



Memorandum

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TO: Senate

FROM: Professor Chandra Madramootoo, Chair of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings

SUBJECT: Report of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings

DATE: November 14, 2012

DOCUMENT #: D12-17

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE: The Report of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings contains recommendations for Senate’s approval. The primary recommendation is for a one-year trial period during which Senate meetings will be transmitted over the web to members of the McGill community.

BACKGROUND & RATIONALE: The Ad Hoc Committee on the Recording and Transmission of Senate Meetings was formed in response to a request by Senate to examine the possibility of providing virtual access to the open sessions of Senate meetings and to report to Senate with any recommendations related to recording and/or transmitting Senate meetings.

The Committee arose out of heightened interest in the Senate discussions of the issues arising out of the events of November 10, 2011, and the perception that some form of media transmission would facilitate greater engagement between Senate and the University community.

The Committee developed this Report following an investigation that included the following:

- practices at Canadian and American universities;
- policies and regulations in government bodies;
- solicitation of Senators and the wider McGill community; and
- a consideration of McGill’s specific context.

MOTION OR RESOLUTION FOR APPROVAL: *Be it resolved that Senate approve the Report of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings and agree to implement the Committee’s recommendations for a one-year trial period.*

PRIOR CONSULTATION: Senate discussion on December 11, 2011
Request for feedback from Senators and the McGill community

NEXT STEPS:

Trial period from January-December, 2013;

Review of the trial period and changes to procedures;

APPENDICES:

Appendix A: Report of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings

McGill University Senate



Report of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings

November 14, 2012

EXECUTIVE SUMMARY

The Ad Hoc Committee on the Recording and Transmission of Senate Meetings was formed in response to a request by Senate to examine the recording and transmission of open sessions of Senate meetings. This request arose out of heightened interest in the Senate discussions of the issues arising out of the events of November 10, 2011, and the perception that some form of media transmission would facilitate greater engagement between Senate and the University community. In addition, Leacock 232 can only accommodate 165 people, which does not leave many seats available for spectators to the open sessions of Senate.

In conducting its analysis and considering the issues, the Committee examined existing policies at 15 Canadian universities and received confidential responses from 15 American universities about their policies and experiences. The Committee also invited and received input and comment from Senators and the wider McGill community considering its interest in virtual access to Senate; suggestions regarding methods of recording and transmitting Senate proceedings; and any precautions that ought to be taken by such virtual dissemination. Additionally, the media transmission policies and regulations of the Quebec National Assembly, House of Commons, and the Supreme Court of Canada were reviewed.

During its deliberations, the Committee considered the following issues: pros and cons of virtual access to Senate meetings; suggested methods of broadcasting Senate proceedings and precautions to be heeded; the potential impact of transmission on Senate's deliberations; and the cost-benefit analysis.

Based on feedback from the McGill community and the comments from some of the Canadian and US universities, there is a very strong case to be made for some form of virtual access to the open sessions of Senate meetings. The view is held that Senate deliberates on academic matters which have an impact on the work of faculty and staff, and which also influence the decisions and choices of our student body. Their engagement at an early stage of discussion and debate could lead to a better understanding of the academic needs and priorities of the University. Openness and transparency are hallmarks of an academic community, and part of Senate's responsibility is to be open and transparent to the University community which it serves.

In considering the pros and cons of electronic recording and transmission, it is believed that there is more to be gained in terms of openness and transparency. Removal of barriers, either perceived or real, through electronic transmission would benefit the University as a whole. We are operating in a world that is characterised more and more by open media and access to information. McGill could seize this opportunity to demonstrate leadership in governance by moving towards electronic transmission of Senate meetings.

It is therefore broadly recommended that live video recording and transmission of the open sessions of Senate meetings be conducted over a trial period of one year, January-December 2013. Specific recommendations are as follows:

1. At the end of the pilot, Senate should review its procedures on the recording and transmission of Senate meetings and make necessary modifications thereto;
2. Broadcasts of Senate meetings should be transmitted exclusively to members of the University community – McGill staff, students and alumni;
3. The camera should only focus on the Chair or a Senator who is speaking;
4. Transmission will be live and viewers will only have access to the recording during the Senate meetings;
5. On the recommendation of the Steering Committee, Senate should hold closed or confidential sessions when personal or sensitive information, and matters of comparative advantage and budget, are discussed or when otherwise deemed appropriate. Recording would stop during these sessions;
6. For technical ease, the Principal's remarks and the closed and confidential sessions of Senate will be the first items on the agenda;
7. Persons wishing to view the live transmission should be made aware of their privileges and responsibilities via a Statement of Rights and Responsibilities; and
8. The Secretariat should be provided with sufficient additional resources to cover the cost of transmitting and archiving Senate proceedings.

The committee deliberated on audio-only transmission and recommends against it because the transmission would be difficult to follow and would not make Senate adequately accessible.

The Secretariat will advertize on its website that the open sessions of Senate are being transmitted live, and a general announcement to this effect could be sent out by the Secretary General ahead of the first Senate meeting of January 2013. Finally the minutes prepared by the Secretary and approved by Senate remain the only official recording of Senate decisions.

I. INTRODUCTION

This report outlines the work of the Ad Hoc Committee on the Recording and Transmission of Senate Meetings (“the Committee”) and its recommendations to Senate.

Background

The Committee was formed in response to a request by Senate to examine the recording and transmission of open sessions of Senate meetings. This request arose out of heightened interest in the Senate discussion of the events of November 10, 2011, and a wider perception that some form of media transmission could facilitate engagement of the University community, as Leacock 232 could only accommodate 165 people, including 107 Senators, a handful of support staff and a limited number of spectators. The November 16, 2011, and January 18, 2012, Senate meeting webcasts showed that there was a significant number of community members logging on to the online transmission of those those Senate proceedings. The Committee notes that these Senate meeting broadcasts, which were streamed directly to individual viewers’ computers, had much higher viewership than those instances when members of the McGill community were asked to watch in a dedicated room, as was the case for three other Senate meetings in 2011-2012. **(See Appendix A: Timeline of Events)**

The November webcast was a departure from usual protocols, as the current *Standing Rules of Procedure, Governing the Proceedings of the Senate of McGill University* state that neither Senators nor spectators are permitted to use devices at Senate meetings for the purpose of recording sound or images. Furthermore, communicating or posting the deliberations of Senate is prohibited during meetings, except with the express permission of Senate. Such permission was granted on each of the six occasions when Senate meetings were broadcast during the 2011-2012 governance year.

The Committee was charged with exploring options and advising Senate with respect to its Terms of Reference, which were approved by Senate on February 15, 2012. The Terms of Reference state:

The Committee shall report to Senate taking into account:

1. Perceived and established interests of the McGill community in virtual access to Senate deliberations (in open session);
2. Technical options that are available, including various methods of recording, transmitting, and preserving the recording of Senate meetings;
3. Options that are available for editing, including the option to select the parts of Senate meetings that would be recorded and/or transmitted;
4. Recording and transmission practices and procedures in comparable bodies;
5. Potential impacts on individual Senators and the overall conduct of discussion and debate at Senate meetings; and
6. Potential costs incurred in the recording and transmission of Senate meetings and how these costs should be covered.

