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A Model for the Future? Hybrid Proceedings's Impact on the House of Commons

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Introduction

When the Covid-19 pandemic broke out in Canada in early March 2020, the House of Commons suspended sitting for the following month. During that time, the House piloted hybrid sittings so that Members of Parliament could still work from home. The House of Commons then decided by unanimous consent in September 2020 to formally adopt a hybrid Parliament for both the Chamber and committees throughout Covid-19. This motion was readopted after Parliament reconvened in 2021, and was extended from June 2022 until June 2023. Currently, MPs continue to have the option to attend the sittings of the House remotely using Zoom or physically in Ottawa. Parliamentarians, procedural experts, and academics remain heavily divided on the future of hybrid proceedings. This research paper, therefore, seeks to answer: what is the impact of hybrid sittings on the parliamentary work of the House of Commons of Canada? It will be argued that although hybrid proceedings pose impediments for MPs to represent their constituents, relationship building, and for the parliamentary interpreters, hybrid nonetheless has an overwhelmingly positive impact as it renders Parliament more modern, efficient, representative and inclusive. This work will be structured as follows: first, the context of hybrid proceedings will be presented. Then, the academic literature will be examined to understand the theoretical frameworks underpinning arguments both for and against hybrid proceedings. Finally, an analysis will be presented, ultimately putting forth that while hybrid sittings impede on some of the benefits of in-person sittings, hybrid sittings have a positive impact on Parliament and democracy.

Contextualization

The Creation of Hybrid Parliament

Since Confederation, Members of Parliament were always required to physically be in Ottawa if they wanted to participate in the legislative proceedings of the House of Commons. Yet that all changed in 2020 with the Covid-19 pandemic. On March 13, 2020, in response to Covid-19, the House of Commons unanimously adopted a motion that suspended its scheduled sittings until April 20, 2020 (Rota, n.d.). Upon realizing the pandemic would be long-term, the House of Commons added the Standing Committee on Procedure and House Affairs (PROC) to the list of committees meeting virtually. PROC was instructed to study the various ways members would be able to fulfill their parliamentary duties while the House remained adjourned (Rota, n.d.). The House required a model that would allow for all MPs to participate, to uphold member's rights, immunities and privileges, and would have to provide simultaneous interpretation in both official languages. Additionally, changes to the House's rules and practices—the Standing Orders—would have to ensure the legal validity of the proceedings (Rota, n.d.). After much external consultation, the House unanimously agreed to create a special committee that would examine the response to Covid-19 in Canada. The Special Committee on the Covid-19 Pandemic (COVI) was composed of every Member of Parliament, chaired by the Speaker of the House of Commons, and met virtually via Zoom (Rota, n.d.). It was an immense technological and logistical challenge to determine which platform to use to ensure simultaneous interpretation as well as to ensure that all MPs had the equipment and internet capability needed to participate in COVI meetings. As MPs reside across the country, verifying there was consistent and reliable Internet access for MPs living in remote communities was particularly a major challenge to overcome.

After much success with the COVI committee, the PROC committee recommended that the House of Commons move to additional hybrid proceedings during the pandemic for all

regular business of the House (Rota, n.d.). After an adjustment period for MPs and staff, most major technical challenges were resolved. The House of Commons decided by unanimous consent in September 2020 to formally adopt hybrid proceedings for both the Chamber and committees. Using Zoom, Members of Parliament have the option to virtually attend the sittings of the House or attend in-person (Rota, n.d.). The motion for hybrid sittings was readopted after Parliament reconvened following the 2021 federal election, was extended in January 2021, and then again in June 2022 upon reaching the original expiry of the motion. These measures were in place until June 2023, when a government motion was passed making hybrid proceedings permanent.

The Current State of Hybrid Proceedings

Presently, House and committee proceedings are still being held in a hybrid format via Zoom. The majority of MPs are present in the Chamber for proceedings and votes, while a small minority of MPs continue to use Zoom to partake in proceedings. Cabinet ministers rotate attending proceedings in person using a bi-weekly schedule. This current state of hybrid proceedings was determined in June 2022 by a government motion that extended hybrid proceedings until June 2023. In January 2023, PROC tabled its report on the matter after concluding its study, recommending that hybrid remain in place until at least the first year of the 45th Parliament. It also recommended several strategies to protect the wellbeing of the interpreters and their profession at large as well as that Cabinet must be present physically to answer questions in order to remain accountable.

