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# Standing Committee on Citizenship and Immigration

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**Thursday, November 3, 2005**

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**Chair**

**The Honourable Andrew Telegdi**

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## Standing Committee on Citizenship and Immigration

Thursday, November 3, 2005

•(1540)

[English]

**The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)):** I call the meeting to order.

I have a motion that was circulated, I believe, by the parliamentary secretary. I'm not sure if you all got notice of the motion.

Basically, it says that the decision be made by the Standing Committee on Citizenship and Immigration on November 1, 2005, on votes 1a, 5a, and 10a of Citizenship and Immigration Canada Supplementary Estimates (A) 2005-2006 be rescinded, that the order to report those decisions to the House of Commons be discharged, and that votes 1a, 5a, and 10a of Citizenship and Immigration Canada Supplementary Estimates (A) 2005-2006 be reconsidered by the committee.

I read that off to you to have it in the record. Such a motion requires 48 hours' notice, so we can deem to have received it and then go on with our business and deal with it the next time the committee meets.

Is that agreeable?

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Chairman, if I may, I guess the only reason it's coming forward is that the impact of the committee decision, once it's reported to the House, is a fairly firm, crystallized financial step. Given that the supplementary estimates represented both immigration and other investments of the government, there was a thought that maybe members might wish to look more closely at those amounts and essentially reconsider their decision.

In order to deal with such a motion, Mr. Chair, you're right, there has to be 48 hours' notice, so we can't deal with it here today and this is essentially only a point of order. But in order to reconsider it, if there were a desire to reconsider the issue and look actually at the estimates rather than the top-line political takes that I guess occurred whenever the motion was passed, there might be a need to hold off on reporting to the House.

If that were done, the committee could reconsider whether or not they wished to look at them more precisely or whether they actually wish to proceed and report them. I would encourage members to think about accepting putting the reporting in abeyance until the full committee has an opportunity to reconsider this motion, which couldn't occur unless all members consented.

I don't know whether unanimous consent is required or not. It's a procedural rule, and we're in camera now and we have witnesses too,

so what I'm suggesting is that the committee members here unanimously or by strong consensus agree to ask the clerk to maintain the report back in abeyance until this motion is disposed of by the committee. The committee would then be free to take steps at that time.

That's what I'm requesting, but committees aren't—

**The Chair:** Thank you very much. I have talked to the critics of both the Bloc and the Conservatives, and I was not going to table the report until the committee had a chance to meet and deal with the issue of what we want to do with those estimates.

Madame Faïlle.

[Translation]

**Ms. Meili Faïlle (Vaudreuil-Soulanges, BQ):** I would simply like to speak in favour of this motion. I'm going to remind you of the facts.

During our last meeting, I spoke three times to delay the vote and give a chance to the committee to examine the matter more in depth. In fact, I think the majority of the honourable members wanted to know a bit more on the plans of the department. I think the minister makes great decisions which deserve more attention and more explanation.

Thus, I agree to reconsider the vote. So, if it is the committee's intention to have the unanimous consent, I don't think that you will have opposition from me.

There was some confusion at the time of the vote. My attempt to speak on a point of order should have been taken into account but it wasn't. In my view, this motion reflects the spirit of the committee at the time of the vote.

Thank you.

[English]

**The Chair:** Mr. Anderson.

**Hon. David Anderson (Victoria, Lib.):** Yes, Mr. Chair, I'm all in favour of the motion. I think it's an opportunity to rethink on what a serious decision the committee made.

On the other hand, I think it's important that we give an opportunity to three valuable members of our committee, Ms. Diane Ablonczy, Ms. Nina Grewal, and Rahim Jaffer, who take an active part and who have made some very clear statements saying this has so far been, in their view, a blank cheque. They go on to talk about it being irresponsible as a committee to allow this vote to go through.

If we are going to have members of our committee say that passage of this would be irresponsible, without further consideration, discussion, and perhaps witnesses, I think that we should in some way delay a decision until those members are here, so that they can at least indicate whether they're satisfied or whether they've changed their minds.

There were a great number of comments made that are very critical of the minister. That's perfectly acceptable in a partisan situation. But if there are substantive reasons that were put forward by the Conservative members, as they have been put forward in the media, I think it's a little unfortunate when three members who normally play an active role are not here.

This is in no way suggesting that Art Hanger is not an extremely valuable deputy chair and critic. It's simply that he has not been on the committee as long as some of these other members, at least in my experience.

Have you had any word from these other members that would give us an assurance that they are happy to change their minds?

• (1545)

**The Chair:** No, I think the word I got was that they would essentially like to have some more discussion on the estimates.