The Committee shall:

1. Consult with Senators and members of the McGill community as it considers appropriate;
2. Report to Senate, in writing, with any recommendations related to recording and/or transmitting Senate meetings; and
3. Submit a report to the Steering Committee and to Senate when its work is complete.

The membership of the Committee – as approved by Senate on March 21, 2012 – was the following: Professor Chandra Madramootoo (Chair); Mr. Adam Bouchard; Professor David Lowther; Professor Christina Wolfson; Mr. Mark Michaud; Mr. Alex Pritz; Professor Pierre-Emmanuel Moysé (Advisor from the Faculty of Law); Mr. Jean-Guy Tremblay (Technical Advisor). The Senate Governance Officer served as Secretary to the Committee.

Process and Methodology

The Committee met on four occasions. In addition, between the first and second meetings, the Committee invited and received input and comment from Senators and the wider McGill community on the following:

- the level of interest in virtual access to Senate;
- suggestions regarding methods of recording and transmitting Senate proceedings; and
- any precautions that ought to be taken by such virtual dissemination.

The community response indicated a strong desire for some sort of virtual access to Senate meetings and offered a variety of opinions on the most effective methods.

In its work, the Committee reviewed a series of documents, including:

- pertinent minutes and regulations of the McGill Senate;
- policies of other Canadian and American universities with respect to the recording and transmission of their Senate proceedings;
- media transmission policies and regulations of the Quebec National Assembly, House of Commons, and the Supreme Court of Canada.

Recording and transmission practices and procedures in comparable bodies

The Committee looked at the existing policies at 15 Canadian universities and received confidential responses from 15 American universities about their policies and experiences.

It was noted that most Canadian universities have policies similar to McGill's at present, in that the recording and transmission of Senate proceedings is not permitted, except in the preparation of official minutes.¹ Notable exceptions to this are the University of Toronto² and the University of Ottawa. Toronto provides a live, audio-only broadcast of its Governing Council meetings, with access available to anyone who clicks on an open link. Toronto does not maintain an archive of its recordings for subsequent listening. Ottawa video-records its Senate sessions and posts them online afterwards. Its *Policy on Video Recording, Broadcasting and Picture Taking during the Senate Meetings* states that "the approved minutes of a meeting of Senate are the only official recording of its decisions."

Fifteen American universities, ranging from medium-sized private institutions (e.g. Emory University) to large public ones (e.g. University of Florida), responded to a request for information about their practices on recording and transmitting governance meetings. Among those responding, the public universities typically provided some sort of video access to their Senate meetings and even to their Board meetings. The University of Illinois offers one such example, as it videotapes the open sessions of its Senate meetings and later replays them on local access television. On the other hand, the private universities typically welcomed observers to their meetings, but did not record their sessions. The Committee found that the wide range of approaches provided no conclusive guidance for McGill.

The Committee also noted that the Quebec National Assembly, the House of Commons, and the Supreme Court of Canada all have relatively open approaches to the recording and transmission of their deliberations and proceedings. All sessions of the legislative assemblies are televised live and made available unedited. The Supreme Court records all its cases and allows them to be broadcast at a later date. The Supreme Court also provides access to its recordings for personal, commercial or educational purposes upon request, with permission granted on a case-by-case basis. **(See Appendix B: Cameras in the Court).**

II. COMMITTEE'S REVIEW OF ISSUES AND FINDINGS

In order to formulate recommendations corresponding to its Terms of Reference, the Committee considered the following issues: the pros and cons of virtual access to Senate meetings; suggested methods of broadcasting Senate proceedings and precautions to be heeded; the potential impact of transmission on Senate's deliberations; and the cost-benefit analysis. The McGill community was asked to provide input on the same topics. The community response generally corresponded to the Committee's outlook that some form of virtual access should be provided.

¹ Some Canadian institutions, including Queens and Dalhousie, indicated that they are currently re-examining their policies and considering recording and/or live streaming their Board and Senate meetings.

² The University of Toronto has a unicameral governance model. Its Governing Council is similar to McGill's Board of Governors, while its Academic Board handles similar matters to McGill's Senate. The major difference is that the Academic Board is a board of the Governing Council.

1. Perceived and established interests of the McGill community in virtual access to Senate deliberations (in open session)

The community response indicated a strong desire for some sort of virtual access to Senate meetings and offered a variety of opinions on the most effective methods. The Committee approached the issue of access in general, and virtual access in particular, from the viewpoint that faculty, staff and students should be encouraged to have an interest in the academic matters impacting their community. The Committee's evaluation of the pros and cons of virtual access is founded on the principle that openness and transparency are hallmarks of an academic community and a belief that virtual access to Senate meetings is part of Senate's responsibility to be open and transparent to the University community which it serves. Senate makes decisions on academic programs and receives reports from various committees. These decisions and reports all have a bearing on the work of faculty and staff, and also influence the decisions and choices of our student body. Their engagement at an early stage of discussion and debate could lead to a better understanding of the academic needs and priorities of the University.

The Committee is of the view that Senate should remove real and perceived barriers to access, so long as this does not impact the overarching aims of academic governance. The Committee considers virtual access an extension of the Senate chambers, which are currently open to observation, but only by those who can physically attend. The Committee also considered the Principal's Town Halls and other events that have been streamed without incident in recent years and believed that – like these events – the transmission of Senate meetings would facilitate greater engagement with academic issues of import to the University community. Committee members underscored how virtual access would enable Senate and University officers to educate the broad community on the academic mission and workings of Senate, which would lead to greater buy-in and potentially more interest in Senate deliberations and decisions across the campuses.³

The Committee also wishes to underline the symbolic value of providing virtual access to the McGill community and the countervailing symbol of appearing to restrict access in a world shaped by more and more open media and access to information. Committee members reported that undergraduate and graduate students have conveyed impressions that Senate is a closed institution. The Committee suggests that curtailing such impressions through electronic transmission would benefit the University as a whole, regardless of whether these impressions were well-founded or not.

All said, the Committee is overwhelmingly of the view that providing virtual access to Senate meetings is consistent with the generally open nature of Senate and the non-confidential academic decisions of the University, and any debate or discussion should lie in the details of providing access in the most appropriate manner.

³ The Committee gives special consideration to Macdonald Campus community members, for whom Senate observation presents special challenges.

2. Technical options and editing options that are available, including various methods of recording, transmitting, and preserving the recording of Senate meetings

The Committee discussed different possible methods of broadcasting Senate proceedings before making its recommendation that Senate should grant permission for the live video recording and transmission of open sessions of Senate meetings. The Committee considered practices employed at other North American universities, including the Canadian examples of the University of Toronto and the University of Ottawa. The Committee considered approaches similar to the audio-only transmission employed at the University of Toronto, but feels that audio-only would be difficult to follow and would not make Senate adequately accessible.

Ultimately, the Committee believes that, in order to make Senate meetings fully accessible, a video feed must be provided over the web rather than sent to a dedicated room or rooms. However, as the current Standing Rules of Procedure only extend access to members of the McGill community, the Committee proposes that web access should be limited to students, staff and alumni, who would log in with a McGill ID. Beyond adhering to the spirit and letter of the Rules of Procedure, this would address concerns raised about jeopardizing McGill's competitive advantage among peer institutions.

