



**REPORT OF THE ACTING CLERK OF THE LEGISLATIVE ASSEMBLY
TO THE HONOURABLE DARRYL PLECAS, SPEAKER OF THE LEGISLATIVE ASSEMBLY,
ON DRESS GUIDELINES AND EXPECTATIONS IN THE PARLIAMENT BUILDINGS**

May 2019

EXECUTIVE SUMMARY

The key findings and recommendations contained in the report are:

- Dress guidance should be principle driven, and not prescriptive.
- Professional contemporary business attire should be expected for Members while participating in parliamentary proceedings in the House.
- Indigenous attire, traditional cultural attire, and religious attire should continue to be considered acceptable dress.
- Religious headdress, coverings and other objects symbolizing faith, such as kirpans and ceremonial daggers should continue to be permitted.
- For MLAs who identify as a woman, professional contemporary business attire may include sleeveless dresses, sleeveless shirts and blouses.
- For MLAs who identify as a man, professional contemporary business attire may include jackets and collared shirts. Neckties are not required.
- For MLAs who do not gender identify, appropriate professional contemporary business attire shall reflect a range of acceptable options, including examples noted above.
- Clothing and badges with brand names, slogans, advertising or political messages should not be permitted in the Chamber.
- Sergeant-at-Arms staff should not enforce dress guidelines for Members or individuals who regularly work at the Legislative Assembly.
- Each Assembly department, caucus or work group should enforce dress guidelines in their respective responsibility area.
- The Speaker should continue to have oversight of dress guidelines in the Chamber and formally retain discretion to authorize exceptions in appropriate circumstances.
- Sergeant-at-Arms staff should continue to oversee dress guidelines for visitors, pursuant to culturally inclusive and gender-neutral guidance.
- Professional contemporary business attire should also be expected of other individuals who work in the Parliament Buildings.
- Visitors to the Parliament Buildings or the public galleries should wear informal, casual or business attire, including footwear.
- Changes to the Standing Orders outlining the above expectations for Members participating in parliamentary proceedings are recommended.



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BACKGROUND

On March 28, 2019, members of the Legislative Press Gallery raised concerns about the dress expectations enforced in the Parliament Buildings, specifically in the Speaker's Corridor, and in particular as they relate to women. Following this, the Honourable Darryl Plecas, Speaker of the Legislative Assembly, issued a memorandum (Appendix 1) outlining that a "conservative contemporary approach" has been consistently applied in the Legislative Assembly, and that a further review of modern parliamentary dress expectations would be undertaken. The Speaker asked me to undertake this review and to report on my findings, with any appropriate recommendations.

On April 1, 2019, I provided the Speaker with initial recommendations following a preliminary review of dress guidance, which were accepted by the Speaker and communicated to Members of the Legislative Assembly, Precinct staff, and members of the Legislative Press Gallery by way of a memorandum (Appendix 2). As noted in the Speaker's memorandum, he is not in a position to unilaterally change dress expectations without input from Members, and asked that I undertake further consultations and provide a fulsome report on this matter to him in due course.

INITIAL RECOMMENDATIONS

The initial recommendations on dress guidance that were accepted by the Speaker were:

1. That any dress guidance at the Legislative Assembly should be principle-driven and not overly prescriptive. We recognize and respect the good judgment of all Members, staff, and Press Gallery members. All Members, staff, and press are encouraged to continue to wear professional business attire. Recognizing that the Legislature is a formal business environment, we are confident good judgment will be shown by all.
2. That for women, professional business attire includes a range of contemporary conventional options, which may include sleeveless dresses, sleeveless shirts, and blouses. For men, jackets, collared shirts, and ties will continue to be the expected standard of dress.
3. That Assembly dress guidelines will not be a responsibility of Sergeant-at-Arms or other Assembly staff to enforce. Each individual is capable of choosing appropriate professional business attire.

I subsequently undertook further consultations, which were helpful in making the final recommendations contained in this report.

