendation made by a panel composed of no fewer than three of the following individuals: the Broadcasting Arbitrator; the Chairperson and Chief Executive Officer of the Canadian Radio-television and Telecommunications Commission; a former Chief Electoral Officer; a former Officer of Parliament; or a retired judge within Canada;

That upon the vacancy of the office of Debates Commissioner, or upon receipt of written notice of the planned resignation of the Debates Commissioner, the Government of Canada must initiate the process for choosing a succeeding Debates Commissioner within three months;

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83 *Elections Canada, "*The Broadcasting Arbitrator: Appointment, Term of Office and Duties," January 2015.

84 *Canada Elections Act*, section 346.

85 *Elections Canada, "*The Broadcasting Arbitrator: Appointment, Term of Office and Duties."

That following the commencement of the process for choosing a succeeding Debates Commissioner, he or she must be chosen by a unanimous decision of representatives of registered parties represented in the House of Commons within three months; or, if the consultations do not result in a unanimous decision, be named by the Governor in Council following a recommendation made by a panel composed of no fewer than three of the following individuals: the Broadcasting Arbitrator; the Chairperson and Chief Executive Officer of the Canadian Radio-television and Telecommunications Commission; a former Chief Electoral Officer; a former Officer of Parliament; or a retired judge within Canada; and

That the Debates Commissioner establish an advisory panel that he or she will consult prior to making key decisions related to the organization, accessibility and broadcasting of the debates that the office organizes. This panel could be composed of the following individuals: broadcasters and media organizations; representatives of political parties; representatives of new media; representatives of groups with disabilities; citizens; civil society groups; representatives of universities; and other experts.

iii. Other considerations

Length of tenure: It was noted that the nature of the facilitator or commissioner's mandate may not necessitate an ongoing entity.[86]

The Committee recommends:

Recommendation 3

That the Debates Commissioner hold office during good behaviour for a term of five years or two elections, whichever is greater, but may be removed for cause by a resolution of the House of Commons of at least a majority of the recognized parties; and

That the Debates Commissioner, on the expiry of a first or any subsequent term of office, is eligible to be reappointed for a further term not exceeding five years or two elections, whichever is greater.

86 Perrault, 1215.

Reporting obligations: A suggestion was made to the Committee that it consider whether a newly created leaders' debate organizing entity be required to report to Parliament. This feature would better ensure transparency in its decision-making.[87]

The Committee recommends:

Recommendation 4

That the Debates Commissioner be mandated to report back to Parliament after each federal general election.

C. Powers of an entity responsible for organizing federal party leaders' debates

Organizing, producing and broadcasting a federal party leaders' debate involves numerous elements. During its study, the Committee heard a number of witnesses speak in favour of distinguishing between those aspects of the leaders' debates that offered the potential for improvement through formalization and those that should be left flexible and subject to negotiation between debate stakeholders.

The following sections provide information heard by the Committee about criteria for eligibility to participate in a leaders' debate, accessibility requirements of persons with disabilities, the number of debates to be held during an election campaign, decisions related to broadcasting leaders' debates, the enforcement of participation of invited party leaders and other miscellaneous matters.

i. Establishing criteria for participation by political parties in a federal party leaders' debate

A contentious matter that arises when organizing participants to hold a federal party leaders' debate is the question of which political parties can participate and cannot.

A number of witnesses who appeared before the Committee agreed that an option for resolving this matter would be to create a set of criteria or guidelines that each political party would be measured against in order to qualify to participate in a leaders' debate.[88] These witnesses stated that it may be worthwhile establishing a threshold which parties would have to meet or exceed in order to participate in a debate. The criteria should also have built-in flexibility in order to allow for the participation of emerging parties.[89]

87 Ibid.

88 Fox, 1225; Hilderman, 1225; Adams, 1230; NDP; and May.

89 Perrault, 1210.

Parties would have to meet all or some of the following criteria:[90]

- have had a sitting member of Parliament in the House of Commons at any time during the previous Parliament or at dissolution;
- have a certain total number of candidates vying to be elected or have candidates vying to be elected in a certain percentage of the total number of ridings in Canada, during either the most recent or the forthcoming general election;
- meet a threshold of aggregated public opinion support six months (or at another time) prior to a scheduled general election; and
- have garnered a specified percentage of the national vote at the most recent general election.