In order to further protect Senate and Senators, the Committee suggests that items on the Senate agenda could be dealt with in three ways, with each item assigned upon recommendation of the Steering Committee:

- During "Open Sessions," Senate would have open doors and deliberations would be recorded and transmitted live to the McGill community;
- During "Closed Sessions," Senate would have open doors, but would pause the recording and online transmission;
- During "Confidential Sessions," spectators would be asked to leave the room and there would be no recording or online transmission of the proceedings.

3. Potential impacts on individual Senators and the overall conduct of discussion and debate at Senate meetings

The Committee weighed the potential positive and negative consequences of recording and transmitting Senate meetings before making its recommendation that Senate grant permission for the live video recording and transmission of open sessions of Senate meetings.

The Committee believes that broadcasting Senate meetings will heighten Senators' accountability, which in turn will force them to better prepare for Senate meetings. Committee members offered examples from classroom lectures and court proceedings in support of this belief. Senators would be forced to speak much more precisely and concisely, in order to make best use of allotted time.

The Committee also discussed potential negative impacts of video recording and transmission on Senate's deliberations. The Committee does not believe that Senators will be less likely to speak. Furthermore, the experience at American universities that stream their Senate proceedings demonstrates that, despite initial concerns, recorded and transmitted sessions have not led to heightened theatrics.

Committee members also maintain that the McGill community can and should be trusted not to manipulate or misuse the video. The Committee points to Convocation ceremonies and various Town Halls as examples of other University events that have been streamed without incident. Rather, the Committee suggests that Senate should use this as a pedagogical tool informing community members of their rights and responsibilities vis-à-vis Senate. While the Committee feels that violations of the Statement of Rights and Responsibilities would be unlikely and minor, a significant breach could constitute a violation of the *Policy on the Responsible Use of McGill Information Technology Resources*. The Advisor from the Faculty of Law added that the broadcast could be considered copyrighted material, and any misuse could be dealt with by McGill's regulations or penal provisions of the law. **(See Appendix C: Statement of Rights and Responsibilities for spectators)**

4. Potential costs incurred in the recording and transmission of Senate meetings and how these costs should be covered.

The Technical Advisor informed the Committee of the additional costs associated with the recording of Senate meetings. The current cost is \$755 per meeting, for a total of \$6,795 for a pilot period of one year. The Committee considered these costs reasonable relative to the benefits gained.

Additional Issues

The Committee discussed the question of whether individual Senators will be required to give their consent to the live transmission of Senate meetings that they attended. The Committee concludes that individual Senators would not need to grant their consent to the live transmission of Senate meetings, since the *Standing Rules of Procedure* stipulate that Senate meetings are open to observation by members of the community.

Issues pertaining to spectators' physical access to the Senate chambers were raised by some members of the McGill community, but the Committee declines to pronounce on this issue as it lies outside its Terms of Reference.

III. RECOMMENDATIONS OF THE AD HOC COMMITTEE ON THE RECORDING AND TRANSMISSION OF SENATE MEETINGS

At its core, McGill has a mission of providing world-class teaching, research and service. Senate is the locus for community governance and oversight of these matters and so contributes to the University's major academic initiatives. In order to best accomplish its goals, Senate should be engaged with the wider University community and vice versa. Openness and transparency are of critical importance to a properly engaged academic community.

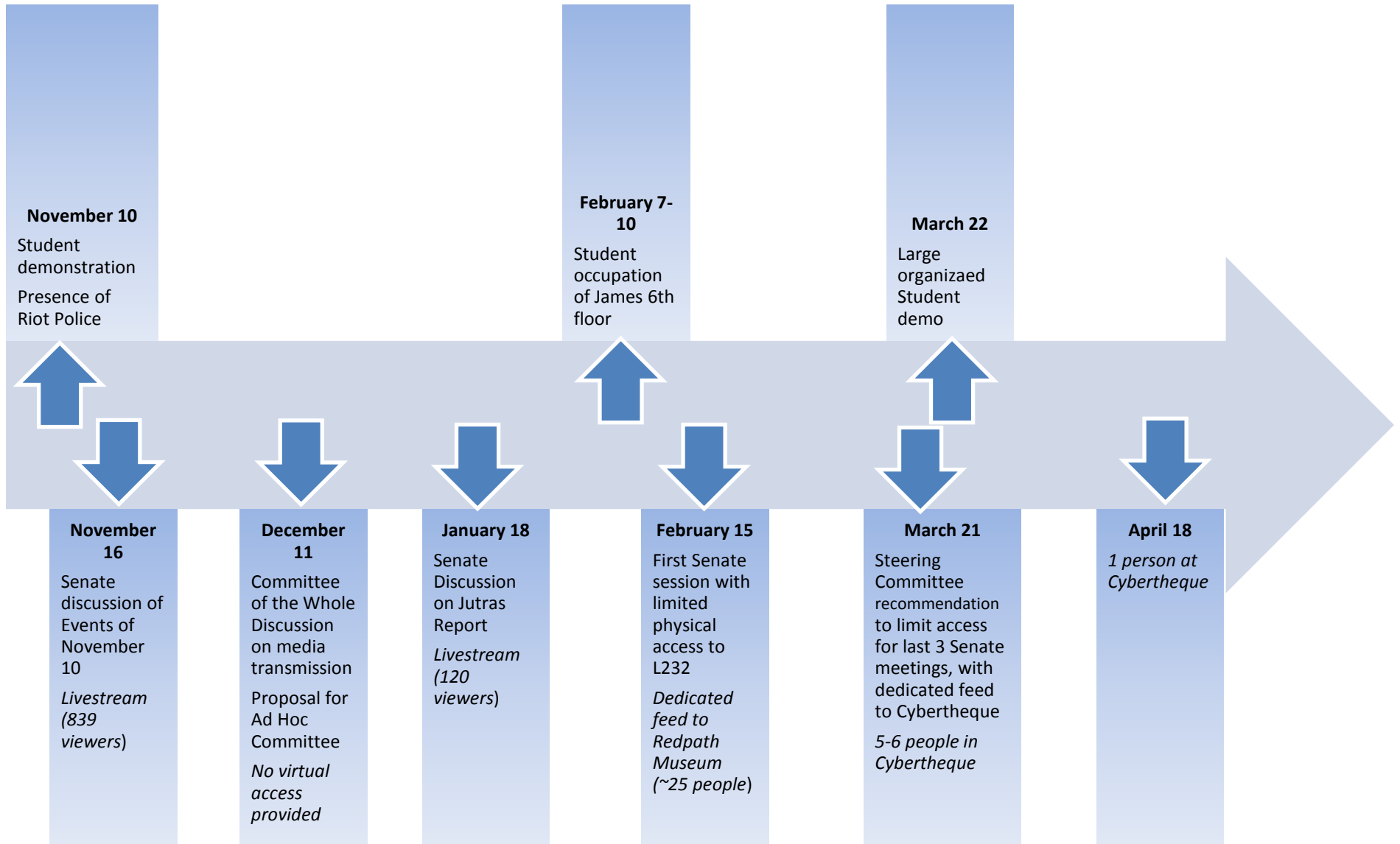
For these reasons, the Committee believes that this is an opportune moment in McGill's governance history to move towards live streaming the open sessions of Senate meetings. Doing so would demonstrate that McGill values the open and transparent repartition of information and deliberation. The recommendations below are premised on the Committee's conviction that the openness of Canadian legislative and judicial bodies offers a model to be emulated by universities. The Committee believes that its recommendations will lead to stronger interest in and participation with the academic life of the University and will foster a deeper understanding – by staff, students and alumni – of the wide range of academic issues that are under the consideration of Senate and its committees. Moreover, the live transmission of Senate meetings is consistent with the fact that – with rare exceptions – Senate and its committees hold their meetings in open session.

