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# Standing Committee on Access to Information, Privacy and Ethics

Monday, November 6, 2006

#### • (1530)

## [English]

The Vice-Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good afternoon, ladies and gentlemen. This is the Standing Committee on Access to Information, Privacy and Ethics.

The orders of the day are that pursuant to Standing Order 81(4), we consider main estimates 2006-07, vote 40, Office of the Information Commissioner of Canada, under Justice, referred to the committee on Tuesday, April 25, 2006.

We have before us today the officers of the Information Commissioner of Canada: the deputy information commissioner, Mr. Leadbeater; the director general of investigations and reviews, Monsieur Dupuis; the director general of corporate services, Ms. McEwan; and the director of financial services, Mr. Campbell. Good afternoon to you all.

Members should have all the documentation before us in both official languages.

Mr. Leadbeater, you've appeared many times before this committee. As you know, we normally allow up to ten minutes for a presentation and then each caucus will have up to seven minutes for questions and answers.

You may commence. Thank you.

[Translation]

Mr. J. Alan Leadbeater (Deputy Information Commissioner, Office of the Information Commissioner of Canada): Thank you, Mr. Chairman.

It is a pleasure to have the opportunity to discuss with you the 2006-2007 Estimates for the Office of the Information Commissioner of Canada. The review of the financial requirements of federal institutions is indeed one of the more important roles that your committee plays in our system of government.

This year, the process is complicated by the fact that seven months have gone by since the beginning of the financial year. Some of us, including the Privacy Commissioner and the Information Commissioner, are going to refer to another parliamentary committee which has already reviewed our 2006-2007 resource requirements.

### [English]

The resources identified in the estimates documents before you total, for the Information Commissioner's office, \$8,181,000, which includes \$993,000 for employee benefits plans.

I'll just refer you to tab 2 of the tabbed document I've handed out. I've just extracted one page from part II of the estimates, and you'll see that's the total for the Offices of the Information and Privacy Commissioners of Canada. The penultimate line, where you see \$8,181,000 under "Operating" and the \$5,556,000 for last year is the line for the Office of the Information Commissioner. That is in fact vote 40, Office of the Information Commissioner. So 33% of the overall request is for the Office of the Information Commissioner and 67% is for the Office of the Privacy Commissioner. I understand she will be speaking to her portion on Wednesday.

This primary increase of \$2,814,000 represents a 47% increase over the previous year's budget for the Office of the Information Commissioner, and it was approved by the Treasury Board for presentation to Parliament, this process, as a result of a recommendation made in November 2005 by an all-party parliamentary advisory panel chaired by the Speaker of the House of Commons. I believe you had some discussion of that advisory panel here when Treasury Board officials appeared earlier.

Tab 3 is simply a chart that shows you the changes, from how we got from the 2005-06 main estimates, the top line, which is \$5,500,000, to the 2006-07 main estimates, \$8,100,000. You'll see that the largest portion of the difference—there was some added in and some taken out—is that advisory panel decision, \$2,800,000.

I'd like to open a parenthesis here to speak about this parliamentary advisory panel, even though I know you've had some discussions about it, and I'm going to be brief because of that.

The advisory panel was established as a two-year pilot project by the Martin government in response to recommendations made by this committee, the public accounts committee, and the Senate Standing Committee on National Finance. All three committees determined, after hearing concerns expressed by officers of Parliament, that it was necessary to adopt a process to protect officers of Parliament from the potential for governments to interfere with their independence through the funding process. The Information Commissioner was one of those who had raised concerns with Parliament for a number of years that governments were not adequately funding his work, resulting in the growth in our office of an unacceptable backlog of incomplete investigations and diminishing the ability of the Information Commissioner to assist Parliament in providing high-quality, timely advice on the effect of proposed legislation. The previous Liberal government responded to those concerns and to the urging of this committee by agreeing to this two-year pilot project during which Treasury Board ministers would give serious weight to a recommendation made by an all-party panel of MPs chaired by the Speaker.

The Information Commissioner and the Office of the Privacy Commissioner were the only two officers of Parliament to go before this panel last year, and as I said previously, that panel recommended the \$2.8 million increase for the Office of the Information Commissioner. The Treasury Board minister has accepted the panel's recommendations and they are therefore reflected in this year's estimates.

