



4th Session, 37th Parliament

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REPORT OF PROCEEDINGS  
(HANSARD)

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SPECIAL COMMITTEE ON THE  
CITIZENS' ASSEMBLY ON  
ELECTORAL REFORM

Victoria

Thursday, May 8, 2003

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**SPECIAL COMMITTEE ON THE  
CITIZENS' ASSEMBLY ON ELECTORAL REFORM**

Victoria  
Thursday, May 8, 2003

*Chair:* \* John Les (Chilliwack-Sumas L)

*Deputy Chair:* \* Jeff Bray (Victoria-Beacon Hill L)

*Members:* \* Ida Chong (Oak Bay-Gordon Head L)  
\* Kevin Krueger (Kamloops-North Thompson L)  
Blair Lekstrom (Peace River South L)  
\* Rob Nijjar (Vancouver-Kingsway L)  
\* Joy MacPhail (Vancouver-Hastings NDP)

*\* denotes member present*

*Clerk:* Craig James

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*Witnesses:* Dr. Jack Blaney



**CONTENTS**

Special Committee on the  
Citizens' Assembly on Electoral Reform

Thursday, May 8, 2003

	<b>Page</b>
Review of Nomination of Chair for Citizens' Assembly .....	3
J. Blaney	



## MINUTES

# SPECIAL COMMITTEE ON THE CITIZENS' ASSEMBLY ON ELECTORAL REFORM



Thursday, May 8, 2003  
9 a.m.

Douglas Fir Committee Room  
Parliament Buildings, Victoria

**Present:** John Les, MLA (Chair); Jeff Bray, MLA (Deputy Chair); Ida Chong, MLA; Kevin Krueger, MLA;  
Joy MacPhail, MLA; Rob Nijjar, MLA.

**Unavoidably Absent:** Blair Lekstrom, MLA

1. The Committee reviewed the nomination of Dr. Jack Blaney as the Chair of the Citizens' Assembly on Electoral Reform.  
Witness  
Dr. Jack Blaney
2. The Committee met in camera to consider its report to the House on the matter of the nomination of Dr. Jack Blaney as the Chair of the Citizens' Assembly on Electoral Reform.
3. **Resolved**, that the Committee adopt unanimously, its report to the House.
4. **Resolved**, that the Chair present the Committee's report to the House as soon as possible.
5. The Committee adjourned at 10:17 a.m. to the call of the Chair

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John Les, MLA  
Chair

Craig James  
Clerk Assistant and  
Clerk of Committees



THURSDAY, MAY 8, 2003

The committee met at 9:03 a.m.

[J. Les in the chair.]

**J. Les (Chair):** Good morning, everyone. I'd like to call the meeting of the Special Committee on the Citizens' Assembly on Electoral Reform to order. Thank you all for coming early this morning.

#### **Review of Nomination of Chair for Citizens' Assembly**

We have with us this morning Dr. Jack Blaney, who, as you're all aware, is the nominee for the position of chair of the Citizens' Assembly. Thank you for coming, Dr. Blaney. I would propose that we turn the floor over to Dr. Blaney to allow him to tell us how he sees the work of the Citizens' Assembly unfolding and his role in that. I will then turn the floor over to members of the committee to ask any questions that they might like. After that we will convene in camera to discuss confirmation or otherwise.

Committee members should be aware that this is an open meeting. We may have TV cameras here at some point during the meeting, and I'm sure everybody's okay with that.

[0905]

Interjections.

**J. Les (Chair):** Let the record show that Vaughn Palmer surprised us all.

Jeff, did you have a question?

**J. Bray (Deputy Chair):** Maybe we should do a round of introductions of members.

**J. Les (Chair):** Certainly, a round of introductions, particularly for Dr. Blaney's benefit. Joy starts.

**J. MacPhail:** Joy MacPhail.

**R. Nijjar:** Rob Nijjar of Vancouver-Kingsway.

**J. Bray (Deputy Chair):** Jeff Bray, Victoria-Beacon Hill, Deputy Chair.

**K. Krueger:** Kevin Krueger, Kamloops-North Thompson.

**I. Chong:** Ida Chong, representing Oak Bay-Gordon Head.

**J. Les (Chair):** I'm John Les from Chilliwack-Sumas. All right. With those formalities out of the way, Dr. Blaney, we'll turn the floor over to you.

**J. Blaney:** I can't tell you how delighted I am to be here. I must admit that about four — maybe seven, eight — weeks ago when the Premier of the province asked me to see him and started talking about the Citi-

zens' Assembly on Electoral Reform — and he was quite excited about it.... Halfway through the conversation I was hoping that he was going to ask me to chair this assembly. I just think this is one of the most outstanding opportunities that a person, I think, of my background and inclination could possibly have. I probably ought not to indicate how pleased — maybe it's not proper to indicate how absolutely pleased — I am to be nominated for this position.

I have to tell you, as I told the Premier, that I haven't given terribly much thought to electoral reform. I am quite a well-informed citizen. I know that there are different views out there and different people and different groups that work at various things, but I must admit I haven't really given any enormous amount of thought to electoral reform. I will be learning, of course, a lot about what people have to say on the issue and, hopefully, be as well-informed as about anyone could be.

What I am informed about, and what I am very excited about, of course, is the whole concept of a citizens' assembly. The idea of bringing together by random selection 158, or some number, citizens of British Columbia for a fairly long period — let's say maybe it could be ten to 12 months — to learn together, to think together about some very, very important public policy issue and then consult other members of the public about this issue and then come together and deliberate and, hopefully, come to some kind of consensus about an important public policy issue.... This, to me, is one of the most exciting kinds of initiatives or projects a person who, like myself, has been dedicated to learning — particularly, adults coming together and learning.... No project could be more exciting.

No project, in my mind, requires.... It would be very challenging. To be offered this.... If you confirm me, then it is my job to make sure that this is done just as effectively, as fairly, as openly, as competently as it is possible to do.