Based on the above considerations, the Committee recommends the following:

1. Senate should grant permission for the live video recording and transmission of open sessions of Senate meetings on a pilot basis from January to December, 2013;
 - 1.1 At the end of the pilot, Senate should review its procedures on the recording and transmission of Senate meetings and make necessary modifications thereto;
 - 1.2 The Senate review should take into account the number of viewers; positive and negative feedback from Senators and the McGill community; incidents arising at Senate meetings and across the campuses; and perceived changes to Senate agendas.
2. Broadcasts of Senate meetings should be transmitted exclusively to members of the University community – McGill staff, students and alumni. Spectators will have to enter their McGill ID and password to access the video.
3. Consistent with the protocols of the House of Commons and the Assemblée Nationale, the camera should only focus on the Chair or a Senator who is speaking.
4. Transmission will be live, and viewers will only have access to the recording during the Senate meetings. The recordings will not be archived or available for later use.
5. On the recommendation of the Steering Committee, Senate should hold closed or confidential sessions when personal or sensitive information, and matters of comparative advantage and budget, are discussed or when otherwise deemed appropriate. Recording would stop during these sessions.

6. For technical ease, the Principal's remarks and the closed and confidential sessions of Senate will be the first items on the agenda, during which there is no video recording and transmission.
7. Persons wishing to view the live transmission should be made aware of their privileges and responsibilities via a Statement of Rights and Responsibilities. Viewers should have to agree to this statement before being granted access to the broadcast and the statement should remain posted on their display screen throughout.
8. The Secretariat should be provided with sufficient additional resources to cover the cost of transmitting and archiving Senate proceedings.
9. The minutes prepared by the Secretary and approved by Senate should remain the only official recording of Senate decisions.

Outside Events



Senate Meetings

Cameras in the Court, DANIEL J. HENRY

Canadian courts are open to any member of the public if there is the space, if the court is near enough to them and if they can find the time to attend. For years Canadian media have argued for television camera access to court proceedings. There has been some televised coverage of Canadian courts, though it is not routine.

The Supreme Court of Canada first allowed a camera in its court in 1981 to broadcast its decision in the Patriation Reference case. Since 2 March 1993 it has permitted the televising of 3 cases - involving the tax deductibility of nanny expenses to a professional (*Symes*), the right to assisted suicide (*Rodriguez*) and the tax deductibility of spousal support payments (*Thibaudeau*). It now records all arguments before it for its own use and for occasional teaching purposes.

In Ontario an experiment was conducted in 1982 by the Radio Television News Directors Association of Canada under the supervision of the chief justice's Bench and Bar Committee. Proceedings in all levels of court were taped and resulted in a one-week series of new reports. The experiment was pronounced successful by all concerned. Since then, the Canadian Broadcasting Corporation has taped a few trials in courts in Ontario (a murder trial, part of an abortion injunction application, and a sentencing in an environmental offence case), in Newfoundland (an impaired driving trial presided over by the province's first native judge), in Alberta (in youth court) and in the Northwest Territories (6 cases of a judge on circuit).

On 1 January 1995 the Federal Court of Appeal began its 2-year experiment with electronic coverage. An appeal of the decision allowing the construction of the fixed link to Prince Edward Island was televised in the first year. On 1 January 1996 the Nova Scotia Court of Appeal began its 2-year experiment. Three cases were televised within the first few months.

Recent Years

In recent years, Canadian media have televised royal commissions, public inquiries, human rights hearings, immigration hearings, securities commission hearings and police complaints hearings. Over 20 commissions of inquiry and other proceedings have been televised in whole or in part since the early 1980s. Recent examples include the Somalia inquiry in Ottawa and the Westray inquiry in Halifax. Years of daily testimony have been televised.

In 1987, in his report on Ontario court reform, Mr Justice Zuber recommended a 2-year experiment with cameras in court. That same year, the Law Reform Commission of Canada and the Canadian Bar Association independently studied and recommended immediate camera access to appeal courts and a 2-year experiment with cameras in trial courts. According to the CBA committee that studied it, the camera could be turned off at any time if it were determined by the presiding judge to be necessary in the interest of justice.

For its part, the Canadian Judicial Council has pronounced itself opposed to cameras in court, having voted on the issue in 1983, 1988 and 1995. Its current position is expressed as a "recommendation" only.

Camera Access to Courts

Camera access to courts is not novel. While it has been allowed from time to time in Australia, China, France, Israel, Italy, the Netherlands, New Zealand, Norway, Russia, Singapore, Spain and the European Court of Human Rights, the greatest experience outside Canada is clearly in the United States.

Cameras are allowed in the courts of 47 states and were permitted for 3 years in selected civil proceedings of the US Federal Court. Since July 1991 CourTV has broadcast court cases all day every day, and now serves over 15 million households. Television coverage of court cases has been massive, and while public debate focuses on individual cases, like the O.J. Simpson case, the Menendez case, the Bobbit case and the W. Kennedy-Smith case, thousands of cases are televised each year locally, regionally and nationally.

Proponents

Proponents argue that television is simply another method of making public proceedings public. Electronic reports are more accurate and provide more people with first-hand information. The placement of a single camera and microphone in court at the side of the public gallery without additional light does not affect the proceedings, and the dignity and decorum of the proceedings are preserved. Witnesses who testify are more likely to tell the truth, knowing that viewers are monitoring their testimony. As for certain vulnerable witnesses, such as sexual assault complainants, there are in Canada bans on the publication of any information which would identify them, and these bans apply to all forms of coverage, including television. Lawyers, for their part, are more likely to prepare and present their cases well if they are televised.

If there are concerns about juror anonymity, rules can be developed to ensure that jurors are not the focus of television coverage. Proponents point to a number of studies supporting them. One of the more recent scientific studies, published in 1990, showed that the camera in court did not impair a witness's ability to recall accurately details of a crime or to communicate effectively, and did not adversely affect juror perceptions of the quality of witness testimony.

Opponents

Opponents to camera access maintain that there is a greater tendency to grandstand, and they focus on the use of "misleading" and "sensationalist" clips by the media. They maintain that the media are not interested in educating the public, but rather, exploiting for commercial gain the private tragedies of individuals who are forced to come to court to obtain or participate in justice. Fair trial is inevitably affected by prejudicial publicity. Victims will hesitate to report crime, for fear of having to appear on television. Justice will not be served.

Most agree that televising appellate proceedings is not problematic. Concerns surround the television of the testimony of witnesses at trials. The issue following from that is whether televising should then be permitted with the consent of the parties in the case and the witness concerned. Proponents of greater camera access to court argue that a consent rule, such as that which exists in Ontario, means that there is little or no television coverage of courts, in fact.