The uses to which the additional funds will be put are shown at tab 4. That's why I've included tab 4. There are three pages. The first page is the actual operating funds. The second page is the personnel, what we call full-time equivalents, FTEs, and you'll see that 22 additional FTEs were authorized. The third page is simply a roll-up of the two, indicating the reasons for this additional requirement that we had. You'll see those. There are 12 listed in the left-hand column, and we can discuss those more as we proceed. Most, you'll see, relate to workload.

#### • (1535)

With the additional dollars, we expect that we will have cleared the backlog of our incomplete cases by the end of fiscal year 2008-09, and by 2009-10 we intend to meet overall service standards of four months to complete our most time-consuming types of investigations. Those are refusals to disclose based on secrecy, and we have a service standard of one month to completion of administrative complaints such as delay, unjustified extensions of time, and fees.

Our major impediment to meeting our backlog reduction goals at the moment is not money; we've been given the money, subject to the approval of Parliament and through this committee's work. Right now, it's the securing of an additional combination from Public Works to accommodate 22 additional folks. We are working with Public Works on that at the moment.

I've included tab 5 simply so that you can see not just the change of the \$2 million and what we're going to do with it, but the overall budget of the Office of the Information Commissioner—the full \$8 million and how it is broken down by standard object of expenditures. Those two documents, the two pages in that tab, show you that 76% of our funds go to salaries; because we're an investigative agency, those are mainly salaries for investigators. The remaining 24% has to do with other operating funds.

We expect that it may be necessary to approach the parliamentary advisory panel again if Bill C-2 is passed, as it would impose new responsibilities on the Office of the Information Commissioner, including processing access to information and privacy requests from the public for the first time, as we are not now covered by either of those statutes; undertaking investigations of complaints against as many as 80 new government institutions, adding to the 150 that are now covered, which means a significant increase; and establishing and responding to a mechanism for handling complaints against the Office of the Information Commissioner by persons dissatisfied with our responses to access requests. Because the state of Bill C-2 is still in flux, we have not completed an assessment of the likely additional resources that would be required for that.

Just to complete the picture, we do intend to seek some additional funds for establishing an internal audit function, consistent with recommendations made by the Comptroller General and the Auditor General, and will do so along with a number of other agencies in an omnibus submission to Treasury Board.

With respect to Bill C-2, just before I leave that, I have also circulated a copy of the Office of the Information Commissioner's assessment of the amendments adopted by the Senate committee with respect to Bill C-2.

Thank you. Those are my comments. I'm available to answer your questions.

• (1540)

The Vice-Chair (Mr. David Tilson): Thank you, Mr. Leadbeater.

Mr. Dhaliwal.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Thank you, Mr. Chair.

I am new to this committee. With respect to last year's budget, I would like to know if you met your expectations when it came to the budget and the actual expenses that were uncut.

Mr. J. Alan Leadbeater: I think I have our actual expenditures for 2005-06.

In the 2005-06 main estimates, we had an approved amount of \$5.5 million. We actually spent \$5.89 million because of supplementaries and adjustments through the year. Some of those included adjustments for collective bargaining agreements; additional funding for a body to help us deal with public service modernization; some severance pay issues; and a carry-forward from last year, because we're entitled to carry forward unspent funds from the previous year. That was our expenditure profile for last year.

**Mr. Sukh Dhaliwal:** So most of this money was spent on salaries and benefits.

**Mr. J. Alan Leadbeater:** That's correct. If you look at tab 5, you'll see the breakdown for 2006-07. In percentage terms, it's the same as 2005-06. There is \$6,223,000 for salaries and wages. For operating funds, it is \$1.9 million. So 24% of the budget is operating funds and 76% is salaries. That general breakdown was true for last year as well.

**Mr. Sukh Dhaliwal:** What are your expectations for this with Bill C-2 coming into effect? Is it going to be pretty well the same?

**Mr. J. Alan Leadbeater:** We expect we will have to make a request for additional funds, should Bill C-2 come in. As I said in my opening remarks, until we know the precise terms of Bill C-2—what institutions are covered—we won't be able to finalize our estimate of the additional funds we will need. This particular request does not include resources for Bill C-2.