I believe the fact that I am not an expert on electoral reform.... I'd like to think, frankly, that that might be a bit of a plus at this point, in that, it seems to me — and you may have a different view on this one — the chair of the Citizens' Assembly's opinion as to whether there ought to be reform or whether the system we have right now is the one that we ought to recommend.... I don't think that opinion should ever be known. I don't believe I should have an opinion on it.

I will have an opinion on it, because I will learn. I'll work very hard at learning the strengths and the practices of various kinds of systems of election. I need to know those to ensure, when they are presented to the citizens — the Citizens' Assembly — that they are presented fairly, that every proposal gets a very, very fair hearing and that there is no bias in the presentations or overall in what the members of the Citizens' Assembly will hear. At some time, as I learn about these, I probably will form an opinion. But it seems to me that that opinion should be mine and mine alone.

[0910]

As I get asked to participate in a number of activities around the province.... As I've indicated to a couple of you already, I have now something like a dozen

invitations on my desk already. My response, by the way, has been that I have only been nominated. I am making no commitments until, if and when, confirmation. Then, when I do participate, we will talk about the Citizens' Assembly as a process, about how we are going to work for the year. That is, I will not engage personally in debate about one system over the other.

That's kind of my approach to it. Hopefully, I've given you my sense of enthusiasm for the job, the importance of it. The creation of a Citizens' Assembly, the first time in Canada, bringing — I'm not sure I like the word "ordinary" — citizens, by random, together to discuss an important public policy item at some length and some depth over some period, is just about the most exciting thing that I think a person, an educator, could ever get involved in.

I guess, lastly, my qualifications for the position. I have been a person who has basically dedicated his whole life to dialogue. My first job, when I was age 24, when I was asked to take on a job at the University of British Columbia, was the organization of study discussion groups throughout British Columbia. We were in 64 different communities, something like a Great Books program. We actually called it something else: living room learning.

I would go with my '64 Chevy with a trunk full of books to Chetwynd, Peace River, Prince Rupert and wherever, all around this province, organizing small discussion groups. Even at that age, I said to myself that this has got to be one of the most exciting things going on in the province: adults coming together in circles in living rooms, talking about the important issues of the day or important questions of the last thousands of years.

I have worked at various positions in universities, and I have always worked in a position that has tried to bring the community and the university together. The best physical representation of that was, indeed, the creation of the Centre for Dialogue, the Morris J. Wosk Centre for Dialogue. I will admit that was my idea, and it was my design. Although I was busy doing administrative things at the time, I took great care as to how that place was designed so that it would maximize interaction among people.

I have, I think, a professional life dedicated to bringing people together to find common ground, so when something like the Citizens' Assembly comes along, I've got to be excited.

**J. Les (Chair):** Thank you very much.  
I'll open it up now to questions. First is Joy.

**J. MacPhail:** Thank you very much, Dr. Blaney. It's nice to have you here. I have great respect for all of your accomplishments. When the Attorney General approached me wanting to have the Premier and me make a joint announcement of your appointment, it was not for any lack of respect for you and your work that I suggested we should hold a confirmation hearing.

It was for this reason I suggested that, and the Attorney General agreed: it is such an important process

that the beginning of it should have the light shone on it as well. That's why. Confirmation hearings could start the process in such a transparent way. Unlike some of the time I spend in this room, Mr. Chair, this is probably going to be a pleasant exchange.

I was interested to hear of your early experiences in terms of providing dialogue. I just wonder: are there other aspects of what you have done that allowed for dialogue in other areas that may lend experience to what you're going to embark on — like, for instance, the Fraser Basin Council? What other areas?

**J. Blaney:** The Fraser Basin Council is a very good example. I regret that I will have to resign from being chair of the Fraser Basin Council. The Fraser Basin Council, for those who might not know, is an organization created about six years ago. Its first chair was Iona Campagnolo. Its job is to bring citizens from all over B.C. together so that they can resolve, on their own, sustainability problems. The Fraser basin, of course, is huge: from the Rocky Mountain Trench, Prince George, the Chilcotin, all the way down to Vancouver.

[0915]

We have, indeed, been very successful in bringing diverse groups together: people from business, the aboriginal community, the fishers and whatever, to resolve problems all the way from noxious weeds to the flow and the temperature of the Nechako River and so on. That, indeed, is an example of where we get together and bring people and dialogue. We have a board of directors of 36 representing the federal government, the provincial government, local government, first nations and people from private society and civil society.

The fact is that it works. When I was first approached about chairing this organization, I said it can't work, you know. Actually, I was not that serious, because I've chaired something else that was even much more difficult than that. It does work, and it works well. People do come to consensus when they know that what they share is more important than what divides them. For every group that I've been with, there are always things where you can find common ground. There's always something, if we work hard enough, we can find that we share. What we share, usually, are values that are much stronger than those questions that divide us, and that's what we search for. That's a longer answer than you wanted.

**J. MacPhail:** No, it's good.

Excellent. I just hope that the area you chaired that was much more difficult wasn't the University Presidents Council.

**J. Blaney:** No, it was the university senate.

**J. MacPhail:** Okay, good. Mr. Chair, if you don't mind — just tell me to stop whenever, and then I'll yield the floor — I do have a series of questions.

I think it's a very complex task that you have ahead of you. Some of the way has been laid before you by

the work that Mr. Gibson has done — the report, the recommendations that he made to the government. The government has adopted many of Mr. Gibson's recommendations, but there are a few areas where the government has differed with Mr. Gibson on recommendations. I just want to explore some of those briefly. I assume, Dr. Blaney, that you have had a chance to read the report and the recommendations.

**J. Blaney:** Yes.

**J. MacPhail:** Right.

**J. Blaney:** Don't give me a test by test, though, but I've read it.

**J. MacPhail:** No, I'm not. I'm going to tell you what the recommendation is and what the difference is. Honestly. Have you had a chance to meet with the Attorney General?