PURPOSE OF DRESS GUIDELINES

Dress guidelines are important in all professional business settings, including the Legislative Assembly. They form a social code that allows individuals to maintain a comfort level with each other in their interactions and in sharing the same workspace. All individuals are responsible for dressing and presenting themselves in a professional and respectable manner, and for holding themselves responsible for this. The Legislative Assembly is a unique setting that not only serves as a professional and business-oriented workspace for Members and staff, but also as a place where British Columbians and other visitors learn about the functioning of parliamentary democracy in our province.

ENGAGEMENT WITH MEMBERS & CONSULTATION AND REVIEW OF OTHER JURISDICTIONS

In March, April and May 2019, I engaged with Members of the Legislative Assembly to gain a better understanding of their expectations of dress guidelines within the Parliament Buildings. I appreciate their interest in this matter, and for their time in providing formal and informal feedback and engaging in conversations with me on this topic. I also consulted Clerks from other parliamentary jurisdictions across Canada, the United Kingdom, Australia and New Zealand to gain an understanding of best practices that exist in other legislatures. Their assistance has been helpful and instrumental in developing the final recommendations contained in this report.

FINDINGS

In addressing dress guidelines, this report covers four categories:

1. Expectations for Members during proceedings of the House.
2. Expectations for Members during proceedings of parliamentary committees.
3. Expectations for employees within the Parliament Buildings.
4. Expectations for visitors.

1. Expectations for Members during proceedings of the House

In the Legislative Assembly of British Columbia, like in most of the other jurisdictions consulted, the Standing Orders do not prescribe a dress code for Members participating in debate. The general expectation is “appropriate business attire”. Each legislature has its own traditions and customs that have shaped the expectation for Members’ dress. There are Speakers’ decisions that have also offered guidance on dress expectations.

Standing Order 36 states, “Every Member desiring to speak is to rise in his or her place uncovered, and address the Speaker.” This requirement of a Member to address the Chair uncovered dates to the early Standing Orders, at a time when the Legislative Assembly was made up of only men, and when top hats and such headwear were a standard feature of a man’s formal attire. Therefore, this provision is historic, and has been differently interpreted in modern days at the discretion of the Speaker. For example, uncovered has not been interpreted to include religious headdress or a covering that may be worn by a Member for medical purposes. However, the wording of this Standing Order requires updating in order to formalize our recognition of a diverse and representative modern institution which welcomes Members from all cultural and religious traditions.

Parliamentary Practice in British Columbia, 4th edition touches little on Members' dress. This procedural authority states at page 96,

"In relation to Members' dress, apart from the usual 'jacket and tie' requirement for male Members, there is little authority. A British Columbia decision, recorded in the 1980 Journals of July 21, adopted the guideline used in Beauchesne – "conservative contemporary standards." In the federal House in Ottawa, turtlenecks have been prohibited (Beauchesne, 6th ed., p. 99). In the U.K., jackets and ties are required (May, 23rd ed., p. 446; 21st ed., p. 392)."

I concur with the Speaker's earlier observation that the Legislative Assembly has been dominated by one gender for many decades. Gender sensitivity and awareness should be addressed, particularly as those who identify as a woman often find themselves disproportionately impacted by dress standards or expectations. In July 2016, Professor Sarah Childs released her report *The Good Parliament*, which outlines recommendations for a more representative and inclusive House of Commons in the U.K. On Members' dress, the report states the following at page 23:

"Some male MPs are evidently aggrieved, charging that the principle of demonstrating 'respect' for the House is offended by women's 'knee length boots' and 'denim'. The underlying problem lies not with a particular concept of style or fashion, but the convention itself: men are expected to wear a jacket and tie in the Chamber and women to dress with the 'equivalent level of formality'. Yet there is not functional 'equivalent' to the male suit and tie for women – unless one wants to suggest women must always wear a suit and blouse.

The solution offered here is simple: to reframe the convention in a gender neutral way, one that removes men's stricter dress code. Today 'business dress' does not always require of men a jacket and tie. Adding 'national costume' would furthermore reflect the U.K.'s multicultural traditions and recognise that Members may wish to wear something other than Western dress. Individual MPs would hereafter become the arbiter of their own dress, no doubt assisted by the national and local media. The Speaker and Deputies could retain their role in deciding whether this was ultimately of an acceptable standard."