I agree with you. We have two members missing on our side, and we have three regular members missing on the other side. Yes, critical comments were made of the minister, and critical comments were made by the minister and people with the minister.

I really hope that this challenge to the committee and that trying to leave partisanship at the door will be met by the committee members. I think that legitimate questions can be asked.

Oh, here we have one of the members.

It's the watchdog role of the committee, if you will, on estimates, that's so very important. I'm hoping that we can amicably resolve this issue, and I hope we can get back to doing the committee's business.

Madam Faillie.

[*Translation*]

**Ms. Meili Faillie:** I wanted to mention that the two missing honourable members Mr. Anderson was looking for were busy doing some work in the House. This is why I knew that there would necessarily be a delay before their arrival. It is only that. I have nothing else to add. He simply wondered where were the conservative members; they are in the House.

**Hon. David Anderson:** Mrs. Faillie, I don't want people to think that we criticize some honourable members who have duties elsewhere. Furthermore, I wouldn't like them to say that they weren't in committee when we reversed the decision which was made according to very important principles. If they want us to change the decision, it is one thing; if they don't want us to change it and they are not in committee because they don't want to face this change in position, it is another thing. I want it to be clear. If we make a change, if we reverse the decision made by the committee by six votes against five, I want it to be understood by everyone that this is a decision which we have all made, and not a decision which was

made only by some honourable members which were here at a certain time.

**Ms. Meili Faillie:** Thank you.

[*English*]

**The Chair:** Thank you very much.

Mr. Siksay.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Chair, I want to clarify that you said that you had spoken to both members from the Bloc and the Conservative Party, and they had agreed to delay the reporting of the action the other day, until we had a chance to consider this motion.

**The Chair:** Yes, I said that I was not going to table it right away in the House, so that we can have discussions on it, and I was going to raise it at committee.

Mr. Jaffer.

**Mr. Rahim Jaffer (Edmonton—Strathcona, CPC):** Mr. Chair, I'm not sure if you've had discussion with some of the Conservatives on our committee here, but there was a motion that I wanted to introduce following discussions we've had among our group of MPs, and I'd like to read that into the record, if I may, at this point.

That before the Chair of the Standing Committee on Citizenship and Immigration reports the results of the vote taken regarding the supplementary estimates 2005-2006 back to the House, the Minister of Citizenship and Immigration, the Honourable Joe Volpe, be invited to return immediately before the Standing Committee on Citizenship and Immigration for more questioning by committee members in order that they may have the benefit of receiving serious and detailed answers to their questions regarding the supplementary estimates of 2005-2006.

That was the sense that our members had, and we wanted to get that on the record.

**The Chair:** I was actually going to give him a notice of motion, and we have a notice of motion from Madam Fry, but it hasn't been moved.

**A voice:** She'll move it at the meeting.

**The Chair:** Okay, so she's giving us a notice of motion.

**Mr. Derek Lee:** Mr. Chairman, you've referred to Ms. Fry's motion. Is that the one we were debating earlier? That's the one that has been circulated.

• (1550)

**The Chair:** That's the one that's been circulated.

**Mr. Derek Lee:** She hasn't moved it, she's just given notice. Okay, so then we have another notice of motion from Mr. Jaffer. It seems to me they could sort of be bundled together.

But we have to deal immediately with the issue of reporting to the House. It appears there's a consensus that the clerk not report to the House. Clearly, I'm picking that up.

**The Chair:** No, it's not the clerk who reports to the House.

**Mr. Derek Lee:** I'm sorry.

**The Chair:** It's not the clerk who reports to the House, it's the chair.

**Mr. Derek Lee:** Not the clerk, but the chair, that's right. There seems to be a consensus that the report not go to the House.

**The Chair:** That's right.

**Mr. Derek Lee:** Then the next question is, is there a consensus that the decision to report to the House be rescinded, that the report be rescinded, and that the matter, as described by Mr. Jaffer, then be put, so that the minister will then be required to return, the matter will be taken up again, and the committee will decide again what it wants to report, and deal with the estimates?

**The Chair:** No, I don't see consensus. I see the shaking of heads.

**Hon. David Anderson:** On a point of information, we are dealing orally with the motion. We don't have the text in front of us. I appreciate that Mr. Jaffer was trying to give us all the information he has, but I believe he used the words "request the minister to come", not "require the minister", which Mr. Lee mentioned in his most recent statement.

Mr. Jaffer, could you perhaps enlighten me on what you actually did request or require?