**J. Blaney:** No, not on this. No.

**J. MacPhail:** Okay.

Some of the terms of reference and the directions that you will be given or have been given are different than what Mr. Gibson suggested. For instance, Mr. Gibson's report suggested that those who do not speak English should be ineligible to participate. The government has remained silent on that recommendation. I would, actually, in my view, think that the silence is good if they.... I'm wondering what your view is on that, on whether people that do not speak English could or should participate.

**J. Blaney:** Well, it certainly would make it very difficult for them to participate. It is by random, and I notice they.... Actually, I'm not going to make any judgment on the government's decision in the end. If I didn't like what the government proposed in the end — some changes — then I wouldn't be here. I'm not going to say that I think either Mr. Gibson's recommendation was better than the government's final decision.... So I'll let that aside. If the government is silent on that issue, I guess that then means the Chair or the assembly itself decides. Well, it would certainly be the Chair.

These citizens are going to be by random selection. We are going to be, as I understand it properly, 20 persons randomly selected for each constituency. From that 20 we will choose, again by random — by lot — two. We're going to have constituency meetings or perhaps three or four constituencies together, if that's possible, to make it a little bit more efficient, and we're going to describe how this is going to work.

When the Premier discussed this with me, he said it would be best, of course, if the Chair did it. Whether it's logistically possible to do everything is something that, frankly, I haven't looked at yet — to see whether that would be done — but clearly, we want to tell them

some of the requirements of doing this. This is going to be a challenge.

It's going to be fairly time-consuming. There will be a lot to read, and there will be a lot to write about and a lot to explain to others and being able to participate in groups. My hunch is that some of these people will elect not to participate on time alone. Some people may feel they would be very uncomfortable having to read an awful lot of material. They might. We can't force it. This is not like a jury. They might say: "I'm not going to do this."

[0920]

One of the requirements is that they use a computer. I'd be happy to engage in that conversation later, by the way. I think this could be a bit of a difficulty, and we have to think about that. It's an area that, should you confirm me, I would like to come back to and actually explore a couple of questions with you just to get your advice.

I guess, Ms. MacPhail, I come down to saying that a fluency in English and the ability to read English and therefore to take in the debates would probably be a requirement.

**J. MacPhail:** Do you see that you would have...? Do you feel comfortable, as you said, as you set up this assembly, that you may be able to go back and ask for a variance on some of the terms of reference? I picked that up, maybe, from your....

**J. Blaney:** It's possible. The basic principles and terms are there, and I accept those, but here's another one that I think, whether there has been silence or whether it hasn't been thought about.... For example, it says that those who require day care should be compensated for that. I think that's a very good.... I don't think the government was silent on that, or if it was silent, it was a recommendation of Mr. Gibson, and it seems to me that the assembly should provide that. It wasn't provided in the budget, by the way. Again, that's a matter I will discuss with this group, should you confirm me.

There are others it was silent on. For example, if we're going to choose 158 people by random — and frankly, I hope it would work out — we'll find some people who are quite disabled — a blind person or a deaf person. To provide for them is not inexpensive. I know that at the university, we've done that. My hunch is that the assembly should provide for that. That is not inexpensive, but they are part of our community, and to be fully representative, I think that people with challenges of that kind ought to be provided for. Now, it's silent on that, but I would come back to this committee and say I think that we should somehow find the means — change the budget, reallocate it or a bigger budget or whatever — such that we can accommodate those people. It should be as inclusive as it possibly can be of the citizens of this province.

**J. MacPhail:** I'll just go back to my point about the issue around English. In my constituency, the first lan-

guage of 40 percent of my constituents is not English. Now, that doesn't mean that they don't speak English.... They vote; these are Canadian citizens. I want to make sure that there is some way of having their voices heard in this matter.

**J. Blaney:** I think we should explore that. I mean, I'm not at all insensitive to your concern. I am concerned about the effectiveness of the assembly and it working.

**J. MacPhail:** Yes, yes.

My next question arises out of the issue of the doubling of the....

Interjection.

**J. MacPhail:** Oh. Go ahead.

**R. Nijjar:** In line with Ms. MacPhail's questioning, I have a concern I want to hear your view on. It's not so much, say, an immigrant British Columbia — that is, English-as-a-second-language — issue, but the ethnic groups that may be very, very fluent in English. I know that in one of the terms of reference, it says that you would look and try to find a balance of age, gender and geography.

I found it interesting that there's gender but not ethnic balance, especially when, say, Canadians of Chinese descent have such a high proportion of the population, and those of South Asian descent. I respect Ms. MacPhail's question on the language issue, but besides that — barring that — if we're going to look at age and going to look at gender, could we possibly include other categories such as ethnic backgrounds, aboriginal natives?

**J. Blaney:** Mr. Gibson actually discusses that quite well, I believe, in his report and sought, by the sounds of it, fairly wide advice on that. His recommendation was not to do it for a number of reasons. First of all, you are selecting now 158 people by random. I know something about random selection. If it is done randomly, it's very, very difficult to believe that you would not get the ethnic cultural representation that you have in this province or a fairly close approximation.

[0925]

Secondly, of course, by looking at the voters list you can't necessarily tell what cultural or ethnic background a person has. They could marry into different names or a whole bunch of other kinds of things. It's very difficult to tell. Then you get very intrusive in your questioning. Some people do not want to be questioned like that.

I have a reasonable faith, if it's a good random selection, that you are indeed going to be.... I feel fairly comfortable with that.

There is no provision now for top-up, but 158 by random is a pretty high number, and I can understand why 158.... To chair a group of 79 and to try to get

some kind of sense of community and bonding is easier — okay? However, 158 does increase quite substantially your chances of getting a very good representation of British Columbians. My hunch is that we will include those groups. It would be a big surprise if it didn't.