Some witnesses suggested that a party would have to meet a majority of the criteria or two-thirds of them in order to qualify to participate in a party leaders' debate.[91] Mr. Perrault told the Committee that it was, in his view, preferable for Parliament to decide the criteria and have the independent debates organizing entity apply those criteria in a mechanical fashion, with no room for discretion.[92] The reason for this was that should a debates organizing entity be created as a federal body, it would be subject to the *Canadian Charter of Rights and Freedoms.* Mr. Perrault noted that past legal challenges to decisions surrounding leaders' debates under Charter failed on the basis that the debates were essentially private events, and not subject to Charter scrutiny.[93]

In terms of when to make the criteria for being eligible to participate in a party leaders' debate known to the public and when to decide which parties will be eligible to participate, witnesses suggested that a debates organizing entity should seek to avoid becoming mired in controversy over this decision during the campaign period.[94] In the case of the U.S. Commission on Presidential Debates, criteria they employ for

90 Witnesses who proposed criteria were: Fox, 1230; Gould, 1255; and Elizabeth May (member for Saanich–Gulf Islands), written submission to the House of Commons Standing Committee on Procedure and House Affairs, December 11, 2017. Also, Brown, Kumar and daCosta told the Committee about the criteria in place in their respective jurisdictions.

91 Fox, 1245 and May.

92 Perrault, 1240.

93 Perrault, 1210.

94 Perrault, 1210 and Hilderman, 1235.

determining who will be invited to participate in the debates are generally issued one year before the debates.[95]

The Committee recommends:

Recommendation 5

That the Debates Commissioner must consult with the advisory panel in setting any criteria for participation in debates organized by the Debates Commissioner. Further, the Commissioner should ensure that the criteria for participation in leaders' debates should be made public well in advance of the campaign period.

ii. Ensuring accessible federal party leaders' debates for Canadians with disabilities

After having heard compelling testimony during this study from representatives of organizations advocating for persons with disabilities in Canada, the Committee would be remiss if it did not provide additional information about the expectations of Canadians with disabilities with respect to the accessibility of leaders' debates and the electoral process in general. As detailed in the Chief Electoral Officer's 2016 report entitled *An Electoral Framework for the 21st Century*, many barriers currently remain that prevent disabled Canadians from fully exercising their constitutionally guaranteed right to meaningfully participate in the country's electoral process.

Representatives of organizations of persons with disabilities told the Committee that, in the design and delivery of party leaders' debates, accessibility for persons with disabilities has largely been an afterthought.[96] Regrettably, numerous examples were cited about campaign materials being distributed and events being communicated and held, and not just those related to the televised leaders' debates, in which the rights of persons with disabilities did not appear to be meaningfully taken into account.

The Committee was told that the following elements, if provided, would allow for more substantive participation by Canadians with disabilities:

95 Brown, 1200.

96 Folino, 1230.

- For television broadcasts, provide descriptive audio (or a narration overdubbed on top of a visual presentation).[97]

- For television broadcasts, provide picture-in-picture onscreen sign language interpretation in ASL (American Sign Language) for English-language debates and in LSQ (langue des signes québécoise) for French-language debates.[98] Alternately, it was noted that a recent televised provincial leaders' debate in Quebec featured one sign language interpreter working in a neutral manner beside each party leader, live at the event.[99] The debates in Jamaica also have included live sign language interpretation.[100]

- For television broadcasts, provide closed captioning in English and French.[101]

- Test websites that will host future leadership debates to ensure the best accessibility (e.g., must have adequate colour contrast, be readable by a screen reader and/or a screen magnifier, etc.)[102]

Representatives of persons with disabilities further strongly suggested that an entity responsible for organizing leaders' debates should establish and actively consult an advisory committee consisting of individuals appointed by the self-representative organizations of people with disabilities.[103]

The Committee agrees that leaders' debates must be accessible to as many Canadians as possible, and therefore the Committee recommends:

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97 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 83, December 5, 2017, 1225 (Mr. Thomas Simpson, Canadian National Institute for the Blind).

98 Folino, 1230.

99 Folino, 1245.

100 daCosta, 1235.

101 Folino, 1230.

102 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 83, December 5, 2017, 1240 (Ms. Diane Bergeron, Canadian National Institute for the Blind).

103 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 83, December 5, 2017, 1235 (Mr. James Hicks, Council of Canadians with Disabilities).

