



COMMUNICATION

by

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on

“The Role and Nomination Process of the Clerk”

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Origins of the Office

My presentation today begins about 800 years ago.

The role of Clerk originated in the UK Parliament in the 13th century as a secretarial function, at a time when “clerk” simply meant someone who could read and write. The first formal appointment of a Clerk of the House of Commons dates to 1363.

By the 16th century, Clerks were recording proceedings that became the official Journals of the House, and by the mid-17th century their role had expanded to advising the Speaker and the House on procedure.

A defining moment occurred in 1642 when King Charles I entered the Commons to arrest five Members, an act later recognized as a breach of parliamentary privilege and establishing that the monarch may not enter the House. The event was recorded by Clerk Assistant John Rushworth under the supervision of Clerk Henry Elsing, demonstrating the Clerk’s enduring role as custodian of the parliamentary record and guardian of institutional memory.

Role of the Clerk

The Clerk’s historic function as record keeper of Parliament, responsible for documenting proceedings and maintaining custody of the House’s records, serves as the foundation of the office as it exists today.

In Canada, the Clerk and other table officers still produce the scroll — the real-time, unrevised record of proceedings — and it continues to be written by hand during each sitting. The information recorded in the scroll is later reflected in the Journals, which are produced in digital format and serve as the official, revised record of the House. While the form has evolved, the underlying function has remained consistent.

Although recording proceedings remains a core responsibility, the role of the Clerk now encompasses far more than record-keeping alone.

Modernization

Other than a brief reference to administering the oath of allegiance, there is little mention of the Clerk in the Parliament of Canada Act. The Standing Orders, however, set out a range of procedural and administrative responsibilities.

While the core functions of the Clerk have changed little since the creation of the country in 1867, the scope of the role has expanded considerably as the House and its administration have grown more complex. The Clerk is the chief procedural adviser to the Speaker and Members of the House of Commons and oversees the general administration of the House. They are at the service of all Members, regardless of party affiliation, and must act with impartiality and discretion.

The Clerk has the status of deputy minister and serves as Secretary to the Board of Internal Economy, the governing body of the House responsible for its financial and administrative affairs.

Structure

The Clerk is responsible for a variety of other tasks, though managing the administration of the House of Commons has probably become the most prominent one.

With over 2000 employees working for the House Administration, the Clerk is supported by senior officials responsible for the various organizational units. They form an executive governing body called the Clerk's Management Group and assist the Clerk in his or her functions. Their main responsibilities include: setting strategic directions, priorities and expected results of the House of Commons administration; ensuring the necessary financial and human resources are available to carry out the Administration's mandate, reviewing and/ or approving all policies pertaining to the House of Commons Administration before they are submitted to the Board of Internal Economy for approval or information and, ensuring that the Administration complies with all policies or directives.

To assist in assuring the autonomy of the House of Commons, the legislative branch of our parliamentary system, from the Government, the executive branch, the employees who work at the House are employees of the House with the Board of Internal Economy as their employer. They are not employees of the public service who ultimately report to the Government. Oddly though, there are three exceptions: the Clerk, the Law Clerk and the Sergeant-at-Arms. These have always been, and continue to be nominated by the

Government, or specifically are Governor in Council appointments. I will now overview the historic and current process for selected the Clerk.

History of the Nomination Process

The process for appointing the Clerk of the House of Commons developed gradually, beginning as an inconsistent and largely informal practice before evolving into the more structured and transparent process in place today. I must first say that the Clerk has traditionally held office at pleasure, meaning as long as it pleases the appointing entity.

Nominations Based on Reputation (1867-1902)

The first Clerk, William Burns Lindsay, carried over from the Province of Canada at Confederation in 1867, and was succeeded by his assistant, Alfred Patrick. John George Bourinot followed; a former parliamentary reporter, he brought deep procedural expertise and authored Canada's first major work on parliamentary procedure. His appointment, recommended by the Prime Minister, reflected an early reliance on reputation rather than formal selection processes.

Political Nominations (1902-1979)

In the decades that followed, several Clerks were politicians, either MPs or former candidates. Appointments were closely tied to partisan life and sometimes criticized publicly, particularly as discomfort grew with overt political patronage.