Dress guidelines in the U.K. House of Commons have since been modified at the discretion of the Speaker. This shift is consistent with the recommendation of the Commons Reference Group on Representation and Inclusion contained in Professor Childs' report, which is noted above. On June 29, 2017, upon a point of order being raised regarding a Member not wearing a tie while addressing the House, Speaker Bercow stated,

"[...] this is something provided for [...] in the conventions and courtesies of the House. The traditional approach was that [...] a male Member would be wearing a tie. There is absolutely no obligation on female Members not to wear ties if they so choose. I think the general expectation is that Members should dress in business-like attire. So far as the Chair is concerned, [...] it seems to me that as long as a Member arrives in the House in what might be thought to be business-like attire, the question of whether that Member is wearing a tie is not absolutely front and centre stage. So am I minded not to call a Member simply because that Member is not wearing a tie? No. I think there has always been some discretion for the Chair to decide what is seemly and proper."

In most other Canadian legislatures, the requirement for Members who identify as a man to wear a jacket and tie in the Chamber is generally upheld, with less formalized guidance for Members who identify as a woman, who are subject to comparable business dress requirements. One notable exception is the Legislative Assembly of Ontario, where Members may participate in proceedings of the House without wearing a jacket and tie.

The latest publication of the *Rules of Behaviour and Courtesies in the House of Commons* (November 2018) issued by the Presiding Officers of the U.K. House of Commons states the following at page 11:

“31. As with the language you use, the way in which you dress should also demonstrate respect for the House and for its central position in the life of the nation. There is no exact dress code: usual business dress is suggested as a guide. Jeans, t-shirts, sandals and trainers are not appropriate. It is no longer a requirement for men to wear a tie, but jackets should be worn.

32. Wearing scarves, t-shirts, or large badges displaying brand names or slogans, or other forms of advertising of either commercial or non-commercial causes, is not in order. The tradition of the House is that decorations (medals, etc.) of any kind and uniforms are not worn in the Chamber.

33. Members who fail to show respect to the House will not be called to speak by the Chair, and anyone showing flagrant disrespect in their manner of dress may be asked to withdraw from the Chamber.”

I conclude that these are generally appropriate and good guidelines in a modern parliamentary environment. One difference with the U.K. guidelines worth noting is that, in the House of Commons of Canada, “Members of the House who are in the armed forces have been permitted to wear their uniforms in the House” (*House of Commons Procedure and Practice*, 3rd edition, p. 611). Absent any known precedents in this regard in the Legislative Assembly of British Columbia, final discretion on such a matter should remain with the Speaker.

In the Legislative Assembly of British Columbia, traditional Western business attire has been the norm. However, Indigenous attire, traditional cultural attire, and religious attire have also long been considered acceptable dress. Amongst other parliamentary jurisdictions surveyed, in several, kilts are also considered appropriate attire.

In assessing the way forward, consideration should be given to both gender sensitivity and gender nonconformity in any dress code guidelines, as not all individuals gender identify. As the membership of the Legislative Assembly continues to evolve and reflect societal changes and the broad diversity of our province, so too should the provisions for dress guidelines reflect these shared values. Therefore, any dress guidelines implemented should not be gender-specific, but should instead provide general guidance and expectations.

The guidelines applied to Members should also apply to all non-uniformed individuals with authorized access to the floor of the Legislative Chamber during proceedings of the House. This includes former Members and other dignitaries who may be authorized by the Speaker to take a seat on the perimeter of the Chamber, and to public servants who assist during Committee of the Whole and Committee of Supply proceedings.

Finally, the Speaker's discretion in upholding an appropriate standard of dress should be maintained in the event that there is a clear breach of what may be acceptable dress. *Parliamentary Practice in New Zealand*, 4th edition, states at page 151:

"The standard of dress of members is also regarded as a matter of order under the general control of the Speaker. [...] The Speaker is expected to take issue with any member, irrespective of gender, who is not dressed in appropriate business attire. [...] It is not appropriate, without the Speaker's prior permission, to advertise sports teams in the Chamber."