Currently, the main federal political parties are still divided on how the House of Commons should conduct its proceedings. The Conservative Party of Canada has strongly opposed hybrid proceedings as a medium to long-term measure. While they understand the

necessity of hybrid provisions during Covid-19 lockdowns, they believe that Members of Parliament should attend House proceedings in person in Ottawa. They argue that the Liberal Party of Canada is pushing for hybrid proceedings as a way to be less accountable. As most provincial and territorial legislatures have returned to in-person proceedings, the Conservatives opposed the government's motion in June 2023 (Aiello, 2022a). Similarly, the Bloc Québécois generally opposes hybrid proceedings; they believe it should remain a temporary measure during the pandemic, particularly due to the toll it has had on parliamentary interpreters (Ryckewaert, 2022). On the other hand, the New Democratic Party has consistently supported hybrid provisions for the flexibility it provides to MPs. The NDP hopes that hybrid proceedings will be adopted permanently to also improve Parliament's inclusivity and representativeness (Aiello, 2022a). Finally, the Liberal Party of Canada has taken a seemingly middle-ground approach in comparison to its counterparts; it supports hybrid for its flexibility but expects most MPs to participate physically in Ottawa (Aiello, 2022a).

Despite partisan divisions, concerns has been voiced by individuals who believe that this should not be a partisan issue. Jonathan Malloy, a political scientist from Carleton University, for example, believes that "The institution is approaching hybrid proceedings in the same way in which far too much of the institution is run: by short-term interests and whatever suits the side of the House one happens to be sitting on" (*Standing Committee*, 2022). He believes the House "needs to get this right to show Canadians that Parliament can stand up for itself as an institution" (*Standing Committee*, 2022). Similarly, the current Speaker of the House of Commons, Anthony Rota, commented that Members of Parliament must consider the "big picture" when determining whether to recommend terminating the virtual elements of hybrid

proceedings (Aiello, 2022b). While it has evolved into a partisan issue, these calls for a non-partisan approach are an important reminder given the weight of the mode of proceedings.

Theoretical Framework

Academic literature can explain various theoretical underpinnings of how hybrid proceedings impacted the legislative work of the House of Commons of Canada. The main area of literature, albeit indirectly on hybrid proceedings, is on how Parliament reacted to the Covid-19 pandemic and how its core roles consequently changed. Firstly, Koop et al. (2020) posit that in developing connections with their constituents, MPs tailor their representation styles to suit a mixture of four categories: policy, service, symbolism, and party connections. They argue that the nature of representational work undertaken by Members of Parliament was affected by the Covid-19 pandemic. Their symbolic representation—when MPs attend events in their constituency—declined due to public health restrictions, but many felt their policy work remained the same. The major shift for all MPs was that they became flexible and responsive to the needs of the pandemic, with MPs shifting to a service representation style in order to support their constituents who were severely hit by the pandemic. The volume of casework MPs received increased drastically, they had to deal with new service concerns with increased immediacy, and they were required to adjust to dealing with service requests virtually rather than in their riding offices. Therefore, Koop et al. demonstrate that MPs were highly adaptable to the demands of Covid-19 which was necessary for the implementation of virtual proceedings. They imply potential support for the hybrid model as they posit that the legislative role of MPs was not impacted.

On the other hand, Johnathan Malloy (2020) highlights the tensions and paradoxes of Parliament's opposing roles of representation and governance. The role of representation

emphasizes the voices of individual MPs, whereas the role of governance emphasizes decision-making and accountability. When the Covid-19 outbreak began, the dimension of governance became dominant as scrutiny of the government's proposed policy supports during the initial lockdown continued. Thus, representation suffered as transparency was lacking and backbench MPs were not as able to exert their power. Additionally, Malloy notes that a virtual Parliament would not only create a dependence on technology, but that many informal conversations and relationship-building would suffer. He states that "it is unwise to assume a virtual Parliament will merely replicate the exact functions as the in-person version" (p. 4). Malloy ultimately argues that a fully virtual Parliament emphasizes some of these roles at the expense of others; while governance may be improved, it may be at the expense of representation. While not directly related to hybrid proceedings, Malloy's work demonstrates the competing nature of Parliament that is at the centre of the debate on hybrid proceedings: how representation and governance are impacted by a hybrid Parliament.