Recommendation 6

That the Debates Commissioner be mandated to ensure that the leaders' debates are broadcast and otherwise made available in a fully accessible and timely manner; and

That the Debates Commissioner be required to consult with and receive feedback from the advisory panel about matters related to the accessibility of the debates that office organizes.

iii. Ensuring a minimum number of debates

During its study, witnesses frequently cited predictability as a potential improvement that a debate organizing entity could provide to the organization of federal party leaders' debates. A representative of a broadcasting organization that has participated in organizing debates in the past told the Committee that frequently, broadcasters spend a disproportionate amount of time and effort negotiating with political participants to find out if there will simply be a debate or not.[104]

Providing predictability to the holding of debates is also an important feature of the U.S. Commission on Presidential Debates. The Committee was told that the Commission announces the dates and venues for the debates a year in advance.[105]

When witnesses were asked if there is an ideal number of leaders' debates that ought to be held during an election campaign, they responded that at least one English-language debate and one French-language debate should be held.[106] Witnesses also agreed that no upper limit needs to be established on the number of leaders' debates held during a campaign period, with many stating that the more debates, the better.[107]

The Committee recommends:

Recommendation 7

That the Debates Commissioner be required to organize a minimum of at least one debate in each official language during general election campaign periods.

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104 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 82, November 30, 2017, 1140 (Mr. Michel Cormier, Canadian Broadcasting Corporation)

105 Brown, 1205.

106 Hilderman, 1240; Fox, 1240; Adams, 1240; Giasson, 1205; and McGuire, 1120.

107 Reeb, 1110, among others.

iv. Decisions related to broadcasting the federal party leaders' debates

Organizing, hosting and broadcasting federal party leaders' debates is a complex affair involving numerous participants who often hold divergent interests. Political parties may attempt to gain partisan advantages while broadcasters, under the pressure of seeking audience and profit, may give preference to broadcast formats that feature spectacle and confrontation.[108] Discussions about hosting and broadcasting a debate need to resolve many key questions in order for the debate to proceed. These include but are not limited to:

- When and where will the debate be held?
- Who will be the moderator and what are the rules and format of the debate?
- Who will broadcast the debate?
- Who will pay for the debate to be produced?

Complicating matters are the ongoing demographic shifts in Canada's population and the evolving nature of the country's news media. The Committee heard that increasingly, when Canadians follow a live event, not only do they interact with each other on social media[109] but they expect to be able to interact with the event itself. Opportunities exist to increase the interactivity of future leaders' debates by, for example, allowing Canadians to pose questions to party leaders online.[110]

At the same time, the Committee heard that by increasingly engaging in news content on social media platforms, the Canadian population is being divided into smaller and smaller segments.[111] This trend led some witnesses to state that an important role debates can play is to create a collective shared national experience.[112] To accomplish this, the combination of media platforms on which leaders' debates are transmitted should have the potential to reach all Canadians.

108 Adams, 1155 and Giasson, 1205.

109 Raynauld, 1155.

110 Chan.

111 Cameron, 1245.

112 McGuire, 1100 and 1120.

(a) The role of an organizing entity for leaders' debates in making broadcasting-related decisions

Turning to the question of what aspects, if any, of hosting and broadcasting a federal party leaders' debate should be formalized and come under the purview of a debate organizing entity, most witnesses told the Committee they favoured, at most, light, flexible and adaptable regulation. The two concrete proposals brought up by witnesses for a potential role of a debate organizing entity in making decisions related to editorial aspects of the debates were:

- Parliament would establish overarching objectives that the debates must meet but then the entity, equipped with the proper expertise, would be given broad latitude to shape the format and editorial aspects of the debates, while respecting language requirements and accessibility considerations. In doing so, the entity would be required to receive input from participants and other stakeholders;[113] and

- Mandate the entity to evaluate independent leaders' debate proposals and certify those that meet a certain standard or objectives as "must see".[114]

Additionally, while not a proposal for how debate organization could be managed per se, a representative of a broadcasting organization stated that the manner in which the French-language debates were organized during the 2015 general election campaign could represent a model to be emulated in the future. It involved many partners; the television signal was shared; and it implicated social media platforms.[115]

Overall, the Committee did not glean many views from witnesses about how an independent debates organizing entity could interact with debate participants in making decisions related to hosting and broadcasting leaders' debates. Witnesses did nonetheless provide multiple suggestions and/or objectives about how debates could be better organized or what features they would like to have added to future debates. These were:

113 Perrault, 1210 and 1255.

114 Wells, 1150.

115 Cormier, 1110.

- Hold leaders' debates that are broadly accessible to the public and presented in a multitude of media formats so that debate content is available to the largest possible audience, including persons with disabilities;[116]
- Hold leaders' debates that have the potential to reach each and every Canadian in the same time and in the same context, as part of a shared national experience;[117]
- Allow for a multitude of debate formats to target specific audiences;[118]
- Permit open access of debate content for viewing and following using live-streaming of the event across both broadcast and social networks.[119]
- Broadcast debate content live and in delayed time, while permitting editing of content into clips;[120]
- Place no restrictions on accessing raw debate content, remove broadcaster logos from content and allow the dissemination of as many excerpts as desired of the debates;[121]
- Depoliticize the debate organization process;[122]
- Ensure any rules or institutions that are created in relation to the debates remain technology neutral;[123]
- Allow a full range of media organizations to provide significant input in decisions related to hosting, managing and broadcasting/disseminating the debates;[124]

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116 Perrault, 1210.