They suggest that while the position of the participants can be taken into account, the judge should decide whether television should be permitted on the basis of the open court principle, constitutional rights and the public interest.

Fundamental Freedoms

In Canada, there are 2 additional elements to the debate. The [CANADIAN CHARTER OF RIGHTS AND FREEDOMS](#) provides under s2(b) that a fundamental freedom is "freedom of expression, including freedom of the press and other media of communication." Unlike the United States, where a constitutional right of camera access to court has not yet been established, judicial decisions in Canada make it clear that the Charter right in s2(b) includes the process of filming generally, and includes, as well, general public access to court. In the Squires case, which considered the issue of television camera access to the doorway of a courtroom, the Ontario Court of Appeal held that s2(b) did create a right to film in a court building. In that case, a 3:2 majority of the court upheld a ban on camera access to the court doorway as a reasonable limit on the freedom on the basis of a consideration of section 1 of the Charter, while indicating that the considerations regarding camera access to the courtroom itself would be different. Since then, the Supreme Court of Canada, in its decision in the Dagenais case, has substantially rewritten the common law rule applying to publication bans generally (*see* [OPEN COURTS AND PUBLICATION BANS](#)). That law would also apply to a consideration of television camera access to court.

From the point of view of policy, it is clear the Canadians are now deluged with American justice on television. Advocates argue that television camera access to Canadian courts holds the promise that Canadians could see and hear how their own unique system of justice works.

House of Commons Procedure and Practice, Second Edition, 2009

24. The Parliamentary Record

Broadcasting Services

Historical Perspective

Prior to the introduction of television in the House of Commons in 1977, only special parliamentary events, such as openings of Parliament and addresses by distinguished visitors,^[95] were broadcast. The question of radio and television broadcasting was debated in the House in 1967 and 1969 and referred to a procedure committee in 1970.^[96] The committee's report, presented in 1972, discussed the concept of an "electronic Hansard" whereby radio and television coverage would be a faithful record of proceedings and debates in the House, in the same sense as the written *Debates*.^[97] This approach was to become a guiding principle in the broadcasting of House proceedings. However, Parliament was dissolved before the committee's recommendations could be considered. A feasibility study was undertaken in 1974^[98] and on January 25, 1977, the House adopted the following motion:

That this House approves the radio and television broadcasting of its proceedings and of the proceedings of its committees on the basis of the principles similar to those that govern the publication of the printed official reports of debates; and that a special committee, consisting of Mr. Speaker and seven other members to be named at a later date, be appointed to supervise the implementation of this resolution.^[99]

The special committee chaired by Speaker James Jerome made the necessary decisions as to lighting, camera placement and other matters. During the summer recess, the Chamber was extensively refitted and on October 17, 1977, gavel-to-gavel coverage of the proceedings of the House of Commons began.^[100]

In 1989, a consortium of cable television companies and the Canadian Broadcasting Corporation jointly proposed a new specialty cable channel, to be called the Canadian Parliamentary Channel (CPaC), which would broadcast the House of Commons proceedings as well as other public affairs programming. A committee undertook a study of this proposal within a wide-ranging review of broadcasting of the proceedings of the House of Commons and its committees.^[101] In its final report,^[102] the committee endorsed the CPaC proposal. The committee also found existing camera guidelines unnecessarily strict.^[103] Although the report itself was not concurred in, a motion endorsing the CPaC proposal in principle was agreed to by the House.^[104] Further enhancements proposed by the committee were taken up by the House and implemented.^[105] In 1992, the House authorized the use of a greater variety of camera angles during the coverage of Question Period and of recorded divisions.^[106]

In 2003, the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons approved the launch of the ParlVU service to the public. ParlVU is a service on the Parliament of Canada Web site that carries live and on-demand televised parliamentary proceedings from the Commons chamber and two committee rooms, and the live and on-demand audio from all non-televised public committee meetings. The listener may choose the English, French or floor audio, and high- or low-resolution video.^[107]

Authority and Jurisdiction

At an early stage, well before the House agreed to the broadcasting of its proceedings, it was clear that control of any such broadcasting system, including the safeguarding of the electronic Hansard concept, was to remain with the House and under the supervision of the Speaker acting on behalf of all Members.^[108]

In support of this principle, the Standing Committee on Procedure and House Affairs has, as part of its permanent mandate, the duty to review and report on the radio and television broadcasting of proceedings of the House and its committees, and to deal with any complaints from Members in connection with such broadcasting.^[109]

Current Arrangements

The broadcasting service provided by the House ensures that the daily proceedings of the House are captured, archived and distributed live to the members of the Parliamentary Press Gallery. In addition, the Cable Public Affairs Channel (CPAC)^[110] broadcasts House and committee proceedings via cable and satellite services located across the country. Viewers have access to live, gavel-to-gavel proceedings of the House, the daily replay of Question Period, and televised committees.

The broadcast system is integrated into the architecture of the Chamber so as not to offend existing decor. Committee and House proceedings are broadcast and recorded from the opening of business until adjournment and distributed to outside users without revision or editing.^[111]

Chamber Proceedings

The Chamber is equipped with cameras mounted beneath the galleries and operated from a control room constructed over the south gallery, invisible from the floor of the House.^[112] The recording of the proceedings is governed by guidelines, intended to preserve the concept of the electronic Hansard, as adopted by the House.^[113] The camera focuses on the Speaker, or on the Member who has been recognized by the Speaker. During debate, camera shots are restricted to the head and torso of the Member speaking, and the microphone picks up only his or her voice. Reaction shots, split screens and cutaway shots are not permitted. In order to give viewers a better appreciation of “the context and dynamic of the House”, wider camera angles, showing more of the House and its Members, may be used during Question Period and the taking of recorded divisions.^[114]

Committee Proceedings

The resolution adopted by the House in 1977 also applied to the broadcasting of committee proceedings; however, the special committee implementing radio and television broadcasting determined that further study was necessary before committee proceedings could be broadcast.^[115] In the next Parliament, the Speaker was asked to rule on the question of whether a committee had the power to televise and decided that since no guidelines had been established, the broadcasting of committee proceedings could only be authorized by the House itself.^[116]

Beginning in 1980, a number of committees received permission from the House to broadcast their proceedings on a single-issue basis—that is, to broadcast a single meeting, or all the meetings held with respect to a particular order of reference.^[117] In 1991, the House adopted a rule codifying the requirement for committees to seek the consent of the House to use House facilities for broadcasting. This new rule

also required the then Standing Committee on House Management to establish experimental guidelines which, when concurred in by the House, would govern the broadcasting of committee meetings.^[118] In 1992, the House concurred in the Committee's report recommending the audio broadcast of all public committee meetings and the equipping of one committee room for television broadcasting, with an evaluation to be made by the Committee after six months.^[119] In April 1993, the House agreed to continue these broadcasting arrangements on a permanent basis, subject to ongoing review by the Standing Committee on Procedure and House Affairs.^[120] In 2001, the House granted access by the electronic media to any public committee meeting held within the parliamentary precinct in Ottawa, subject to certain guidelines.^[121] Later that same year, the House concurred in the report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons, which recommended that a second committee room be equipped for televising by the House of Commons on a gavel-to-gavel basis.^[122]

Access to Broadcast Materials

Members may listen to selected committee meetings on an in-house radio network; they may also view the live broadcast of House or committee proceedings in French, English or the floor language (i.e., the actual language of debate, without interpretation) on an in-house, closed-circuit television network. In addition, the ParlVU service, available through the Parliament of Canada Web site, carries live and on-demand televised parliamentary proceedings from the Commons chamber and two committee rooms, and the live and on-demand audio from all non-televised public committee meetings. The broadcasters that carry the CPAC channel provide service in French, English or floor sound.^[123] In addition to providing a live feed which is accessible by other media apart from the parliamentary television channel, the Broadcasting Service of the House maintains a complete video archive dating back to October 1977, when the broadcasting of House of Commons proceedings began. In June 2003, the Board of Internal Economy approved the Memorandum of Understanding between the then National Archives of Canada and the House of Commons, whereby the Archives would assume the long-term responsibility for the care and preservation of the moving image archives, as part of Canada's records heritage. The House of Commons maintains access to the current and previous Parliaments in order to continue providing Members with on-demand services. Members may request retrieval and replay of any part of the televised proceedings of the House and may also obtain video and/or audio copies of House and committee proceedings.