Similarly, Erica Rayment and Jason VandenBeukel's (2020) studied how the House of Commons reacted to the Covid-19 pandemic and how its response affected its ability to fulfill its core functions of representation, scrutiny and legislation. During the Covid-19 pandemic, citizen representation was disproportionately impacted in comparison to the legislative and scrutinizing role of Parliament. However, the legislative and scrutinizing role nonetheless suffered, but to a less extent. Legislation—mainly regular fiscal measures and the passage of emergency legislation—was still passed, sometimes significantly expedited. MPs were also able to still scrutinize legislation during this period. What suffered most was the representation role: party leadership could control which MPs attended in-person proceedings, there was a regional imbalance in which MPs were attending, and the reduced number of sitting days reduced the

opportunities for representation. Thus, Rayment and VandenBeukel imply mixed support for the hybrid model: while representation suffers, hybrid proceedings do not dramatically impact the ability to hold the government to account and scrutinize legislation, as opponents of hybrid proceedings suggest.

As such, these three authors posit that Parliament needed to be highly adaptable because of the pandemic, and many of its main functions consequently changed as well. While they all take a slightly different approach, they nonetheless agree that the representational function of Parliament suffered greatly. Although they recognize how MPs could not represent their constituents as much due to the pandemic and consequently via virtual Parliament, they still recognize—to a lesser extent—that MPs were able to hold the government to account.

More concretely, Erica Rayment and Susan Franceschet are currently studying MP support for hybrid proceedings as part of their larger study on the family-friendliness of the House of Commons. Upon surveying MPs, they found high levels of support for some aspects of the hybrid model. Mainly, they found strong support for continuing the electronic voting app beyond the pandemic: 79% of respondents either somewhat or strongly agree that members on parental leave should be able to vote remotely (*Standing Committee*, 2022). Furthermore, when asked in an open-ended question regarding what measures should be implemented to make Parliament more family-friendly, about one-third of MPs unpromptedly suggested that hybrid proceedings would be a suitable option. Women MPs were also more likely than their male counterparts to admit that it is difficult to juggle being both a parent and politician: this confirms that a hybrid Parliament would potentially improve women's ability to participate in legislative proceedings (*Standing Committee*, 2022). Therefore, this work provides clear support for the hybrid model.

Analysis

Real and Perceived Challenges with Hybrid Proceedings

There are many benefits as well as challenges regarding hybrid proceedings. The first major challenge is that the role of a Member of Parliament is undermined; it is more difficult to represent one's constituents in Ottawa as having a physical presence in the Chamber affords the opportunity to be heard more by their party leadership. For example, current Member Scott Reid posits that individual MPs, such as backbenchers, can be more easily limited in their ability to represent their constituents when they are marginalized by their party leadership in a hybrid context. In Reid's personal experience, his party's leadership conducted backroom deals on legislation when MPs were participating remotely, which he felt went against the roles of MPs in representing their constituents in the legislative process (Thompson, 2022). Therefore, hybrid proceedings can make it more difficult for MPs to effectively represent their constituents. That said, the mode in which the House operates (be it hybrid or fully in-person) does not change whether MPs truly represent their constituents, as that is purely a question of design. The issue of design surrounding how party leadership treats backbencher MPs, for example, could be remedied by improved consultation, caucus practices, or rules regarding speaking lists. Additionally, some experts argue that representation of one's constituents actually increases with hybrid proceedings, as MPs are able to spend more time in the riding (Rayment & Thomas, 2022). As such, while some MPs believe their ability to represent their constituents is undermined, some would argue otherwise.

A second perceived challenge posed by hybrid proceedings is that it is harder for MPs to build and maintain relationships with other MPs when they attend virtually. In-person proceedings allow MPs to chat informally in the lobbies, committee rooms, at special functions,

etc., whereas via Zoom, MPs are limited to forming relationships through online communication platforms. Current MP Blaine Calkins, for example, believes that the ability of MPs to talk informally is crucial in creating a cordial, productive, collaborative atmosphere: "This is supposed to be a place where people get together and the good ideas bubble to the top for the benefit of all. My concern is if we're not here, [...] then we're not going to get the best decision" (Paas-Lang, 2022). Current Member Nathaniel Erskine-Smith also agrees, stating that "In politics, my experience has been that it makes it even harder to build cross-party coalitions to get things done" (Thompson, 2022). At the PROC committee, Jonathan Malloy also testified that in-person relationships are part of the institutional culture at the House of Commons, which would suffer if many parliamentarians chose to attend proceedings remotely (*Standing Committee*, 2022). As such, virtual proceedings have negatively impacted the collegiality and collaborative atmosphere of proceedings. However as the pandemic has subsided, most MPs attend proceedings physically, with few using it as a tool to attend virtually regularly. As such, this format does not detract from an MP's ability to meet and maintain relationships with colleagues. Instead, hybrid proceedings provide options: MPs can focus on meeting and collaborating with their colleagues when physically in Ottawa, and can also reach out to their colleagues virtually when periodically participating from their ridings.

