

MAY 16, 2006

SPEAKER'S RULING

Electronic Devices

Honourable Senators, a point of order was raised by Senator Corbin concerning the electronic interference with the sound system caused by certain handheld cell phones and Blackberries. This is not the first time this objection has been raised. In fact, on at least 4 occasions, going back to March 9, 2005, the effects of these devices on our sound system has been the subject of complaint.

Many honourable Senators contributed to the discussion on the point of order. Most concentrated on the annoying effect of the interference. A few Senators expressed concerns about the propriety of using these devices at all, as it raises the question of whose words are being expressed by the Senator and distracts the attention of Senators from what is being discussed in the Chamber.

While this latter argument may have some merit, I believe it is more properly addressed in a substantive way either in debate in the Senate Chamber or as a study by the Standing Committee on Rules, Procedures and the Rights of Parliament, rather than as a part of this ruling. On the matter of interference, created by cell phones and Blackberries, the Rules of the Senate are quite explicit. Rule 19(4) stipulates that:

No person, nor any Senator, shall bring any electronic device which produces any sound, whether for personal communication or other use into the Senate Chamber, whether on the floor, inside the Bar, outside the Bar or in the galleries

Speaker Hays gave a detailed ruling March 9, 2005, in which he outlined the problem, cited rule 19(4), and distributed a briefing note explaining the likely sources of the interference. The problem, however, persists. Perhaps there is still some confusion about the technical problem and the possible remedies. This may explain why this point of order keeps coming up.

My understanding is that these wireless devices use different radio frequencies, depending on which company is supporting them. The radio frequency used by certain suppliers causes interference with our audio system. The result is the repeated buzz we have been experiencing. This problem is not unique to the Senate: the Other Place is struggling to cope with this problem as are other jurisdictions across the country. Similar devices, supplied by other service providers, have no discernable effect on the sound system. Now, as it happens, due to differences in service levels provided, it would appear that Senators have opted to subscribe with providers whose systems are incompatible with our current sound infrastructure. In the last two years, a number of Senators have switched to such suppliers; this likely accounts for some of the aggravating audio interference.

In response to the latest incident, Senate staff has conducted tests with different devices in this Chamber, and learned that a unit receiving or sending an email or phone call can have an effect on an open microphone from as many as four seats away. This means the range of potential offending devices is from 16 to 20 seats surrounding the open microphone. As a result, even though the electronic device is causing a noise, it would be difficult for me to identify without qualification the offending device and to hold its user to account.

In the course of the debate on the point of order, it was suggested that new wiring or microphones should be investigated to minimize the effect. I have received preliminary reports on this proposal, but I will leave the consideration of the feasibility of any such implementation to the appropriate body, the Standing Senate Committee on Internal Economy, Budgets and Administration.

In the meantime, based on the information received from staff, it would appear that shutting down these devices is the only sure way we can be certain that the rule will not be offended. While I recognize that this dependence on cell phones and Blackberries is not so easily overcome, I have asked the Table to distribute to each Honourable Senator's desk a document that details the devices that do, and do not, interfere with our sound system. I have also had this list circulated by way of letter to the office of each Senator. While it would be desirable if all Honourable Senators would use the suppliers who do not cause interference, I understand that the service levels individual Senators require may be better met by other non-compatible companies.

Honourable Senators who bring into the Senate Chamber any electronic device that produces any sound are at risk of causing a disorder. Honourable Senators who possess a device that is not compatible with our sound system are at greater risk, if the said device is not powered down or disabled before they enter the Senate Chamber. If Honourable Senators neglect to do so, it compounds the interference by shutting off the device only when the realization comes that it is causing a problem, since the process of shutting them off sends even greater amounts of data strings that will increase the level of interference.

It is my ruling that the point of order raised by Senator Corbin is well founded. Therefore, the collaboration of all Honourable Senators is requested to maintain order in the House.