**J. MacPhail:** Just to follow up on what Rob Nijjar has said, if, after the random selection, there are gaps in what makes up British Columbia's voter population — for instance, a gap in either South Asian or aboriginal — could you see your way clear to going back to the Attorney General or the Premier and asking them for permission to add for balance or determine a process to rectify the imbalance?

**J. Blaney:** I noticed that there was an amendment put on the floor of the House.

**J. MacPhail:** Yes. I made that, and it failed.

**J. Blaney:** It didn't get support.

If there was a quite glaring absence, I would ask the Attorney General.

**J. MacPhail:** Good. Thanks.

Carrying on in terms of the numbers. The doubling of the numbers may have an impact on making sure that it's broad and balanced representation. I'm wondering about it in the context of the budget. In the discussion with the Attorney General around the budget, he told us in the House that about \$3 million was budgeted for this project. Then he would have to find over \$2 million in efficiencies in his ministry.

Then I also asked him: who's in charge of the budget? He indicated that both the Chair and the Attorney General would be in charge of that. What I note about the budget, though, is that the amount budgeted at \$5.5 million, while a significant amount, is a considerable reduction in the per-assembly-member budget from what Mr. Gibson proposed. While the Attorney General has doubled the participants, the budget is substantially less per participant.

I'm wondering: what's your view? Have you had a chance to examine that in terms of what cost pressures may arise, and have you thought about a method by which cost pressures could be addressed?

**J. Blaney:** Yes, I've had a quick look at the budget. In fact, I asked an associate of mine, who is much more familiar with budgets than I, to take a quick look at it and give me some notes.

When the numbers were increased from 79 to 158, an additional \$1 million was added to the budget — from \$4.5 million to \$5.5 million. Actually, a number of costs that were doubled are not accommodated by an extra \$1 million.

There is \$5.5 million in my preliminary look at it. This does not delve into it in any detail. It's shy of doing the kinds of things that the government wants done in terms of the initial report and the changes that were

made by the government. My hunch is that we will not be able to effectively do all the kinds of things required by the constitution of the assembly as it now is with \$5.5 million.

There are different ways to look at that. I can tell you, as an administrator of many-sized budgets from small to fairly large, I have never in my life run a deficit budget. If you are giving a budget, I can live within a budget. If it's \$5.5 million, it will be \$5.5 million.

[0930]

If you confirm me, I'll be back here after I look at the budget in some detail. I might say that this is not enough. A certain amount might be required, or I might be able to say we might have to make some trade-offs. For example, maybe the citizens will meet five times in the spring and five times in the fall, over the weekends — two days — and we'll do some travelling. Maybe the numbers of sittings would have to be fewer.

Let me just tell you where some of the numbers, I think, might be shy. One is, of course, the one about day care. It was a nice idea, but it wasn't provided for in the budget. The person I had look at this would figure that, just by the numbers of single-parent families in this province.... We also must remember that a lot of people are looking after their parents in terms of parental care, and a lot of people are looking after their spouses. My hunch is that all three categories are the same as day care. Minimally, we're looking at probably \$60,000. Now that \$60,000 is either added, or that \$60,000 comes from the meetings themselves; they don't meet as often.

The cost of meetings. I know Gordon said he had someone do it for him. I've had a chat with Gordon about this, by the way. The cost of meetings is just too low. You can't have an all-day meeting for 158 people in one room for \$1,000.

No accommodation has been made for meetings in smaller groups. If you're going to get 158 people together to do two kinds of things — to bond and feel as a group and secondly, to get practice learning the different kinds of electoral systems and strengths and weaknesses — they've got to speak about it. They've got to be able to engage in conversation with other people. We need smaller groups.

You've got to rent rooms for smaller groups. There's been nothing in the budget for tea, coffee and juice during meetings. There are a number of things like that where they're simply overlooked, and they have to be accommodated by a slightly higher budget. I'm not talking about millions; I'm talking about several hundreds of thousands of dollars, or we have to make some trade-offs. Should you confirm me, I will be asking to come back to you to talk about those things.

**J. MacPhail:** Do you see this as the forum to do that?

**J. Blaney:** Initially, unless I get different advice, and then I would go to the Attorney General.

**J. MacPhail:** I would just add, Dr. Blaney, that even though we may not agree on making sure that people

who don't speak English sit in the assembly, I think that they should be able to have access to the hearings, at least, and therefore interpreters. I noted that interpreters for presenters weren't provided for in the budget, either.

**J. Blaney:** No.

**J. MacPhail:** That's another area.

During the debate in the House I heard the Premier say that he was going to have the government mount a campaign to encourage people to sign up on the voters list. That gave me some cause for comfort, because the recommendation of Mr. Gibson was to have a publicity campaign to encourage voters to register. The government's initial response to that was: no decision made. Then the Premier, in his remarks to the Legislature, did say that he was going to do that.

Have you had a chance to give thought to how that campaign should occur and whether it should be done in a very intense way before you start your work? Can it be simultaneous? Well, I guess it can't be simultaneous. What's your view on that?

**J. Blaney:** Such a campaign should happen — and a good one. I think it's important that we have as many voters on the list as we can.

**J. MacPhail:** Do you think that an advertising campaign will be sufficient?

**J. Blaney:** I'm not sure. I haven't thought about the details about that. I was pleased to read in *Hansard*, by the way, that the Premier supported that, because other than that I notice it was left to the Chair.

**J. MacPhail:** Yeah.

**J. Blaney:** I was going to advise you that my preference would be to have a campaign or to do what is required to not only get people on the voters list, but I think we should do everything we can to let people know that we are engaged in something that's really very important — something very exciting, something that no other province has done in Canada.

[0935]

I think we should all be proud of that, and I think we should get that message out as soon as we can and as widely in this province as we can. I see myself moving around the whole province and getting around the province and taking every opportunity possible to speak to groups about the assembly and what it's about.