Should a Member ever have questions regarding appropriate attire, private consultation with the Speaker would likely be the best means by which to seek clarity on the expectations.

Dress Guidelines for Members of the Legislative Assembly

Recommendation 1: That dress guidelines and/or expectations in the Legislative Chamber during proceedings of the House be formalized by way of an amendment to the Standing Orders, and that the word "uncovered" be removed from Standing Order 36.

Recommendation 2: That dress guidelines and/or expectations be non-gender-specific, instead providing general guidance that **professional contemporary business attire** is expected.

Members should be entrusted to exercise good judgment, as fashion and societal expectations in this regard will no doubt continue to evolve. This may lead to a new practice, such as in Ontario and the U.K., where Members who identify as a man may choose to not wear a tie.

Recommendation 3: That Indigenous attire, traditional cultural attire, and religious attire continue to be considered acceptable dress.

Recommendation 4: That headdress continue to be prohibited in the Legislative Chamber, except when worn in accordance with the provisions of recommendation 3.

Recommendation 5: That clothing and badges with brand names, slogans, advertising, or messages of a political nature not be permitted to be worn in the Legislative Chamber.

Speaker's Discretion

Recommendation 6: That the Speaker's oversight of dress guidelines in the Legislative Chamber be maintained, and that it be formalized in an amendment to the Standing Orders. The Speaker should continue to have discretion to provide guidance to Members, including to authorize exceptions to the dress guidelines in appropriate circumstances, such as for medical considerations or other special purposes.

Recommendation 7: That Members seek the permission of the Speaker in private in advance of wearing any lapel pins or ribbons in the Legislative Chamber in support of a special cause. Pursuant to precedent established by the Office of the Speaker in granting such requests, it is customary for approved pins or ribbons to be provided to all Members, and I recommend that this practice continue.

Applicability

Recommendation 8: That expectations set for the Legislative Chamber also apply to the Douglas Fir Committee Room and the Birch Committee Room when proceedings of the House are designated to take place in those rooms.

Recommendation 9: That, in order to uphold the dignity of the Legislative Chamber, any guidelines implemented also apply to uses of the Chamber by others, including for approved internal and external events.

2. Expectations for Members during proceedings of parliamentary committees

The established practice in the Legislative Assembly of British Columbia has been for less strict dress guidelines to apply to proceedings of parliamentary committees, compared to proceedings of the House. This is in recognition of a less formal setting in parliamentary committees. Similar practice exists in other – but not all – Canadian legislatures.

Members should be entrusted to exercise good judgment as circumstances may warrant. For example, if a parliamentary committee is traveling throughout the province for a public consultation, or is undertaking a site visit to an industrial enterprise, this will have a bearing on a Member's choice of dress.

Recommendation 10: That current practice for parliamentary committees continue, and that Members retain discretion over their dress for meetings of parliamentary committees.

3. Expectations for employees within the Parliament Buildings

In addition to Members of the Legislative Assembly, many other individuals call the Parliament Buildings their workplace. These individuals include permanent officers and employees of the Legislative Assembly, caucus employees, and members of the Legislative Press Gallery. If any individual has been granted an access pass to the secure areas of the Parliament Buildings, no matter the timeframe for which their services have been retained, they would be considered an employee within the Parliament Buildings for the purposes of this section. This section does not apply to an employee of the Legislative Assembly who is required to wear a uniform.

As outlined above for Members, employees within the Parliament Buildings should be expected and entrusted to exercise good judgment to present themselves in a professional manner, taking into consideration their work location within the Buildings, their job responsibilities, and whether the Legislative Assembly or a parliamentary committee is sitting or not, while at all times upholding the professionalism and decorum expected in the Parliament Buildings.