^[95] For example, the address to both Houses of Parliament in the Commons chamber by Richard Nixon, President of the United States, on April 14, 1972, was televised.

^[96] See *Debates*, June 5, 1967, pp. 1157-66; March 26, 1969, pp. 7158-79; *Journals*, March 23, 1970, p. 633.

^[97] See *Journals*, June 30, 1972, pp. 471-86.

^[98] Canadian Broadcasting Corporation, *Television Broadcasting of Parliament: A Feasibility Study*, Ottawa, May 1976. The study was done by the Canadian Broadcasting Corporation for the President of the Privy Council. An earlier version, dated April 12, 1976, was tabled in the House (*Journals*, June 8, 1976, p. 1337). See Fraser, A., "Televising the Canadian House of Commons", *The Table*, Vol. XLVII, 1979, pp. 66-71.

^[99] See *Journals*, January 25, 1977, p. 287.

[100] *Debates*, October 17, 1977, pp. 8201-2. See also Speaker Jerome's memoir, *Mr. Speaker*, Toronto: McClelland and Stewart Limited, 1985, pp. 113-22.

[101] The matter was referred to the Standing Committee on Elections, Privileges, Procedure and Private Members' Business on June 8, 1989 (*Journals*, p. 340).

[102] The Committee's Ninth Report, entitled "Watching the House at Work", was deemed presented to the House on December 29, 1989 (*Journals*, January 22, 1990, p. 1078).

[103] In one of its recommendations, the Committee suggested that the production and direction of House of Commons broadcasting should be delegated, under the supervision of a House committee, to the programming director who would exercise professional judgment in the choice of camera angles or shots, so as to "convey the full flavour of the House of Commons, and to ensure that the parliamentary broadcasts provide a dignified and accurate reflection of the House". See the Ninth Report of the Standing Committee on Elections, Privileges, Procedure and Private Members' Business, pp. 3-6, 8-10, deemed presented to the House on December 29, 1989 (*Journals*, January 22, 1990, p. 1078).

[104] *Journals*, February 23, 1990, p. 1277. Later in the session, on June 19, 1990 (*Debates*, pp. 12930-48), a motion to concur in the committee report was debated but not disposed of.

[105] An example would be the production of informational videos. See the Nineteenth Report of the Standing Committee on Privileges and Elections, presented to the House on November 23, 1990 (*Journals*, p. 2289), and concurred in on December 19, 1990 (*Journals*, p. 2510).

[106] See the Twenty-Second, Forty-Third and Fifty-Seventh Reports of the Standing Committee on House Management, presented to the House on February 12, 1992 (*Journals*, p. 1009), June 5, 1992 (*Journals*, p. 1632), and December 4, 1992 (*Journals*, p. 2285), respectively, and concurred in on April 29, 1992 (*Journals*, p. 1337), June 8, 1992 (*Journals*, p. 1638), and December 11, 1992 (*Journals*, p. 2399), respectively.

[107] ParlVU was launched initially in April 2003 on the parliamentary Intranet site for Members and their staff. The Canadian public has been able to view ParlVU through the parliamentary Web site since February 2, 2004. See the Fourth Report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons, par. 23 to 30, presented to the House on June 12, 2003 (*Journals*, p. 915), and concurred in on September 18, 2003 (*Journals*, p. 995).

[108] See the Second Report of the Standing Committee on Procedure and Organization, par. 74, presented to the House on June 30, 1972 (*Journals*, pp. 471-86). In 1979, for example, a Member crossed the floor of the House to sit with another party, but the cameras did not capture the event because to have done so would have contravened the House's established television broadcasting guidelines (*Debates*, March 8, 1979, pp. 3943-4). In another instance, when a point of order was raised as to the style of coverage of a budget presentation, the Speaker ruled that the coverage had not been consistent with previous budget presentations and suggested that the guidelines then in effect be observed until such time as the House decided otherwise (*Debates*, May 28, 1985, pp. 5146-7). In 1995, the House agreed to the temporary installation of stationary television cameras on the floor of the House for the address of the President of the United States (*Journals*, February 20, 1995, p. 1151). Two cameras were placed next to the Bar of the House, one operated by Canadian television networks and one operated by the American networks.

In a 1993 case before the Supreme Court of Canada, a broadcaster had applied to film the proceedings of a provincial legislature from the public galleries, using its own cameras (*New Brunswick Broadcasting Co. v. Nova Scotia (Speaker of the House of Assembly)*, [1993] 1 S.C.R. 319). The Speaker of the Assembly contended that to do so would interfere with the decorum and orderly proceedings of the Assembly, and moreover that the Assembly would have no control over the production or use of the film. The Court ruled in a majority opinion that in excluding the cameras from the gallery, the House of Assembly was exercising its right to control its internal proceedings and its right to exclude strangers from the House and its precincts. Five separate opinions were delivered in the Court's 7-1 decision. They are discussed at length in *Maingot*, 2nd ed., in particular pp. 306-18.

[109] Standing Order 108(3)(a)(v).

[110] In 1991, the Canadian Broadcasting Corporation announced that it would no longer fund the Canadian Parliamentary Channel (CPaC) and the following year, a new cable consortium formed, called the Cable Parliamentary Channel (CPaC). In 1996, it was renamed the Cable Public Affairs Channel (CPAC).

[111] However, the House of Commons broadcast staff “enhance” the unedited images. An example is the insertion of information at the bottom of the screen, such as the name of the Member or committee witness speaking, or the subject of debate. In addition, since 1991, the daily live broadcast of Question Period across the country on the Cable Public Affairs Channel has been provided with English closed-captioning and French sign language (*Langue des signes québécoise*—LSQ). Since October 22, 2007, the House of Commons, in partnership with the Translation Bureau, Public Works and Government Services Canada, has provided French closed-captioning for Question Period. The House of Commons is one of the world's first legislatures to use state-of-the-art voice recognition technology for remote live closed-captioning of its proceedings.