**J. MacPhail:** Now, you may know that the opposition also asked for confirmation hearings for senior advisors to the Chair and the assembly as they are selected, including senior counsel and senior researchers, and the Attorney General has agreed to do that. Do you have a time line for making those nominations that we would then consider as a committee?

**J. Blaney:** Two days.

**J. MacPhail:** Two days from after your confirmation?

**J. Blaney:** I'm only joking.

**J. MacPhail:** I have an idea in the morning, and it's out by noon sometimes — not always effectively.

**J. Blaney:** I remember this person I used to work with. He had this button on his lapel that said: "Save time. Do it my way."

I'd like to do that as soon as possible. Clearly, we must do this well. We must do it properly, but we are under a fair amount of pressure of time. In terms of getting a campaign or however one gets people knowing about this, gets them on the voters list, to indeed do the selections this fall.... Those selection meetings, those regional meetings in the constituencies, I think, are reasonably complex to do and to do them right. You need your staff together to help think through the logistics of doing that and how you're going to staff them and make sure they're done fairly, etc.

I would like to be able to move on the staff as soon as you confirm me. If you confirm me, I would like to move on that fairly quickly. I will come back. I indicated to the Chair that I'd like to come back very fast to this committee to know what kinds of qualifications and criteria you have in mind, because I do not want to bring you three persons — if we're talking about a research, administration and communications person — whom you'd reject. It would not be good for the process. It would not be good for my credibility as Chair, so I need to have a very good discussion with as you as to what you expect in those people.

I personally know what I'm looking for. I'm looking for people who are competent, who can do the job. I'm looking for people who are fair and unbiased, people who can work in the kind of highest sense of being a civil servant. They can deal with matters and issues that may or may not agree with their thinking, but they can still deal with them extremely fairly — people who have an open mind to things. Those are the kinds of people I'll be looking for, but I will want to engage in that discussion with you so that hopefully we agree on the kinds of people we are looking for. I must admit that I wasn't absolutely delighted that this step is there, but if it's there, fine. Again, I accept everything that's there, but I do want to have that discussion on qualifications with this group and this committee prior to my approaching people. I have people in mind already, of course. But I'm not going to whisper a thing to them until I have that conversation.

**J. MacPhail:** I have one last area, Mr. Chair. That was just on the issue of your experience, Dr. Blaney, and exposure to the debate on electoral reform. You did discuss that at the beginning. Just to confirm, you will not be putting on the record any preference for a

particular model of electoral reform. Is that my understanding?

**J. Blaney:** That's absolutely correct.

**J. MacPhail:** In terms of experience or exposure to the debate on electoral reform, have you participated? What has been your exposure either in the broader world or the academic world?

**J. Blaney:** I hope they don't find this a huge deficiency, but very little. There are a lot of things that I think I know about, and I can get excited about a lot of things. This is not something that has.... I'm sure political scientists find this a very exciting field. It is not something that has driven my mind.

I have a rough idea about some of the options out there. I have some, because I read the media — and I read good media — as to some of the reservations and some of the reasons why people prefer some systems and why people prefer some others. I read something about the strengths and weaknesses of those that tend to generate more minority governments than others. Other than reading them, frankly, I have not given it great consideration. I have no opinion on whether the system we have now or another system would be better. In that way, I think it's good, because I'll be entering this just like the ordinary citizen — learning about these.

I tend to get excited about whatever I dedicate myself to learn about. I will become a pretty darn good student. I will only become a student, as I say, because I need to ensure that what happens in the assembly is done fairly, that every proposal that is put forth is done fairly and that we're not getting a biased kind of presentation and perhaps not one here.

[0940]

**J. MacPhail:** Just to explain why the opposition asked for confirmation of senior counsel and research and communications, it has been my experience in dealing with inquiries that the staff are key to achieving the kind of balance you have just articulated. The chair plays a very, very important role in ensuring balance, and the staff play a very important role in ensuring that everything in the broadest range of views is presented to the constituent assembly. Therefore, that is why I am pleased that the Attorney General agreed that the committee should have a say in how important that role is and who gets it too.

**J. Blaney:** Fine. Thank you.

**J. MacPhail:** That's it for me, Mr. Chair. Thank you very much, Dr. Blaney.

**J. Les (Chair):** Maybe I should clear up a slight inaccuracy. I think I heard twice that Dr. Blaney, if he was confirmed, would refer back to the Attorney General for certain issues. I don't believe that will happen. Dr. Blaney will refer to this committee for extra budget

or, you know, advice or direction as time goes on. He's not under the personal management of the Attorney General.

**J. MacPhail:** But, Mr. Chair, I would just say that the Attorney General said something different in debate on this matter in his estimates, so we might want to straighten that out. I asked that question specifically of the Attorney General in his estimates, and he said both would be doing it.

**J. Les (Chair):** The next speaker is Kevin.

**K. Krueger:** Joy has been very thorough, as usual, and has pretty well asked a number of the things I was going to, but I want to express my appreciation to you, Dr. Blaney — and, I'm sure, British Columbians' appreciation — for your willingness to consider this opportunity. We think it's a tremendously important one. I want to thank you, too, for the many contributions of the past. The Morris J. Wosk Centre for Dialogue is something that our government has made good use of already. It's a beautiful facility and a real credit to you.

You have a background that's rich in experience and, obviously, haven't been living in a vacuum, but you've made it very clear that you don't have a preconceived frontrunner option for electoral reform. Presumably, many of the people who end up on the Citizens' Assembly also won't have shared the keen interest of people who find themselves in jobs in the various options, but there are very convincing people around the province who have very much decided what they would like to see the Citizens' Assembly recommend. There's a party, for example, that is convinced that proportional representation is the best way to go.

With any option, of course, there would be ramifications, and I wonder how we'll make sure that the people on the Citizens' Assembly are well-informed about the likely ramifications of, for example, proportional representation, meaning that a party would get to appoint MLAs according to the ratio of the votes it got to the total, to one extent or another. It would mean that you had MLAs in the Legislature who didn't really have constituents to report to, who would be very difficult to recall for that reason under whatever new mechanism of recall we find ourselves subject to and so who would have different responsibilities and different rules around how they did their job.