117 McGuire, 1100.

118 Fox, 1240.

119 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 85, December 12, 2017, 1115 (Ms. Bridget Coyne, Twitter Inc.).

120 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 85, December 12, 2017, 1130 (Mr. Yann Pineau, La Presse).

121 Cardinal, 1105.

122 Reeb, 1120.

123 Chan.

124 Reeb, 1140 and Cardinal, 1100.

- Incorporate audience questions into the debate experience;[125]
- Supplement debate event coverage with social media data;[126] and
- Engage multiple partners, to the extent that no one set of stakeholders owns the debates and they are made accessible to all Canadians on any platform.[127]

The Committee recommends:

Recommendation 8

That the broadcasting feed for any debate organized by the Debates Commissioner be made available free of charge to any outlet or organization that wishes to distribute the debate and that no restrictions be placed on the use of that debate content.

Some Committee members also posed questions to witnesses about the desirability of mandating at least one media organization to broadcast party leaders' debates. In response, representatives of the Canadian Broadcasting Corporation responded that they were open to such a scenario[128] and representatives of the Cable Public Affairs Channel (CPAC) indicated they were open to ways they could contribute.[129] The representatives from Bell Media Inc. (CTV News) and Corus Entertainment Inc. told the Committee that they were against being mandated to broadcast the leaders' debates.[130]

(b) Timing of leaders' debates

The subject of the timing of the debates came up infrequently during the Committee's study. The Committee heard that the debates should be scheduled in the last two weeks prior to Election Day[131] or that, similarly, they should be held mid-campaign or later.[132]

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125 Coyne, 1120.

126 Ibid.

127 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, Meeting 83, December 5, 2017, 1210 (M. Peter Van Dusen, Cable Public Affairs Channel).

128 McGuire, 1130.

129 Cano, 1155.

130 Freeman and Reeb, 1155.

131 Adams, 1240.

132 McGuire, 1150.

No witnesses provided commentary or suggestions about the role an independent entity for organizing debates could have in respect of setting the date of a debate.

(c) Cost of the leaders' debates

In the past, federal party leaders' debates have usually been broadcast without commercial interruption. This means that the television networks that carried the debates had to displace scheduled programs and forego advertisement revenues for the duration of the debate.

Furthermore, it was left to the media/host entities that have produced the debates to pay for the costs related to production. The Committee heard that the average cost to produce a debate for the broadcasting consortium in 2011 was about $250,000.[133] The past consortium debates were paid for by the participating news organizations and distributed for use by other media entities on a pay-to-use basis or, on occasion, for free.[134] The choice about whether a network or media organization would carry the debate was left to the individual media entity.

During the 2015 general election, CPAC served as the television carrier for all five party leaders' debates. A representative from CPAC told the Committee that their organization did not organize any debates, did not set rules or decide the format; instead, they delivered the content once the rules were established.[135]

The question for the Committee to consider is how this model would apply if there were an organizing entity for party leaders' debates. Some witnesses suggested to the Committee that a model could be put in place whereby a broadcaster is tasked by the debates organizing entity with hosting a debate and then provides the transmission to any interested stakeholder or party.[136] In a written submission to the Committee, the Green Party suggested consideration be given to providing funding for commercial networks that carry the debates, in order to compensate for lost revenue.

The committee recommends:

133 McGuire, 1150.

134 Reeb, 1110.

135 Van Dusen, 1150.

136 Gould, 1240 and Fox, 1205.

Recommendation 9

That the government ensure that the Debates Commissioner has the required funding to organize, produce, and distribute the debates it organizes.

(d) Journalistic standards

The Committee was told that in the context of federal party leaders' debates, the maintenance of high journalistic standards was an important concern for broadcasters. The elements that need to meet high journalistic standards include the format, the staging (e.g., lighting, the set, the camera angles, etc.), the topics, the questions and follow-up questions posed to the candidates and the moderator. The Committee agrees with broadcasters that the maintenance of high journalistic standards would be an important matter during any future debates.