**Mr. Rahim Jaffer:** The exact text said "be invited to return immediately before the Standing Committee...".

**The Chair:** Essentially, what does the committee...?

Mr. Siksay.

**Mr. Bill Siksay:** Are we dealing with two notices of motion, which we will deal with at our next meeting of the committee?

**The Chair:** That's right.

**Mr. Bill Siksay:** I'm happy to do that.

**The Chair:** Having had the discussion before with some of the members, and I'll have the discussion with the members of the committee, the decision is that I will not report until the committee has a chance to meet again. Is that correct? Good.

**Mr. Derek Lee:** To meet and take up both motions.

**The Chair:** The committee can direct what the committee does at different stages in time, but we will deal with both of those.

So we're going to go on to consideration of the report.

Madame Faillie.

[*Translation*]

**Ms. Meili Faillie:** We are presently sitting in camera. Does this mean that the minister will not be advised? Can we inform the minister of the status of these votes? As we are sitting in camera, nobody can get out of here with information and communicate it to the minister.

[*English*]

**The Chair:** That is correct.

When we come out of camera, after we do our report, before adjourning, they can say that they will inform the minister.

[*Translation*]

**Ms. Meili Faillie:** I would also appreciate to make a correction to the press releases sent by the department yesterday and today. The minister sent signed correspondence and news releases to some organizations; I have received a copy of them. I would simply like that all these efforts of communication from the minister be re-established.

[*English*]

**The Chair:** I tried to catch some of the point of privilege that was raised in the House. Mr. Jaffer was on there. I had to leave before it was all said and done. I listened to the Speaker a bit, and then somebody else followed, but I think what the Speaker said was that while we can control the actions within the House and to some degree the chair of the committee in committee, we cannot do that in terms of what happens outside.

Am I right on that?

**Mr. Rahim Jaffer:** He did suggest that, but he said he was going to look closer at the full detail, including possibly that e-mail I referred to, then report back to the House at the earliest opportunity. And I do have a copy of the e-mail here, if there's a need to table that here at this committee.

• (1555)

**The Chair:** I found some of the reports a little disturbing. I think that if you read Hansard in another committee, we had Treasury Board President Reg Alcock calling upon committee members to do their accountability stuff in terms of the supplementary estimates. This committee has been functioning well, and to a large extent by consensus. I hope we continue to do that. I regret the tone of the debate that has been going around this, because it doesn't reflect my read, anyway.

But again, that happens outside of the committee and it happens outside of the House, so I don't know what we can—

[*Translation*]

**Ms. Meili Faillie:** We agree that the minister should be informed.

[*English*]

**Mr. Derek Lee:** Mr. Chairman, might I ask on my own behalf, and maybe all members would be of the same view, that I and that all of us accord each other the permission to speak with the minister and the minister's staff with respect to the contents of this meeting? It's in camera by accident, but if we're all telling each other we can discuss it with the minister and the minister's staff, then each of us has an obligation—

**The Chair:** No, I didn't say that. What I said was before we come out of camera—

**Mr. Derek Lee:** No, I'm asking for that permission. I'm asking colleagues to say "Yes, Mr. Lee, you can talk to the minister and the minister's staff." And I'm saying "Yes, Mr. Jaffer, you can talk to the minister and the minister's staff" about the contents of the meeting. And if we all agree that we can do that, then the in camera restriction won't impede us from doing a proper communication with the minister, as some of us on both sides want to do. That's all I'm asking.

So can I ask for that permission? Would you put that, Mr. Chair, that I am not bound by the in camera restriction if I speak to the minister and his or her staff, or that none of us are bound? That would help me.

If you would put that, you may or may not receive—

**Hon. David Anderson:** Mr. Chair, I believe you'd probably find unanimous consent to simply waive the in camera process. We really should have waited until we got into the confidential document before starting that. We like, as members of Parliament, to have the public aware of what we do and say, and so we should. That's part of being open and transparent.

We sort of got in this in camera business, I think, by accident, because nothing said so far should be in camera. So I propose we waive the in camera rule from the beginning of this meeting until now. Then we've satisfied Mr. Lee and we certainly, I'm sure, would satisfy other people who would like to talk to the minister or would like to discuss that with media who may ask questions.

**Mr. Derek Lee:** I would agree to that.

**The Chair:** Is everybody in concurrence with that, so everything we have said here is on the record?

**Some hon. members:** Agreed.

**Ms. Meili Faille:** Yes, I agree. I thought you were asking for a consensus.

**The Chair:** Okay, all right, so we got that. That's fine.

We will then go on with the report. Mr. Dolin has been looking forward to this with great anticipation.

*[Proceedings continue in camera]*

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