Recommendation 11: That professional contemporary business attire be expected of employees in the Speaker's Corridor when the Legislative Assembly is sitting, and that Indigenous attire, traditional cultural attire, and religious attire also be considered appropriate dress.

Recommendation 12: That each department, caucus or group enforce dress guidelines in their responsibility area as they deem appropriate.

4. Expectations for visitors

The Parliament Buildings welcome thousands of visitors every year. Sergeant-at-Arms staff, who oversee access to the Buildings, including to the Parliamentary Dining Room and the public galleries, uphold the dress regulations for those wishing to enter the Buildings and the public galleries.

Recommendation 13: That the informal dress expectations for visitors currently in place be formally updated as follows:

- Informal, casual, business, Indigenous, traditional cultural, religious, or professional uniform attire, including footwear, must be worn.
- Headdress is allowed to be worn. However, in the public galleries, headdress must be removed, except for Indigenous, traditional cultural, or religious headwear.
- Kirpans or ceremonial daggers carried by Sikhs are allowed.
- Any clothing, badge, or item associated with or to a protest or expression of political interest is not allowed.
- Costumes, masks and other forms of attire that detract from the dignity of the Parliament Buildings are not allowed.

Recommendation 14: That Sergeant-at-Arms staff do not continue an active enforcement of dress expectations, except for visitors.

CONCLUSION

The 14 recommendations contained in this report are designed to update and consolidate administrative policy and practice, and to provide transparency and clarity with respect to dress guidelines and expectations for various individuals in the Parliament Buildings. I recognize that clothing is a way in which individuals may define themselves, and that it may be a part of an individual's identity and personality. However, it is possible to express oneself while still upholding certain expectations that exist in a professional business environment. The Legislative Assembly is the "people's House", and I believe that this approach will continue to ensure that all are welcome in our Parliament Buildings, while at the same time upholding the respect and decorum expected in this august setting.

I hope that the contents of this report strike the right balance in our unique and modern parliamentary environment – not just for Members, but for others who call the Parliament Buildings their workplace, and for those who visit our Buildings for personal, educational, or business purposes.

NEXT STEPS

For Members, in the context of parliamentary proceedings, in particular, I conclude that the matter of contemporary dress expectations should be left to their judgment, individually and collectively, subject to any guidance or direction from the Speaker.

Should Members accept the recommendations contained in this report and wish to move forward with an amendment to the Standing Orders, proposed modifications are included below.

DRAFT STANDING ORDER AMENDMENTS

New Standing Order

DRESS

- 17B. (1) Members shall dress in professional contemporary business attire for all proceedings of the House.
- (2) Indigenous attire, traditional cultural attire, and religious attire are appropriate dress for Members.
- (3) Headdress must not be worn during proceedings of the House, except when worn under the provision of subsection (2).
- (4) Clothing and badges with brand names, slogans, advertising, or messages of a political nature are not permitted to be worn during proceedings of the House.
- (5) The Speaker shall oversee dress expectations for Members, may provide guidance, and may authorize exceptions to dress guidelines in appropriate circumstances.

Amendment to existing Standing Order

ORDER IN ADDRESSING THE CHAIR

36. Every Member desiring to speak is to rise in ~~his or her~~* their place, ~~uncovered~~, and address the Speaker.

**Included to promote non-gender-specific pronouns in the Standing Orders.*

Should the remaining recommendations also be accepted, I suggest that they be communicated to Precinct staff and members of the Legislative Press Gallery for their information.

Respectfully submitted,



Kate Ryan-Lloyd
Acting Clerk of the Legislative Assembly



To: Members of the Legislative Assembly
All Precinct Staff
Members of the Legislative Press Gallery

From: Hon. Darryl Plecas
Speaker

Re: Parliamentary Dress

Date: March 28, 2019

The Legislative Assembly of British Columbia has consistently applied a “conservative contemporary approach” to dress codes in the Parliament Buildings, as first articulated in a decision of Deputy Speaker Davidson on July 21, 1980.