The committee therefore recommends:

Recommendation 10

That the Debates Commissioner be mandated to maintain high journalistic standards in the organization of leaders' debates.

v. Enforcement of Participation

During negotiations to organize a federal party leaders' debate, one of political participants' most powerful and contentious bargaining tools is the threat to withhold their participation. The decision of any political party to not participate in a party leaders' debate has profound impacts on the decision-making of other political participants and the media outlets seeking to host and broadcast a debate. Indeed, it is not difficult to envisage a future situation in which no federal party leaders' debates are held during an election campaign, as a result of key political parties declining to participate.

In seeking to identify solutions, the Committee heard about two approaches: imposing legal sanctions and leaving the matter to the court of public opinion.

Those witnesses who favoured prescribing some form of legal punishment suggested the following options for sanctioning the non-participation of invited political party leaders in federal party leaders' debates:

- establish a period of several days during which that leader's party could not broadcast advertising or a substantial but not debilitating penalty;[137]

137 Adams, 1155.

- amend the CEA to provide for a reduction in the expected election campaign reimbursement for political parties whose leader declines to participate in a debate;[138]

In contrast, a number of other witnesses held the view that no legal sanctions were necessary for the following reasons:

- any sanction imposed on a political party leader or party would be unenforceable,[139]

- the better deterrent was for the individuals or party to pay some political price;[140] and

- create an incentive for party leaders to attend a debate by giving it public standing (e.g., have the debate approved by an independent debate organizing entity).[141]

The latter suggestions are similar to the operation of the U.S. Commission on Presidential Debates and the debate commissions in Jamaica and Trinidad and Tobago. The Committee heard that in the U.S., for example, facing the adverse public reaction to skipping a debate was a bigger enforcement mechanism than denying the candidate or political party of funding or advertising time.[142]

The Committee agrees that the public expectation that invited political party leaders participate in debates organized by the Debates Commissioner should be sufficient to ensure that those leaders participate. At the same time, a priority objective of creating the office of the Debates Commissioner is to ensure that all invited party leaders attend the debates organized by the Commissioner. Therefore, the Committee recommends:

Recommendation 11

That the Debate Commissioner be mandated to organize and conduct debates even if an invited participant declines to attend. In the event that an invited participant declines to attend a debate organized by the Debates Commissioner, the Committee considers that it is within the Debates Commissioner's purview to

138 May.

139 Wells, 1150

140 Fox, 1220

141 Perrault, 1300.

142 Brown, 1225.

take actions the Commissioner deems appropriate to make that participant's absence well-known during the debate. To that end, the Debates Commissioner could, for example, visibly place an empty podium on stage.

vi. Miscellaneous matters

(a) Review of entity

It was suggested to the Committee that a debates organizing entity should undertake a post-debate evaluation of the accessibility and inclusiveness of the debate and that a report of the evaluation be tabled in Parliament.[143] The Committee heard that the U.S. Commission on Presidential Debates undertakes complete reviews of each debate, studying elements of the debate that range from candidate criteria, debate venues, law enforcement, media and moderators.[144]

The Committee recommends:

Recommendation 12

That Standing Committee on Procedure and House Affairs conduct a review of the functioning and operation of the office of the Debates Commissioner within five years of the first Debates Commissioner being chosen.

(b) Timeline for establishing an independent debate organizing entity

The Committee is keenly aware that the projected date for Canada's next federal general election is October 21, 2019. This date leaves a timeframe of about twenty months for a party leaders' debates organizing entity to be put in place prior to the start of the campaign period. The Committee received almost no testimony about when a debate organizing entity would need to be in place for it to carry out its duties in relation to the upcoming election. On November 21, 2017, Minister Gould commented that, depending on the entity's structure, the process for establishing the entity would need to unfold "in the coming months or so."[145]

143 Hicks, 1235.

144 Brown, 1255.

145 Gould, 1215.

APPENDIX A
LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions	2017/11/21	79
Privy Council Office		
Allen Sutherland, Assistant Secretary to the Cabinet, Machinery of Government		
As an individual	2017/11/23	80
Paul Adams, Associate Professor, School of Journalism and Communication, Carleton University		
Institute for Research on Public Policy		
Graham Fox, President and Chief Executive Officer		
Samara		
Jane Hilderman, Executive Director		
As individuals	2017/11/28	81
Maxwell A. Cameron, Professor, Department of Political Science, University of British Columbia		
Thierry Giasson, Full Professor, Département de science politique, Université Laval		
Alex Marland, Professor, Department of Political Science, Memorial University of Newfoundland		
Vincent Raynauld, Assistant Professor, Emerson College; Affiliate Professor, Université du Québec à Trois-Rivières		
Paul Wells, Senior Writer, Maclean's		
Bell Media Inc.	2017/11/30	82
Wendy Freeman, President, CTV News		
Canadian Broadcasting Corporation		
Michel Cormier, General Manager, News and Current Affairs, French Services		
Jennifer McGuire, General Manager and Editor in Chief, CBC News		