Mr. Sukh Dhaliwal: Thanks, Mr. Chair.

Thank you, panel, for coming and talking to us.

[Translation]

The Vice-Chair (Mr. David Tilson): Monsieur Laforest.

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Good afternoon and welcome to the committee.

The advisory panel referred to by the Office of the Information Commissioner in coming up with its budget is not a standing committee. It's an ad hoc panel to ensure the independence of officers of Parliament from government.

Is this panel fulfilling its mandate? Doesn't its ad hoc nature still make it dependent to some degree?

• (1545)

[English]

**Mr. J. Alan Leadbeater:** We certainly welcome this committee. It's been a major step forward for all officers of Parliament. As you can see from our experience last year, for the first time we were on a proper financial footing. We were given an increase of almost 47% in our budget. That being said, the major issue for officers of Parliament is when governments of the day, especially majority governments, have issues with officers of Parliament, how they can be insulated from having that impact on their budgets.

There is one feature of the new ad hoc panel that is troubling to the Office of the Information Commissioner and some other officers of Parliament, and that is that it operates in camera. While that worked very well with a minority government situation, as it was last year, in a majority government situation, with an ad hoc panel, the only protection for officers of Parliament is their public. That's the beauty, of course, of committees like this: they operate largely in public in dealing with resource requests.

So with that caveat, and also some issues around the timing of when the committee meets, which is mainly administrative, we certainly consider it a positive development.

[Translation]

**Mr. Jean-Yves Laforest:** You have no control over the influx of requests, both access to information and complaints. According to a document I read, one in every ten access requests gives rise to a complaint. This is an actual statistic.

If, for whatever reason, the number of requests increased appreciably, say by 25 or 40%, you would once more be faced with a backlog. Do you have any control over this?

[English]

**Mr. J. Alan Leadbeater:** You're absolutely correct. We can't predict or control what comes in the door, and we have a mandatory obligation to investigate every complaint. We have no discretion not to investigate.

We have a pretty good track record of forecasting. Although it doesn't look like perfect forecasting from one year to the next, the forecasting over a fairly extended period of time goes up in the same percentage as general requests come to government. Requests coming to government are increasing over time on the order of approximately 10% per year.

[Translation]

Mr. Jean-Yves Laforest: Thank you.

[English]

The Vice-Chair (Mr. David Tilson): Mr. Martin.

Mr. Pat Martin (Winnipeg Centre, NDP): Thank you, Mr. Chair.

Thank you, witnesses. Welcome.

I'm most interested, Mr. Leadbeater, in some of the remarks you've made regarding Bill C-2. I know the implementation will have a direct bearing on your budget, so I think my remarks and questions will be in order.

I'm most interested in what you have under "Negative Changes" on page 6 of the document you circulated with your budgetary documents.

Mr. Mike Wallace (Burlington, CPC): The Senate documents?

**Mr. Pat Martin:** Yes, page 6 of the document that's reacting to the Senate's amendments to Bill C-2.

• (1550)

Mr. Mike Wallace: Thank you.

**Mr. Pat Martin:** You deal specifically with the public interest override, which is one of the Senate amendments that gave us some consternation as well. I think it's useful for us to examine this.

The Senate is calling for the public interest to override. They talk about a mandatory exemption for any information that relates to national security, which is actually a more broad and sweeping exemption than is in the existing bill. I note that in the amendment the NDP put forward during the study of Bill C-2, we called for a public interest override, but it would be at the discretion of the Information Commissioner.

I'd ask you to comment on this a little bit for the benefit of the committee. Will this affect the section 15 exemption in the current ATIA and have an impact on the administration of the bill? I'm talking about Senate amendment 118, just for the record.

**Mr. J. Alan Leadbeater:** It's not a very long section. Maybe I'll just read what this proposed public interest override section says, as amended by the Senate. It says:

Despite any other provision of this Act,

-that being the Access to Information Act-

the head of a government institution may disclose all or part of a record to which this Act applies if the head determines that the public interest in the disclosure clearly outweighs in importance any loss, prejudice or harm that may result from the disclosure. However, the head shall not disclose any information that relates to national security.