The most real—and straining—challenge of hybrid proceedings is that it continues to pose challenges for the parliamentary interpreters. The House of Commons spent the past two years resolving most technological challenges; yet the strain of hybrid proceedings continues to pose significant health challenges to the interpreters as it is difficult for them to simultaneously translate the poor audio of MPs participating over Zoom. Many interpreters are therefore suffering from injuries ranging from tinnitus, which causes ringing in the ears, headaches, nausea

and "acoustic shock" after months of interpreting MPs online through fuzzy laptop microphones and poor Internet connections (Reynolds, 2021). Due to the compounding of injuries from Zoom-based proceedings, interpreters have requested shorter shifts and more transfers to non-virtual assignments, which has resulted in a shrinking pool of available interpreters. Parliamentary interpreters have reported injuries more than 100 times since April 2021, more than triple the number of injury reports filed during the previous 20 months, according to the Canadian chapter of the International Association of Conference Interpreters (Reynolds, 2021). After approximately two years of virtual proceedings, in April 2022, 10 of the approximately 60 interpreters were still unavailable or only partly available to interpret because of injuries (Kupfer, 2022). However, while the impact on parliamentary interpreters has been substantial, more MPs are physically attending proceedings more often—in comparison to when provincial lockdowns were in order—as the pandemic has subsided; with time, the health challenges interpreters have faced should stabilize as fewer MPs are participating over Zoom. Translation Bureau CEO Lucie Séguin confirms this: even with hybrid proceedings, “the more participants are in person, you’ll see a reduction of incidents” (Ryckewaert, 2022). As such, while hybrid proceedings initially took a toll on parliamentary interpreters when the majority of MPs used to attend on Zoom, their health incidents should subside as the majority of MPs now attend in person.

In sum, hybrid proceedings have profoundly changed the way the House of Commons operates and the way Members of Parliament perceive their work. Some MPs believe hybrid proceedings have made it more difficult to effectively represent their constituents, and some also believe it can be more difficult for MPs to build relationships with their colleagues. However, it has been proven that these are only perceived challenges. The real challenge that remains is the

wellbeing of parliamentary interpreters, although this issue should subside with more MPs returning to the Chamber.

Positive Effects of Hybrid Proceedings

On the other hand, there are four main benefits to maintaining hybrid proceedings in the Canadian House of Commons that outweigh its negative ramifications. Firstly, if hybrid sittings are adopted permanently, the House of Commons will be more modern. Modernizing the House of Commons has been the subject of various debates on parliamentary reform over the past half-century. The Covid-19 pandemic required the House of Commons to make many technological advancements that would typically have taken decades to undertake. The House of Commons staff, administration and MPs have already experienced the growing pains of implementing hybrid proceedings, and these advancements, such as electronic voting, have made a positive impact. The implementation of electronic voting was recommended in the McGrath Committee on Modernization in 1985 and again in 2003 with the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons; it has been recognized for decades that it would be convenient for MPs (*Reforming the Standing*, 2017). As electronic voting improves the efficiency of the House's procedure and provides greater flexibility for MPs, it has had an overall positive impact and should be adopted for the long term. Therefore, hybrid proceedings utilize the technology available at the House's disposal to improve efficiency, inclusion, and representation, and ensure the institution remains up-to-date with the technological standards of the twenty-first century. If hybrid proceedings are adopted permanently in the House of Commons, it may set an example on the world stage as a technological model for legislatures around the world.

Secondly, hybrid proceedings allow for Members of Parliament to be more efficient. While hybrid sittings do not speed up the legislative process, MPs have cited personal experiences that it enables them to save on travel time and reduce personal sacrifices. As MPs have the option to work from their constituencies periodically while still attending the proceedings of the House of Commons virtually, they can use the time they would typically take to travel to Ottawa to better maintain a work-life-balance and physical presence in their ridings, spend more time critiquing legislation, etc. For example, during the current PROC study on whether hybrid proceedings should be adopted, former MPs Dona Cadman and Leo Duguay testified that a hybrid Parliament would be beneficial for MPs with long commutes to their ridings, as being in Ottawa requires many personal sacrifices to their time, mental and physical health, and families (Aiello, 2022b). As such, hybrid proceedings allow MPs to be flexible with their time, improving their overall productivity and efficiency.