I wonder if you could tell us whether you've thought about in advance how, before they made a recommendation, the Citizens' Assembly would have assurance that they had considered the likely outcome of whatever they recommend.

**J. Blaney:** As I think I indicated in some informal discussion here at the beginning, I don't ever intend — certainly before confirmation, but not even after — to get into engaging in a discussion of the merits of one system as against the other. I think that's for members of the assembly to do. I certainly do not see myself on the *Rafe Mair Show* arguing for or against one system or

another. I think it would be quite inappropriate for me to do that.

[0945]

My public face, my public presence — and I hope it is public — for the assembly is about the assembly itself, about the process, about what's at stake here, about the importance of what we're doing, but not to discuss the options and certainly never so that anyone will ever be able to see that the Chair of the Citizens' Assembly prefers first-past-the-post or proportional representation or something like that. I think that would not be a good idea.

However, when it comes to the Citizens' Assembly, they go through three phases. One is the education phase. Then there's the public hearing. Then there's the deliberation phase. That education phase is really very critical. During that phase, I think it's a very, very big responsibility of the Chair to ensure that that education phase is done well, fairly and openly.

It should be an open process. People should be able to watch and see what's happening. It should be fair. That's why I think I have to know the various systems very, very well: to ensure that it's fair. The director of research I hire — that person, he or she — will have to be, as I think you've implied, very knowledgeable and very fair to make sure that no bias is presented as the citizens learn the options that are available to them.

Clearly, they will encounter people who have lots of bias. That's the nature of the open assembly. Clearly, when we go to the hearings, members of various kinds of groups will want to make their case and champion their cause. That's why it's open. That's part of the process.

But during the education phase itself — and I haven't thought this out in great detail because there are several challenges there.... There's the challenge of taking 158 people who come into this process with different skill sets and different amounts of knowledge of what we're going to play with and bringing them to some fairly basic, common kind of level about the options and ensuring that that process is fair, that the process itself does not bias toward any one of the options. That, I think, is exceedingly important.

**K. Krueger:** Yes, I agree. I certainly wasn't meaning to question whether you would be promoting an option or not. It's conceivable that options will emerge that nobody has thought of or spoken of publicly yet.

**J. Blaney:** Could be.

**K. Krueger:** My concern is that the Citizens' Assembly then has access to resources that could connect that option to the kind of ramifications I was talking about. What would the result be of having MLAs arrive in the Legislature as equals but with unequal responsibilities and unequal consequences to them if people didn't like how they did their jobs? I take it that you believe that would be a responsibility of your director of research.

**J. Blaney:** As I understand it, and in general, as I've been informed, each system carries with it some pluses

and minuses. Those pluses and minuses have to be very clearly understood by all those who are contemplating the options.

**K. Krueger:** Thank you.

**J. Bray (Deputy Chair):** Thank you very much, Dr. Blaney, for agreeing to take this on. Certainly, I think this is one of the boldest and most exciting opportunities in terms of public engagement in Canadian history. I share your enthusiasm for the process and the opportunity.

My first question is.... You referred to yourself as the public face of the process. I think that it's critical. We've had some discussion about getting people onto the voters list and letting them know that it's important, for a whole host of reasons, to be registered to vote; one is the opportunity to at least be in the draw. Also, my own view is that a benefit of the process is to engage the public in their own discussions around electoral reform, elections and how we elect representatives, rather than having the process kind of make its way around and at the point in time it's making any reporting, the public then becomes engaged.

How, as the public face of the process, do you see engaging the general public to have their own discussions about electoral reform and those types of things as you yourself perform in the assembly and start that process as well? How do you see your role in exciting the public about the opportunity?

[0950]

**J. Blaney:** I haven't got that figured out yet. We will certainly give a lot of time to thinking about that. That's why a core team needs to be put together pretty quickly.

The recommendation of Mr. Gibson was that — after the citizens have learned about the various options and have chosen, let's say, three or four which they want to then take out on hearings — they be written up in a fair and balanced fashion and that these be distributed throughout the province. That sound like a good idea. We've agreed to it. Pieces of paper are one thing. Persons getting together and looking at the reading and then engaging with other people is another. We have to try and look at ways in which we can ensure that that kind of learning happens.

Hopefully, the media will pick it up — local media — throughout the province, and they will be discussed at various kinds of clubs and organizations that people join. Hopefully, that's the case. I don't know how many people are going to get excited about electoral reform. I hope people get excited about a citizens' assembly on electoral reform.

I, too, will look for opportunities by which I can be around and talk to people and let them know that this is coming, that they should look for these things, engage others, engage in associations that they belong to, to discuss them and, certainly, take part in the public hearings.

**J. Bray (Deputy Chair):** You talked about saying that you wouldn't go on *Rafe Mair* and talk about the

particular systems and biases — what you think might be good and not good. I take it you are very comfortable going onto *Rafe Mair* or other shows to talk about the process and talk about the Citizens' Assembly and promote the process.

**J. Blaney:** I'd be very disappointed if Mr. Mair doesn't call me to be on the show.

**J. Bray (Deputy Chair):** You talked a bit about the education of participants and the fact that there's going to be a fairly intensive commitment of people who agree to participate with respect to reading and those types of things in your phase 1, which is the education phase.

Do you see it all being done internally with respect to your various essays on different electoral systems and you having that discussion or your researcher leading that discussion? Or do you see, in the education phase, perhaps, having others — political scientists, others — come in to actually give the lecture to supplement any written material people have, because, of course, as you said, people learn differently? Some say: "Give it to me to read, and I'll go learn it." Others really want to hear someone talk about it, and then they can review notes. Have you given any real thought as to whether or not you're going to allow other people to participate in the education process?