I would like to provide some clarity on what is considered acceptable parliamentary dress during times when the Legislative Assembly is sitting. In 2019, the rules that follow generally apply in the Legislative Chamber, the corridors around it, and committee rooms. They are also consistent with practices in place across legislatures in Canada.

In the modern era, the Legislative Assembly should adhere to a gender-neutral approach to dress code expectations. Contemporary business attire is expected. Members, staff, and other building occupants who choose to wear traditional cultural attire, Indigenous attire, or religious attire, are also very welcome to do so.

Gender-neutral business attire generally constitutes layered clothing that includes covered shoulders. For example, for an individual who identifies as a man, this would typically include a collared dress shirt and tie, dress pants or kilt, and a suit jacket. For an individual who identifies as a woman, this would typically include a business suit, dress with sleeves, or a skirt with a sweater or blouse; jackets or cardigans are not necessarily required. Individuals who do not identify as gender binary may dress pursuant to the guidelines above, as they deem appropriate.

I hope that this directive provides greater clarity on what constitutes appropriate parliamentary dress at the Legislative Assembly of British Columbia. A further review of modern parliamentary dress expectations will be undertaken. Questions on this directive or the upcoming review may be addressed to the Office of the Clerk.



To: Members of the Legislative Assembly
All Precinct Staff
Members of the Legislative Press Gallery

From: Hon. Darryl Plecas
Speaker

Re: Parliamentary Dress – Update

Date: April 1, 2019

On Thursday, March 29, 2019, I issued a memorandum clarifying the current dress code provisions in place for many years at the Legislative Assembly. This memorandum was issued in response to questions about the dress code that stemmed from media inquiries. The response, drafted with the assistance of the Acting Clerk, was intended to explain the current rules. Let me be clear: the details put forward on Thursday were not new rules, nor were they arbitrarily imposed by me. They summarized rules that have been in place for almost 40 years. The purpose of the memorandum was to provide clarity on current rules – which I am not in a position to unilaterally change myself without input from Members – and was in no way of an endorsement of them.

As was highlighted in the memorandum, given the nature of the concerns that were identified, I asked the Acting Clerk to undertake a review of dress code provisions at the Legislative Assembly.

Let me state at the outset that I expect that any Assembly dress guidelines must not undermine gender identity or the right of all Members or employees to fully and comfortably contribute to this unique workplace. I am committed to supporting gender sensitivity and awareness at the Legislative Assembly – a workplace setting that has been dominated by one gender for far too long. Due to this historical imbalance, I am more than open to accommodating concerns brought forward by many women, as articulated over the past few days.

A preliminary review of dress guidance has now been completed. Although the Acting Clerk will continue to consult with all Members and will prepare a more fulsome report on this matter, I fully support her initial recommendations, which are as follows:

1. That any dress guidance at the Legislative Assembly should be principle-driven and not overly prescriptive. We recognize and respect the good judgment of all Members, staff and Press Gallery members. All Members, staff, and press are encouraged to continue to wear professional business attire. Recognizing that the Legislature is a formal business environment, we are confident good judgement will be shown by all.
2. That for women, professional business attire includes a range of contemporary conventional options, which may include sleeveless dresses, sleeveless shirts, and blouses. For men, jackets, collared shirts, and ties will continue to be the expected standard of dress.
3. That Assembly dress guidelines will not be a responsibility of Sergeant-at-Arms or other Assembly staff to enforce. Each individual is capable of choosing appropriate professional business attire.

These initial recommendations are offered as preliminary guidance. Any future specific dress requirements should be implemented by all Members of the Legislative Assembly, perhaps as an amendment to the Standing Orders to support clarity and transparency regarding dress guidance.

Should any concerns arise with respect to these changes, or any other administrative matters at the Legislative Assembly, the best course of action is to try to address them with the appropriate staff person. If that is not successful, I strongly encourage those with concerns to bring them to my attention. As I have advised previously, my door is always open. I encourage Members, all staff and Press Gallery members to drop by and let me – or the Acting Clerk – know of any suggestions or concerns that you may have. There are many individuals within this institution working to make it better. Let's come together on that important undertaking.