[112] As part of the Chamber Technology Infrastructure Project, new camera and control systems were installed in the summer of 2003. These new systems deliver better views of Members and better coverage of the galleries. Two new cameras were positioned on top of each entrance adjacent to the Speaker's chair. In the summer of 2004, a new sound system was installed to accommodate the unique acoustical properties of the Chamber, as well as a sound reinforcement system, new consolettes, an updated simultaneous interpretation system for the galleries and an infrastructure to meet possible future needs, such as electronic voting. See the Fourth Report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons, par. 16 to 22, presented to the House on June 12, 2003 (*Journals*, p. 915), and concurred in on September 18, 2003 (*Journals*, p. 995).

[113] *Journals*, January 25, 1977, p. 287.

[114] See the Fifty-Seventh Report of the Standing Committee on House Management (*Minutes of Proceedings and Evidence*, Issue No. 42, pp. 3-4), presented to the House on December 4, 1992 (*Journals*, p. 2285), and concurred in on December 11, 1992 (*Journals*, p. 2399). The adoption of these new guidelines on wider angles was preceded by a trial period. See the Committee's Twenty-Second and Forty-Third Reports, concurred in on April 29, 1992 (*Journals*, p. 1337), and June 8, 1992 (*Journals*, p. 1638), respectively.

[115] In what turned out to be its last report, the special committee raised a concern about the applicability of the “electronic Hansard” concept to broadcasting of committee proceedings and alluded to

the need to consider procedures for the introduction of radio and television coverage in committees (*Journals*, November 23, 1977, p. 130).

[116] See *Debates*, November 6, 1980, pp. 4531-2.

[117] A number of these were committees studying constitutional or financial matters. For further information, see the section on broadcasting in Chapter 20, “Committees”.

[118] Standing Order 119.1, adopted on April 11, 1991 (*Journals*, pp. 2904-5, 2929).

[119] See the Twenty-Third Report of the Standing Committee on House Management, presented to the House on February 14, 1992 (*Journals*, pp. 1024-5), and concurred in on March 27, 1992 (*Journals*, p. 1230).

[120] The Eighty-Third Report of the Standing Committee on House Management, presented to the House on April 2, 1993 (*Journals*, p. 2784), was concurred in on April 28, 1993 (*Journals*, p. 2873). See the Forty-Eighth Report of the First Session of the Thirty-Sixth Parliament, the Nineteenth, Forty-First and Fifty-Eighth Reports of the First Session of the Thirty-Seventh Parliament, the Third and Forty-Fourth Reports of the Second Session of the Thirty-Seventh Parliament, the Second Report of the Third Session of the Thirty-Seventh Parliament, the Fifth Report of the First Session of the Thirty-Eighth Parliament and the Second Report of the First Session of the Thirty-Ninth Parliament of the Standing Committee on Procedure and House Affairs, presented to the House on December 8, 1998 (*Journals*, p. 1424), May 16, 2001 (*Journals*, p. 419), December 3, 2001 (*Journals*, p. 893), May 24, 2002 (*Journals*, pp. 1425-6), October 30, 2002 (*Journals*, p. 138), September 19, 2003 (*Journals*, p. 998), February 13, 2004 (*Journals*, p. 77), October 20, 2004 (*Journals*, p. 121), and April 27, 2006 (*Journals*, p. 99), respectively, and concurred in on May 16, 2001 (*Journals*, p. 421), December 5, 2001 (*Journals*, p. 921), May 24, 2002 (*Journals*, p. 1426), October 30, 2002 (*Journals*, p. 140), September 19, 2003 (*Journals*, p. 998), February 16, 2004 (*Journals*, p. 81), October 20, 2004 (*Journals*, p. 124), and April 27, 2006 (*Journals*, p. 99), respectively. It is interesting to note that the Committee’s Forty-Eighth Report, presented to the House on December 8, 1998, was not concurred in by the House. On December 2, 1999, the report was deemed laid upon the Table in the Second Session of the Thirty-Sixth Parliament and concurred in, for a trial period ending on June 30, 2000 (*Journals*, p. 268). See also Chapter 20, “Committees”.

[121] See the Nineteenth Report of the Standing Committee on Procedure and House Affairs, presented to the House and concurred in on May 16, 2001 (*Journals*, pp. 419, 421).

[122] See the First Report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons, par. 51 to 53, presented to the House on June 1, 2001 (*Journals*, p. 465), and concurred in on October 4, 2001 (*Journals*, pp. 691-3), in accordance with an Order made October 3, 2001 (*Journals*, p. 685).

[123] The House of Commons, in partnership with CPAC, makes its proceedings available to the Canadian public in both official languages through cable and satellite broadcasts. However, before the Canadian Radio-television and Telecommunications Commission (CRTC) strengthened the regulations on the distribution of the House of Commons debates in both official languages, cable companies could decide to broadcast just one of the audio signals. This meant that, in a number of regions, Canadians only had access to the House of Commons debates in one language or, if the cable company had decided to

broadcast just the audio signal from the floor of the House, only in the language the Member was speaking at the time.

Further to complaints filed with the Commissioner of Official Languages, the Standing Joint Committee on Official Languages observed that the main issue was the manner in which CPAC was made available by cable companies. The Committee recommended to the CRTC that it require cable companies to broadcast the debates and proceedings of Parliament in both official languages. It also recommended that CPAC's commitment to install the infrastructure enabling cable companies to adopt SAP (secondary audio program) technology be made an integral part of the agreement between the House of Commons and CPAC.

Subsequently, the CRTC amended the regulatory framework for broadcasting parliamentary debates, ensuring that they could be watched by a majority of Canadians in both official languages, by requiring cable companies to use SAP technology in distributing CPAC as part of their basic service. There are only a very few Canadian cable companies that are exempted, for purely technical reasons, from making the debates available in both official languages. To remedy the situation, CPAC and the House of Commons have signed an agreement aimed at helping these companies develop the technical capacities they need to offer parliamentary proceedings in both official languages.

Since September 1, 2003, the CPAC signal has been available in the minority official language on a separate channel in some regions, while in others television viewers with SAP technology have had access to the signal in both languages. See the Second Report of the Standing Joint Committee on Official Languages entitled "Broadcasting and availability of the debates and proceedings of Parliament in both official languages", presented to the House on May 2, 2001 (*Journals*, pp. 353-4). See also the government response to the report, tabled on September 26, 2001 (*Journals*, p. 637).

Furthermore, on March 22, 2005, the government directed the CRTC, by Order (SOR/2005-60), to amend its regulatory framework to require cable companies with 2,000 or more subscribers to reserve two video channels for CPAC, one in English and one in French. The new requirement to distribute CPAC on a second channel was in addition to the existing requirement on the use of SAP technology. It is not necessary for both channels to be carried in the basic service package. However, a cable company that provides a second channel as part of its basic service is no longer required to use SAP technology.

Le salon de la race dans les salons du peuple

Il y a 30 ans aujourd'hui, on entamait la télédiffusion des débats

Antoine Robitaille 3 octobre 2008 Médias



Premier ministre en 1978, René Lévesque, ancienne vedette de la télévision, était convaincu des vertus du petit écran. Selon son attachée de presse, Gratia O'Leary, Lévesque appréciait la télévision parce qu'elle «rapprochait la populatio

Québec — Il y a 30 ans aujourd'hui, on espérait beaucoup de l'introduction de la télé à l'Assemblée nationale. Mais comme souvent, l'innovation technologique n'a pas exactement donné les résultats attendus.

