The talented Mr. Ripley: The burden of two flagship federal bills weighs heavily on one overworked public servant

By MARIE WOOLF

Staff

OTTAWA - Two of the federal government's flagship bills seem to rely on just one man: the talented and ubiquitous Owen Ripley.

Mr. Ripley is the official who has had the task of shepherding the bills through their marathon parliamentary committee stages - simultaneously.

One minute, the courteous public servant is answering MPs' questions about clauses in the online news bill, C-18, in the Commons Heritage committee. Tune in 10 minutes later on a parliamentary TV channel and there he is again, this time at the Senate transport and communications committee, explaining slowly and clearly, in French and English, the intricacies of the online streaming bill, C-11.

After months of zooming between the Senate and the Commons, Mr. Ripley is beginning to look a little frazzled, paler certainly, with the five-o'clock shadow of a man who has not always had time to shave.

Some legislators were beginning to worry about the welfare of the mild-mannered public servant last week as both committees reached the end of their clause-byclause marathons.

The Senate committee's Conservative chairman, Leo Housakos, paid tribute to the "steadfast" officials who had helped them navigate through Bill C-11, including late into the evening. Everyone knew he was talking about Mr. Ripley.

The Liberals' Chris Bittle expressed his own thanks in the Commons.

Senator Paula Simons gave Mr. Ripley some Hanukkah chocolates, to express her gratitude for his remarkable dedication to duty.

"Poor Owen, I feel so badly for him," she said in an interview.

Laura Scaffidi, spokeswoman for Pablo Rodriguez, the Heritage Minister, said that Mr. Ripley, the associate assistant deputy minister, wouldn't like press attention, before adding that "Owen is really, really smart" and "killing it" in the committees.

But observers who for months have watched him fielding questions single-handedly wonder whether he can really be the only federal official capable of explaining what these bills mean.

"It is embarrassing that a G7 country has seemingly just one person with enough expertise to answer questions on two critical bills," said Michael Geist, the University of Ottawa's Canada Research Chair in internet law.

When, at a morning sitting at 11 last week, the Commons Heritage committee convened without Mr. Ripley, MPs wondered out loud where he was.

An air of panic ensued. Who would explain the bill? As they mused on his absence, Mr. Ripley was dashing across Parliament Hill from the Senate committee, which had run late.

With barely enough time to switch files,
he plonked himself into his chair and continued to disclose the true meaning of clauses, subclauses and amendments on all manner of subjects.

For here is Mr. Ripley at breakfast time in the Senate, explaining the minutiae. Here he is at lunch in the Commons, answering questions from Rachael Thomas, the Tory heritage spokeswoman, which are so frequent that his opening refrain - "Thank you MP Thomas" - now has a memelike quality. Ms. Thomas once asked Mr. Ripley to outline the implications of her own amendment.

She is not the only MP or senator to ask Mr. Ripley, "Could you explain?" That is the cue for Mr. Ripley to step in and illuminate the impenetrable texts of Bill C-11 - designed to make platforms such as Netflix promote Canadian films and TV programs - and Bill C-18, which will force Google and Facebook to pay news publishers for linking to their work.

"I think it's a little bit detailed. Mr. Ripley, could you comment on this? It is very technical, and I would need some guidance," said Senator Dennis Dawson last week, after a change to the text of C-11 was suggested by Senator Pamela Wallin.

"Right," replied Mr. Ripley, speaking apparently without notes. "So Senator Wallin's motion deals with subparagraph (8), which currently reads: ‘The Commission shall not make an order under paragraph (1)(e)’ - so that's the discoverability head of power - ‘that would require the use of a specific computer algorithm or source code.’ "This was included by the government in recognition that the Broadcasting Act is not intended to be a piece of legislation designed to regulate algorithms, to require algorithmic transparency, to equip the CRTC to prescriptively order broadcasters to change algorithms. What Senator Wallin is proposing is that same principle be also extended to subparagraphs (a) through (d), which deal with the proportion of programming."

Mr. Rodriguez has a more straightforward way of explaining Bill C-11 to committees. "This bill is very simple" the minister likes to say, adding that it does not cover "cat videos."