Organizations and Individuals	Date	Meeting
Canadian Radio-television and Telecommunications Commission		
Michael Craig, Manager, English and Third-language Television		
Peter McCallum, General Counsel, Communications Law		
Corus Entertainment Inc.		
Troy Reeb, Senior Vice-President, News, Radio and Station Operations		
Elections Canada		
Anne Lawson, General Counsel and Senior Director, Legal Services		
Stéphane Perrault, Acting Chief Electoral Officer		
Cable Public Affairs Channel (CPAC)	2017/12/05	83
Catherine Cano, President and General Manager		
Peter Van Dusen, Executive Producer		
Canadian Association of the Deaf		
Frank Folino, President		
Canadian National Institute for the Blind		
Diane Bergeron, Vice-President Engagement and International Affairs		
Thomas Simpson, Manager Operations and Government Affairs		
Council of Canadians with Disabilities		
James Hicks, National Coordinator		
Commission on Presidential Debates	2017/12/07	84
Janet Brown, Executive Director		
HuffPost Canada	2017/12/12	85
Andree Lau, Editor-in-chief		
La Presse		
François Cardinal, Editorial Page Editor		
Yann Pineau, Senior Director Continuous Improvement		

Organizations and Individuals	Date	Meeting
Twitter Inc. Bridget Coyne, Senior Manager Public Policy	2017/12/12	85
Jamaica Debates Commission Noel daCosta, Chairman Trevor Fearon, Resource Consultant	2018/01/30	86
Trinidad and Tobago Debates Commission Angella Persad, Immediate Past Chair Catherine Kumar, Interim Chief Executive Officer		

APPENDIX B
LIST OF BRIEFS

Organizations and Individuals

Bloc Québécois

Facebook Inc.

Green Party of Canada

Liberal Party of Canada

Misir Qureshi, Sacha

New Democratic Party

Thomas, Paul

Vezina, Gregory

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* (Meetings Nos. 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 92) is tabled.

Respectfully submitted,

Hon. Larry Bagnell
Chair

DISSENTING OPINIONS OF THE OFFICIAL OPPOSITION

The 2015 federal election saw an unprecedented five leaders' debates. CPAC carried all five debates live, new viewing formats were available, and Facebook and YouTube webcasted three of the debates. By all accounts, these leaders' debates were successful, reaching millions of Canadians through differing viewing formats.

However, now, after numerous broken promises and negative publicity on the Democratic Institutions file, including unsuccessful attempts to ram through substantive changes to how both Canadian Parliament and democracy works within completely arbitrary time frames, the Liberal Government is once again rushing to fulfill a poorly-considered promise.

The following dissenting opinions, thoughts, and concerns, set out the conclusions of the Official Opposition.

Not in Good Faith

This Committee was tasked with studying the creation of an independent commissioner to organize political party leaders' debates during future federal election campaigns, under the mistaken assumption that the Liberal Government was actually seeking its input and recommendations. However, despite this study not yet being complete, and not knowing the substance of the proposed recommendations, the Liberals somehow managed to slap an arbitrary $6 million price tag on it in their recent Budget. Paul Wells, a *Maclean's* journalist who moderated one of the five party leaders' debates held during the 2015 election campaign, when he heard about the exorbitant price tag, tweeted "I was like, we could have run SIXTY DEBATES".

Further, the Minister of Democratic Institutions held a separate process for consultations on the organization of federal election debates and did not provide the Committee with a report of those findings. In fact, when a motion from the Official Opposition calling for the Committee to be fully briefed on all consultations prior to the completion of its report was put forward, the Liberal majority on the Committee voted this down.[1] This inevitably forced the Committee to make recommendations, without access to all relevant information.

The Committee heard testimony about debate commissioners in other nations, but in each case these were independent non-governmental organizations. None were created, funded or otherwise influenced by the government.[2] [3] [4] The Committee is proposing the government proceed into unprecedented involvement of the State in federal elections.

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[1] *Minutes of Proceedings*, February 1, 2018.