Another beneficial change is that the House of Commons can be a more accessible and inclusive place for Members of Parliament. As MPs can be more efficient in maximizing their time with hybrid proceedings, they have the flexibility to work virtually from their constituencies when needed. As such, hybrid proceedings allow MPs more flexibility to do their work while dealing with competing personal commitments or issues, such as mothers, those with large caregiving roles for family members, and those with disabilities or illnesses. For example, research in the United Kingdom demonstrates that women MPs were much more likely to participate in Parliament virtually as it allowed them to balance their work with caring responsibilities at home (Smith & Childs, 2021, p. 4). In current Member of Parliament Laurel Collin's personal experience, she said that hybrid sittings allowed her to keep working in the final months of her pregnancy (Aiello, 2022b). This flexibility is so meaningful to some MPs

that it may be a factor allowing them to keep their job. For example, current Member of Parliament Parm Bains testified at the PROC committee on how essential the hybrid system was for him to deal with his dialysis treatment and kidney transplant: "If it were not for the hybrid Parliament provisions, I could not have safeguarded my health and kept my commitment to represent my constituents in Parliament" (Paas-Lang, 2022). As such, the flexibility hybrid proceedings afford to MPs allows for as many MPs to participate in the legislative process as possible, making it more inclusive.

Similarly, hybrid proceedings could theoretically make the House of Commons more representative, and therefore more democratic. If hybrid proceedings continue long-term, this may encourage more diverse Canadians, especially from underrepresented groups—such as mothers, people with disabilities or heavy caregiving duties, etc.—to run for election (Rayment & Thomas, 2022). The hybrid model could help attract and retain Members of Parliament who need or expect flexibility in the role. Currently, the House of Commons does not descriptively represent the Canadian population: for example, only 30% of MPs are women whereas they form approximately 50% of the Canadian population (Bonikowska, 2022). Since descriptive representation often leads to substantive representation—as in, one's experiences influence the issues and positions they bring forth in political debate—it is imperative that the composition of the House of Commons reflects the diversity of Canadians (Sobolewska et al., 2018). Therefore, a hybrid model for MPs could potentially help the House of Commons better reflect the Canadian population, and therefore be more democratic—such as by achieving gender parity in Parliament. This argument is echoed by current Member of Parliament Laurel Collins, who believes that the hybrid format can be critical in making the life and work of a politician more accessible and attractive for Canadians who might otherwise face systemic barriers: "If you want

more young women to enter politics, if you want more women to stay in politics, make Parliament more family-friendly. hybrid Parliament is a tangible way to do that" (Paas-Lang, 2022). While many experts, such as Melanee Thomas, recognize that hybrid proceedings will not remove all of the systemic barriers preventing women, Indigenous, racialized and disabled people from entering politics, it nonetheless sends an important message to Canadians regarding who "Parliament is designed for and who is welcome within the institution" (*Standing Committee*, 2022). Accordingly, then, hybrid proceedings could be a tool to improve the representational function of the House of Commons.

In short, hybrid proceedings have had an overwhelmingly positive impact on the House of Commons. Maintaining a hybrid format would ensure the House is more modern and technologically up-to-date, and it allows MPs to be more flexible and efficient with their time as they have the option to attend remotely from their constituencies when needed. The hybrid format also makes proceedings more accessible and inclusive to MPs, and therefore could potentially improve the House's representativeness in the future.

Conclusion

This research investigated whether the hybrid sitting model has had a positive or negative impact on the legislative work of the House of Commons. After presenting some context and theoretical frameworks, an analysis of the major effects was presented. Hybrid proceedings have perceived negative impacts: it is an impediment for MPs to effectively represent their constituents and to build relationships. However, this research has shown that those challenges are only perceived: these issues stem from the design of the House's proceedings, not the mode in which it operates. The real challenge is the barriers posed to the parliamentary interpreters, although the health effects on interpreters should diminish as more MPs use hybrid less with the

pandemic subsiding. This research has ultimately argued that although hybrid sittings have perceived and real challenges, hybrid sittings should be used long-term to render Parliament more modern, efficient, representative, and inclusive. In doing so, the House would become more democratic as hybrid proceedings—when used properly—can enhance the work of Members of Parliament. The mode of Parliament has a profound impact on the way MPs deliberate in the Chamber, how they perform their duties in Ottawa and in their constituencies, and potentially influence who runs and stays in federal politics. While the House recently passed a motion to make hybrid proceedings permanent, future governments could reverse this decision. If hybrid proceedings continue in the House of Commons throughout the years to come, it may set an example as a model for Canada’s provincial and territorial legislatures, as well as legislatures around the world. While there are criticisms both for and against a hybrid Parliament, parliamentarians need to consider the direction of the institution for the twenty-first century, bearing in mind the bigger picture. The future of hybrid proceedings is critical as it will impact the legislative process and therefore the lives of Canadians. If Parliament knows better, it should do better: hybrid proceedings should be the way of the future.

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