**J. Blaney:** Again, I haven't thought about that a lot. My hunch is that — and Mr. Gibson suggested it in his report — experts in various systems should come and address the assembly. That sounds to me like a good idea. Again, one has to make sure that is done fairly. Oh yes, people learn by reading, but people learn by listening, and people learn by seeing too. I can see where some good visuals of this could be presented.

We're going to have to work very hard as we look at this to ensure that at the end of the education phase and when the citizens select three or four options, they can be presented very clearly to people so that they will understand them. These will be endorsed by the citizens themselves so that they will understand them very, very well. My hunch is that you need all kinds of interactions.

That's why, by the way, I say you need small groups. People cannot learn this kind of stuff and really intellectualize it unless they can have debates and exchange to see whether they really understand it. I think we have to ensure that these small groups aren't the same groups all the time but that they mix around so that they have a chance, on many occasions, to meet every other member of the assembly in a whole bunch of different groups.

**J. Bray (Deputy Chair):** My final question is — because a lot of the other ones have been canvassed already.... One of your areas of expertise is this whole issue around group dynamics and how you make groups of people function well together. We've talked a lot about the education and that aspect of it. Have you

given any thought about what you'd do if you have a particular participant who is becoming particularly disruptive to the process for any number of reasons — either they're not attending or they're clearly not engaged in the process? Behaviorally, they might be causing problems.

Have you given any thought to what you do when you encounter — within this random selection, and you're now into the process — or when you've clearly got somebody who's having a negative impact on others within the group — how you might handle that particular situation?

[0955]

**J. Blaney:** Well, I've certainly been in meetings where there have been disruptive people. I love the university senate, by the way, and I love the university, but there can be very disruptive people in university senates — students, faculty and whatever. I've learned to deal with that. A certain amount of turmoil and disruption is part of the process of people learning together, however, and it is provided for in the recommendations.

I believe the government agreed that should someone be really destructive, more than just disruptive but destructive of the process, and the process simply can't work, there is a provision by which two-thirds of the members can vote to ask that person to leave. I hope that is never implemented. Clearly, you know, it's hard to tell what one would do in advance. I've had lots of experience doing that. Each case is different. You know, the Chair speaks to the person. You ensure that peers speak to the person. Peer pressure, consultation, is one of the best ways, of course, to make things like that happen.

One thing I'm going to do if I'm there — if you get me to do this job and we do the regional meetings — is to explain what we're going to talk about and what we're not going to talk about in the assembly. That is, it's not going to be a politicized debate. I mean, we're talking about how the citizens go from voting to having representatives in the Legislature. How do you translate votes into seats in the House? That's very important. That in itself is enough to talk about.

It's very, very important. It's very important that we're not talking about going back to the fast ferries or talking about what is happening now in education reform or whatever. It just seems to me that those kinds of things are not.... I'm going to make that very clear at the beginning so that for those people who choose to enter into political kinds of conversations, and that's all they want to do, we will remind them that was a rule, ahead of time, that we were not going to do that.

**J. Bray (Deputy Chair):** Thank you very much.

**J. Les (Chair):** Rob?

**R. Nijjar:** You said that the Chair is the public face. I agree. My question is: how public will the faces of the members be? I ask because colleagues have shared with me a concern which I also share. As Mr. Krueger said — and we can all basically agree — almost every-

body on that committee will be as uninformed of the particulars of any type of governance as the general public is right there on the street. There are other groups of people that are very informed and work very hard on getting their position out there.

If the names of the members are public from the start, then there is a plausibility that those people would be lobbied or that they would be lobbied through their family members — husbands, wives, mothers, brothers. Then for me, it begs the question.... Not that I'm trying to micromanage. I'm really against that type of thing where we appoint a chair and then we try to micromanage.

A thought out there is: what is the necessity of ever making the names of the members public? So long as we make public and assure British Columbians that there is proper representation that's based on gender, age and all the other factors, as long as we're ensuring that, what necessity would there ever be to say that the person's name is John Smith rather than John Black? Have you given that any thought? Would you at least consider giving that a thought — of protecting the members from public pressure?

**J. Blaney:** Have I given that a lot of thought? No, I haven't. Now you've allowed me the opportunity not to answer your question, by the way, but I think I will answer it anyway.

Off the top of my head, I just believe in openness in everything I do. I think the names of the assembly — I mean, I could be persuaded otherwise, but I don't think so — ought to be public. The idea of getting a Citizens' Assembly, the best representation of the citizens of B.C. as we can, is that they then should be interacting with the citizens of B.C.

[1000]

You know, my hunch is that the whole matter.... There are going to be a number of matters that these people, some of these people, will experience that they've never experienced before. This is, again, one of the beautiful things about this process. We can discuss them in assembly. We can talk about being lobbied and everything else, and pressure. People will have those kinds of experiences, and we will talk about that.

We will talk about the importance of bringing to bear, as much as one can, their kind of unbiased, objective point of view. What's the best thing for the citizens of B.C. — not what's the best thing for you, your family or whatever, but for the citizens of B.C.? We can discuss those matters. My hunch is that it has to be open, and it will be open regardless, because these people — these citizens, the members — will have public hearings. That's the second phase. Of course, they're going to be lobbied in those hearings, and that's part of the public participation process.

I have enormous — and I have never been let down — faith in people. I think that some people have worried about a random selection of people: "How can a random selection of citizens of B.C. work and pull together?" I predict they will, and they're going to surprise us. There's going to be some bonding, a lot of

goodwill and, I have a hunch, some kind of acculturation about being objective, about the public service that we are providing together to the citizens of B.C. We only do that by being objective and learning together.

I hope you don't think I'm naïve. I don't think I am. I have great faith that people will do this well.