[2] PROC, *Evidence,* 7 December 2017 (Janet Brown, Executive Director, Commission on Presidential Debates)

[3] PROC, E*vidence*, 30 January 2018 (Catherine Kumar, Interim Chief Executive Officer, Trinidad and Tobago Debates Commission)

[4] PROC, *Evidence*, 30 January 2018 (Noel daCosta, Chairman, Jamaica Debates Commission)

These considerations have caused the Official Opposition to conclude that the Liberal Government is not approaching this Committee study in good faith, and has already come to predetermined conclusions.

History of Litigation and Potential Paralysis of Debates

Leaders' debates already have a history of being litigated in Canadian courts.

The Liberal majority's proposal is a prescription for paralysis because it will ensure that this pattern of court challenges will continue, increase and, now, succeed.

Government intervention in the organization of party leaders' debates during general elections will only stymie efforts to connect interested voters to campaigning politicians because the debates will simply get bogged down in litigation.

Typically, court proceedings have been in the form of a last-minute application by a minor party omitted from an otherwise agreed upon debate. Once, the omission of a Green Party leader even saw a private prosecution initiated against television broadcasters.[5]

One of the earliest court cases on debates, *Trieger et al. v. Canadian Broadcasting Corp. et al.*,[6] covered many of the issues which remain relevant up to this day. That decision serves as a prelude to the issues which lie ahead for Canadian politics.

In *Trieger*, the Green Party leader's application was denied for, among other reasons, the fact that, as a private undertaking, the arrangements for party leaders' debates were not subject to constitutional challenges.

Subsequent cases concerning federal leaders' debates followed the lead of *Trieger*, such as *National Party of Canada v. Canadian Broadcasting Corp*,[7] *Natural Law Party of Canada v. Canadian Broadcasting Corporation*,[8] *Gauthier v. Milliken et al.*,[9] and *May v. CBC/Radio-Canada*.[10]

[5] *R. ex. rel. Vezina v. Canadian Broadcasting Corporation* (1993), 84 C.C.C. (3d) 574 (Ont. C.A.), aff'g (1992), 72 C.C.C. (3d) 545 (Ont. Ct. Gen. Div.), aff'g an unreported decision (Ont. Ct. Prov. Div.).
[6] (1988), 66 O.R. (2d) 273 (H.C.J.).
[7] (1993), 144 A.R. 50 (Q.B.), aff'd (1993), 106 D.L.R. (4th) 575 (Alta. C.A.); application to expedite application for leave to appeal to S.C.C. denied, [1993] 3 S.C.R. 651.
[8] (1993), [1994] 1 F.C. 580 (T.D.).
[9] 2006 FC 570.
[10] 2011 FCA 130.

Court cases in the intervening years on other aspects of the Canadian electoral system, including (but certainly not limited to) *Figueroa v. Canada (Attorney General)*,[11] means that leaders' debates will not only become subject to judicial oversight, by virtue of the Liberal majority's recommendations, but they will be challenged from an ever-growing number of angles.

At the end of the day, the critical final decisions on party leaders' debates will be taken by judges—not by the political parties, not by broadcasters, and certainly not by the commission the Liberal majority is proposing.

Judges have also recognized that this is not an ideal arrangement. Past rulings have hinted at the courts' aversion to having this responsibility.

In *Trieger*, Mr. Justice Campbell stated, "There is an obvious practical difficulty here that candidates and leaders cannot be forced to debate. Debates must be negotiated by agreement."

In *National Party of Canada*, the applications judge, Mr. Justice Berger, wrote:

> Absent cogent evidence of mischief calculated to subvert the democratic process and absent evidence of statutory breach, this Court should not enter the broadcasting arena and usurp the functions of the broadcast media. The political agenda is best left to politicians and the electorate; television programming is best left to the independent judgment of broadcasters and producers.

Despite that, the Liberal majority is setting up a collision course in the courts over the leaders' debates in next year's general election. Perhaps that is why the Liberal Government has determined that it needs to earmark $6-million for a sight-unseen debate commission—in order to pay the bills.

The Official Opposition believes that elections are best left in the hands of parties, candidates, and—most importantly—voters. The Liberal majority's proposal will work to diminish this cornerstone principle of democracy, and we cannot support it.

Journalistic Standards and Debate Broadcasting

The Official Opposition disagrees with the strong implication by broadcast consortium representatives that the debates held by non-consortium members during the 2015 general election did not meet the test of high broadcast and journalistic standards.[12] Furthermore, we

[11] [2003] 1 S.C.R. 912.