Premier ministre en 1978, René Lévesque, ancienne vedette de la télévision, était convaincu des vertus du petit écran. Selon son attachée de presse, Gratia O'Leary, Lévesque appréciait la télévision parce qu'elle «rapprochait la population de ses représentants, leur donnait l'occasion de les voir, de les observer ; il répétait [...] que l'oeil de la caméra, cruel et révélateur, permet de déceler très vite le degré de sincérité». Dans l'opposition, le PQ avait d'ailleurs pressé le gouvernement de télédiffuser les débats parlementaires. En 1971, dans une question à ce sujet, le député Robert Burns soutenait que cela a «l'effet d'enlever un peu de bouffonnerie dans les débats». (Tel que cité dans l'incroyable livre de Christian Blais, Gilles Gallichan, Frédéric Lemieux et Jocelyn St-Pierre, Québec, quatre siècles d'une capitale, 2008, p. 527-529.)

Le député et poète Gérald Godin, dans un rapport ministériel, a cette fabuleuse phrase: «Nous voulons faire entrer le salon de la race dans les salons du peuple.» Il signale qu'après «avoir fait entrer Gutenberg au Parlement en 1963, nous faisons maintenant entrer McLuhan».

Il faut revoir les premières minutes de travaux télédiffusés pour comprendre à quel point, dans tous les partis, on fondait beaucoup d'espoir sur l'effet télévision. Les échanges de cette journée «téléhistorique» seront d'ailleurs rediffusés aujourd'hui même à 14h sur le canal parlementaire (etr

rediffusés les prochains jours ainsi que sur Internet, www.assnat.qc.ca).

En 1978, c'était à «Radio-Québec» qu'on avait pu voir et entendre le doyen de l'époque à l'Assemblée, le leader unioniste Maurice Bellemare, lancer, avec son inimitable éloquence: «Durant toute ma carrière, je n'ai jamais vu autant d'éclairage et autant de beaux hommes comme j'en vois devant moi, si bien habillés. Il y a eu un concours de beauté dernièrement, j'espère, parce que tout le monde est arrivé avec de beaux habits neufs. Il n'y a plus de chemise à carreaux, il n'y a plus de jeans nulle part. [...] On a de la difficulté à reconnaître le pouvoir [les élus péquistes], maintenant qu'ils sont tous astiqués d'une nouvelle manière!»

L'envolée est connue. Mais on oublie souvent la suite: la télévision annonçait «plus de dignité» dans les travaux, «plus de préparation et moins d'improvisation», ce qui allait revaloriser notre parlementarisme. Enfin, les visages des élus allaient «être connus du public», disait-il.

Spectacularisation

Précisément à cause de cela (la fabrique de vedettes), certains, chez les journalistes (ah! ces rabat-joie), sont sceptiques. Le bien nommé Gilles Lesage, correspondant parlementaire de 1968 à 1999 (presque toujours au Devoir), se rappelle qu'à l'époque, il craignait qu'on cède à l'injonction ironique d'Yvon Deschamps: «On ne veut pas le savoir, on veut le voir!»

Plusieurs s'inquiètent de voir la joute parlementaire tourner un spectacle. D'ailleurs, dès les débuts, on balise de manière serrée les mouvements de caméra. Pas de «reaction shot», comme on dit en théorie du cinéma. Autrement dit, pas question de voir la réaction que provoquent les propos de celui qui a la parole, sauf peut-être dans des plans d'ensemble, de toute manière trop larges pour pouvoir détecter quoique ce soit. Historien à l'Assemblée nationale, Gaston Deschênes se souvient que certains parmi les premiers réalisateurs, qui espéraient beaucoup de l'émission de télévision que pourrait devenir l'Assemblée nationale, ont rapidement déchanté. «On pensait même attirer des vedettes pour présenter les travaux!» Il fallut du reste étendre l'immunité parlementaire pour les «paroles prononcées en Chambre aux producteurs, diffuseurs, témoins et parlementaires, après avoir installé l'équipement», raconte St-Pierre.

Ministre d'État à la Réforme électorale dans le cabinet Lévesque, Robert Burns fut responsable de la télédiffusion des médias. Il se souvient que c'est davantage dans les rangs du Parti québécois que «chez les amis libéraux et unionistes d'en face» que l'on craignait l'avènement de la télévision. «Les réfractaires se disaient que l'opposition allait en profiter plus que le gouvernement», se remémore-t-il.

La télédiffusion a-t-elle rendu les travaux plus dignes? L'habitude britannique de taper sur les bureaux au lieu d'applaudir a disparu: «Il y a eu des tests de son et c'était assourdissant», rappelle Jocelyn St-Pierre. Au départ, les élus ont évité pendant un temps les invectives. Mais le naturel est vite revenu au galop. Jean-Pierre Charbonneau, élu en 1976, se souvient du passage d'un salon vert non filmé à un salon bleu (pour la télévision de l'époque, le bleu, c'était l'idéal) aux travaux télédiffusés: «Les élus se sont rapidement habitués. Et très vite, ils ont oublié ou presque qu'ils étaient filmés. Même que quand j'étais président, je devais leur rappeler que les citoyens pouvaient les voir et qu'ils ne seraient pas fiers...»

Gaston Deschênes craint pour sa part que ça n'ait rendu les débats plus partisans. Il remarque cet effet aujourd'hui dans les commissions parlementaires, qui sont à peu près toutes télédiffusées. Mais Jean-Pierre Charbonneau n'est pas d'accord et estime que c'est là une richesse. D'ailleurs, le 3 octobre 1978, le leader de l'opposition libérale, Jean-Noël Lavoie, s'était dit déçu que les travaux de commissions ne soient pas diffusés.

Plusieurs estiment que toute cette diffusion a fait connaître les travaux de l'Assemblée de manière remarquable. «Cela a aboli les distances», note Jocelyn St-Pierre. «Avant, pour un citoyen de l'Abitibi ou de Gaspésie, suivre les débats de l'assemblée était impossible. Et venir à Québec pour

cela? C'est quand même un progrès.»

Les cotes d'écoute? On ne les mesure pas, répond-on à l'Assemblée nationale. «On m'a déjà parlé de 50 000», se souvient vaguement Jean-Pierre Charbonneau. «Mais on ne comptait pas les reprises!»

Gisèle Gallichan, elle-même ancienne journaliste de télé (à Radio-Canada et à TVA) et qui a produit des capsules d'information sur la vie parlementaire (une nouveauté) pour la diffusion des débats, se réjouit des nombreux échos qu'elle en reçoit. De plus, les élus racontent souvent être surpris que des gens leur parlent, à l'épicerie, au garage ou dans la rue, d'une récente intervention.

Peut-être finalement que le leader péquiste Claude Charron avait raison, il y a 30 ans, lorsqu'il a dit: «L'avènement de la télévision à l'Assemblée n'est pas l'avènement de la démocratie en soi, [...] il s'agit là d'un élément essentiel pour l'exercice de la démocratie chez nous, puisque, à sa façon — bien sûr, sans remplacer l'aide indispensable et sacrée de ceux qui font profession d'analyser et de commenter nos travaux —, il s'agit d'assurer le droit de la population à l'information.»

Québec (province), télévision, média, Assemblée nationale du Québec (ASSNAT)

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