Career Nominations (1979-2001)

A turning point came in 1979 with the appointment of Charles Beverley Koester, the first career public servant to serve as Clerk, selected after consultation with the Official Opposition. Working with Speaker Jeanne Sauv e, Koester professionalized the office by developing internal training and firmly establishing political neutrality and institutional loyalty as core principles.

His successors, Robert Marleau and William Corbett, were also career House officers. During their time, a 'Career Management System for Procedural Clerks' was developed to further formalize the profession, and to ensure proper succession planning. Also during this period, Marleau co-authored with his Deputy Clerk, House of Commons Procedure

and Practice, now our authoritative procedural text, the fourth edition having just been published a few months ago. At the time of Corbett’s mandate, a Special Committee was created to modernize House procedures, including appointment processes.

Modern Nomination Process (2001-present)

In 2001, the House adopted reforms requiring consultation with opposition parties and committee review of nominees, introducing transparency and parliamentary oversight. Audrey O’Brien became the first Clerk appointed under this system and the first woman to hold the position, following review and approval by the Standing Committee on Procedure and House Affairs and the House itself.

In February 2016, the Government of Canada announced a new policy for most Governor-in-Council appointments, emphasizing open, transparent, and merit-based processes, including publicly advertised competitions.

Based on this policy, the government at the time chose to depart from the established practice of promoting a senior internal official and instead launched a public competition for the next Clerk. Consultations with opposition parties were minimal and this process resulted in the appointment of Charles Robert, a Senate official, as Clerk of the House of Commons. These decisions were widely criticized by opposition parties, particularly in light of the expectations that had developed around cross-party consultation. During the ratification vote in the Chamber, the Official Opposition and the Green Party voted against the nomination.

In the subsequent selection process—which led to the appointment of the current Clerk, Eric Janse, a slightly different process was utilized. The broader Governor-in-Council appointment process administered by the government through the Privy Council Office was again used, but it was agreed, after consultation with all the recognized parties, to add an additional step. Specifically, after the Government-led competition, the selected candidate was asked to meet jointly with representatives (House Leaders and Whips) from all the recognized parties. While this consultation is not set out in the Standing Orders, it reflects the importance of the Clerk’s role as a non-partisan officer serving the institution as a whole. As a result, the usual review by the Standing Committee on Procedure via an appearance was waived, and the candidate was then recommended to the House by the committee. Finally, rather than holding a recorded division (vote), the House adopted the nomination unanimously.

Summary of Current Practice

Let me sum up how the appointment of the Clerk is codified today, building on the historical evolution I've just described.

Under the Standing Orders of the House (Standing Order 111.1), a proposed appointment of the Clerk is first referred to the Standing Committee on Procedure and House Affairs, initiating parliamentary scrutiny. While the Standing Orders do not require a full curriculum vitae, biographical information is usually provided to give members context. The committee has broad discretion in reviewing the nomination, typically hearing from the nominee and sometimes other witnesses, and may or may not report its findings to the House.

Following committee consideration, the government moves a ratification motion in the House. If approved, the appointment is finalized by Order in Council.

There is no formal academic path to becoming Clerk; the role requires experience gained through long service in parliamentary positions. The current Clerk exemplifies this professional, internal career progression, reflecting the shift from political appointments to a non-partisan model grounded in institutional expertise.

Specifically, he began his career at the House in 1992, working in procedural roles, and was appointed a Table Officer in 1998. Over time, he held increasingly senior positions, including Deputy Clerk, Procedure, and served as Acting Clerk in 2023.

Conclusion

To conclude, the recent emphasis on consultation across the House points to what the clerkship requires in practice. The role calls for a specific combination of skills — a deep understanding of procedure, strong institutional knowledge, and the ability to operate in a political environment without being partisan. The evolution of the appointment process reflects these requirements. Taken together, these elements are designed to safeguard the Clerk's independence and, in doing so, to uphold the authority and institutional integrity of the House of Commons.

Our Standing Orders require that at the beginning of each Parliament, the House must hold a debate on its rules and practices. The most recent debate was held on February 6, 2026, and one Member suggested the Clerk and the Sergeant-at-Arms should no longer be

Governor-in-Council appointments. He likely did not realize that the Law Clerk is also a government appointment. Time will tell if the Government, or Parliament, will one day pursue that recommendation.