[12] PROC *Evidence* November 30, 2017 (Jennifer McGuire, General Manager and Editor in Chief, CBC News and Michel Cormier, General Manager, News and Current Affairs, French Services, Canadian Broadcasting Corporation;

do not agree that the members of the broadcast consortium together hold an exclusive monopoly on credibility, journalistic integrity, or high-quality digital broadcast capability.

Mr. Wells informed the committee of his opinion that,

> The technological revolution that made 2015 possible is continuing and accelerating. Costs of mounting a live broadcast have collapsed to near zero. By 2019 and 2023, the number of organizations with the wherewithal to organize debates and to get them in front of audiences will be much bigger still than in 2015.[13]

The Official Opposition believes that claims by any media or technology organization that they alone are able to deliver a leaders' debate that meets some measure of "high journalistic standards" should be treated with cynicism.

The 2015 federal election featured five successful leaders' debates, only one of which was hosted by the broadcast consortium. Therefore, the suggestion that there was a problem with either the number or the quality of leaders' debates that needs to be addressed in the coming election by means of direct government intervention is simply ridiculous.

All individuals and organizations involved in the 2015 debate organization were well established individuals and entities in their fields, and the debates were broadcast across multiple television and internet platforms.

1. The first debate was produced by *Maclean's* Magazine and Rogers Media, a multi-platform communications enterprise which includes the Sportsnet, City, and OMNI television broadcasters. It was moderated by Paul Wells, a respected journalist with over two decades experience in Canadian politics. The debate included live translations into French, Italian, Mandarin, Cantonese, and Punjabi. It aired live on City TV stations (English), CPAC (English and French), and Omni Television stations (all other languages), was streamed live at the Maclean's website and on all the broadcasting networks' websites, on Facebook, on YouTube, and on Rogers Media news radio stations.
2. The second debate was moderated by *Globe and Mail* Editor-in-Chief David Walmsley, and produced by *The Globe and Mail* and Google Canada. It aired live on CPAC (English and French) with an additional English feed in Ontario on CHCH television, and streamed live on *The Globe and Mail*'s website and on YouTube.
3. The third debate was hosted by the broadcast consortium (CBC/Radio-Canada, CTV, Global, Télé-Québec), and La Presse. This debate was held in French and was moderated by Radio-Canada journalist Anne-Marie Dussault. It aired live in French on Ici Radio-Canada Télé and Télé-Québec stations, and streamed on the participant networks' websites, in English on CPAC, CBC News Network, CTV News Channel, and on the participant networks' websites.

Wendy Freeman, President, CTV News, Bell Media Inc.; Troy Reeb, Senior Vice-President, News, Radio and Station Operations, Corus Entertainment Inc.)

[13] PROC *Evidence*, November 28, 2017 (1145).

4. The fourth debate was bilingual and hosted by Facebook Canada and the Aurea Foundation, as part of the foundation's regular Munk Debates, and moderated by Munk Debates organizer Rudyard Griffiths. It aired on CPAC (English and French) with an additional English feed in Ontario on CHCH television, and streamed live on the Munk Debates website, and on Facebook.
5. The fifth debate, a French language debate, was hosted by private broadcaster TVA (Quebecor Media) and was moderated by TVA anchor Pierre Bruneau. It aired with simultaneous interpretation to English on CPAC, and in French on TVA stations, Le Canal Nouvelles, and streamed on the TVA Nouvelles website.

The Official Opposition notes that CPAC, the Cable Public Affairs Channel which presents Parliamentary, political and public affairs programming, was the only platform, whether television or internet-based, that broadcast live each of the five leaders' debates that were held during the 2015 federal general election. This was to their credit; CPAC took this action in service to the public even though CPAC was not a formal partner in organizing or broadcasting any of those debates.[14] The Official Opposition hopes that CPAC will continue this practice.

The Official Opposition believes that, in the interest of ensuring that each election leaders' debate has a large potential television audience, the CBC and Radio-Canada, in their role as Canada's taxpayer-funded public broadcasters, should choose to broadcast all leaders' debates live, preferably on their main networks, and regardless of their involvement in the production of those debates.

Conclusion

Given the preceding opinions, thoughts, and concerns, including the history of litigation surrounding debates, the Liberal Government's broken promise that it would seek this Committee's input and recommendations prior to adopting a course of action, and the comical assertion that leaders' debates have a quality-control issue that will be fixed via *de facto* nationalization, the Official Opposition simply cannot support this proposed new process for federal election leaders' debates.

[14] PROC, *Evidence*, 5 December 2017 (Catherine Cano, President and General Manager and Peter Van Dusen, Executive Producer, Cable Public Affairs Channel (CPAC))