**R. Nijjar:** I agree with you, actually.

My other question is that there are many different styles of chairing. When you work with different chairs, they see their role slightly differently. When you suggest or bring forth names for deputy chairs, what will you be looking for in your deputy chairs? In that, I ask: what do you believe is your role in relation to your deputy chairs? Some people believe, as a chair, that they have their deputy chairs do the management, and they oversee the management. Others believe that they do the management, and they have the chairs assist them. There are so many variations in that. What would you be looking for in your deputy chairs, and therefore, what would you look for in a deputy chair?

**J. Blaney:** Are you referring to the deputy chairs as talked about in Mr. Gibson's report, or are you talking about the senior staff that I'm hiring?

**R. Nijjar:** As in the report.

**J. Blaney:** Oh, as the deputy chairs. It says there.... I don't know the exact wording here. It seems to me it says the chair has the discretion to appoint up to four deputy chairs. Then it says that those deputy chairs may assist in the public hearings process.

Having four deputy chairs, at this point, sounds to me like a really good idea, actually, and one thing one would look for in those deputy chairs is geographical representation of the province. One would want some diversity in those chairs — not all white, male and over 50. Whatever. One would try to get that kind of mix.

One would hope that those chairs, the deputy chairs and the chair, would work really well together. My hunch is that to make this really work and keep in touch with the members and know them by name and everything else, it's going to require that kind of organization and that kind of trust among the deputy chairs and the chair to work really well. I will use that kind of criteria.

**J. Les (Chair):** Ida.

**I. Chong:** Dr. Blaney, I appreciate you mentioning in your opening remarks the excitement you feel about bringing together citizens by random and the challenges, of course, that you have to bring people to consensus on this. I'm just wondering if you can enlighten me a little bit more on that bringing together of these citizens at random into this consensus whereby your report will then be made available to us as legislators.

[1005]

With a jury, and we've all seen this on television, perhaps, as opposed to having personal experience....

With 12 people on a jury, the chairperson of the jury is able, usually, to work with 12 people in a fairly confined manner with their terms of reference. With 158 other people, it is quite a challenge. Do you have some processes or thoughts on how you are going to be able to get to that point where you're going to have that report — that very vital report — that we need? Have you any thoughts on that, preconceived or not?

**J. Blaney:** I have some thoughts now. I hope I have much deeper thoughts later.

It's not going to be easy with 158 people; 79 would have been easier. I think there are advantages to having 158 in terms of the representation, so that's not to be revisited, but that will indicate... It's a challenge to bring 158 to consensus, and indeed, they might not. Indeed, we may have to vote. If one had to put some kind of probability on it, my hunch is that in the end, it could come to a vote.

Consensus is better, if one can come to it. What you do to come to consensus is that I've always.... First of all, we have to find out why we're there. We are here serving the public, the citizens of B.C., and from that, what kinds of things and what values do we share? Clearly, some very important democratic ideals and values for people. You build on what you have in common.

Secondly, you try to get as many members there as possible to know the other members. If you give me this job, I'm going to work very hard to know every person's name and to call them from time to time and for the deputy chairs to get to know at least a subset of names, if not a lot of names. It's just that personal identity with the process and that people care about each other. That's why the small groups are absolutely vital. We'd never be able to achieve that if we always met in a group of 158. It's just not going to happen.

Those are the kinds of things. We personalize as much as possible. We make people feel very important. We make sure that they understand what the core task is to do, that they all can identify with the core task and that, of course, it's totally appropriate to have differing views. So you work on that. Whether we come to consensus, at the end of the day.... I'm going to be extremely pleased if we do. If we're not, I still hope that everybody will feel good about it, and the differences of opinion will just simply have to be voted on. I would hope very much that we never come to the stage where it's provided that the chair has a vote in case there's a tie. I never want to exercise that.

**K. Krueger:** Having said that you won't allow your opinion to be known, that would be tough.

**J. Blaney:** It would be tough to do the two at the same time, wouldn't it?

**J. Les (Chair):** Anything else, Ida?

**I. Chong:** No, that's fine. Thank you.

**J. Les (Chair):** Anyone else have any other questions? Joy.

**J. MacPhail:** I just have one last question. Dr. Blaney, do you see this as your highest priority until the report? How does it fit into your life in terms of a job?

**J. Blaney:** I'm glad you asked that. I am glad you asked that, because I wanted to say something about that.

I do a number of things. As I indicated, again, at our little informal meeting, I have some letters on my desk — they're not dated — that are resignations from a number of things, should you appoint me and confirm me. That would include chair of the Fraser Basin Council, some volunteer work that I do — a very important bit of volunteer work that I do with something called Action Canada, where we're getting future leaders of the country. I've kind of notched that down quite a bit.

I will not resign from.... I indicated this to the Premier when he asked me. I'm a commissioner with the International Joint Commission. This is a treaty organization between Canada and the United States that deals with transboundary water issues and which will go on beyond, after my term as Chair here. There are only three Canadians on that commission. The chair of it is Herb Gray, the former Deputy Prime Minister. I've talked to him about it, and he hopes that I will continue.

I've told him, however, that I'm going to really ratchet down the amount of time I spend on that, but there are some essential meetings. Once a month for two or three days, we meet in Washington or Ottawa. I know the dates. They're preset. A lot of reading to do. I tend to work 80-hour weeks, like you guys, I'm sure. I intend to keep that. I've also talked to the person in the Privy Council office about conflict of interest. She's a specialist in this, a lawyer. She says there's no possible conflict of interest, because one deals with international matters and whatever. The Fraser Basin Council, if I did have the time, would have a conflict of interest.

Basically, I've resigned from everything for a time, except one. I don't want to go into the details, but I have some particular family obligations that always come first. They're there, and I have confided with the Premier on that.

**J. Les (Chair):** Okay, thank you.

Anyone else? What we'll do, then, is recess and convene in camera. Let's take two minutes to fill our coffee cups and allow others to leave the room.

The committee recessed from 10:10 a.m. to 10:14 a.m.

[J. Les in the chair.]

The committee continued in camera at 10:14 a.m.

The committee adjourned at 10:17 a.m.