#### That's a-

**Mr. Pat Martin:** It leaves it up to the head of the institution, first of all, or the department.

**Mr. J. Alan Leadbeater:** It leaves it up to the head to decide whether or not the public interest does outweigh the need for secrecy. It also makes it mandatory for the head to refuse disclosure of any information that relates to national security.

That phrase "relates to" is pretty broad. I don't know if any of you have read in the newspaper today that an interesting book, just published, disclosed for the first time plans the government had in the Cold War period to take dissidents into camps—

Mr. Pat Martin: Right, 2,500 friends of mine.

**Mr. J. Alan Leadbeater:** —in Gatineau Park, outside Montreal, and so forth. Those documents were disclosed under the Access to Information Act. That information, although it related to national security, could not meet an injury test for secrecy given its age and given the content in today's environment. However, it does relate to national security, and if this provision were in force today, that information would never be disclosed.

In fact, all of our national security apparatus would go beyond public scrutiny through transparency. If this were to pass, they would not have to meet injury tests, exercise discretion, or meet a public interest override. That is secrecy that has never existed in the 23 years that the act has been in force, and no one, to my knowledge, has ever asked for it.

**Mr. Mike Wallace:** Mr. Chairman, I appreciate this conversation on access to information, but I think it really should relate to the main estimates. I'm happy to have Mr. Leadbeater back to talk about this further, with further information for us in advance.

The Vice-Chair (Mr. David Tilson): It's Mr. Martin's time. He can do what he likes for seven minutes.

Mr. Pat Martin: Thank you.

As far as relevancy goes, I was ready for an argument, but I could argue this would be relevant because of the number of complaints that are going to be triggered.

The Vice-Chair (Mr. David Tilson): I just said you're in order, Mr. Martin, so proceed.

Mr. Pat Martin: Yes. I won't waste my time.

That's really interesting and very useful. On page 7, you talk about another pro-secrecy change that the Liberal—I should point out— Senate amendments are trying to add. The National Arts Centre would be shielded from access to information, as would, I should note, Sustainable Development Technology Canada. They're asking for absolute exemption for the National Arts Centre and SDTC. That's going to trigger complaints that are going to cost your budget money.

Mr. J. Alan Leadbeater: Was there a question?

**Mr. Pat Martin:** Do you agree that the NAC is in no more need of this kind of absolute exemption than, for instance, the National Gallery of Canada, which operates fine under freedom of information, even though there's sensitivity about donors' identities?

**Mr. J. Alan Leadbeater:** It's our opinion that the National Arts Centre does not need a specific exemption. The kinds of relations it has with its donors are important, and they are based on confidentiality. That confidentiality can be protected under the existing statute.

You mentioned the National Gallery. It operates in that milieu now and has no problem. Also, the Canadian Cultural Property Export Review Board—all of the discussions about the export of Canadian cultural property, and getting tax certificates for it, all being handled by an agency—is covered by the Access to Information Act and has no special exemption, and there were no complaints to our office over the years alleging that they could not do their job as a result.

• (1555)

**Mr. Pat Martin:** So why would Liberal senators be so adamant to put this blanket of secrecy over the National Arts Centre? Why are they so obsessed with the National Arts Centre?

Mr. J. Alan Leadbeater: Is that a rhetorical question?

Mr. Pat Martin: It just felt good to say it.

Thank you.

The Vice-Chair (Mr. David Tilson): Okay, Mr. Martin.

Mr. Wallace, go ahead, please.

**Mr. Mike Wallace:** Thank you, Mr. Chair. Thank you for coming, and I'll try to stick to the budget.

I need some clarification. First of all, you went to the committee and asked for I think a 56% increase, correct? Is that an accurate statement—56%?

Mr. J. Alan Leadbeater: I'm not sure exactly what percentage it was.

Mr. Mike Wallace: How much did you get at the end of the day?

**Mr. J. Alan Leadbeater:** If you look at tab 4, the total is in the first column of the first page. Those are the heads, and for the second column, or 2006-07, the total is \$2,814,000.

**Mr. Mike Wallace:** You don't know what that is on a percentage basis? That was over the \$5.5 million, or whatever it was. Is that correct?

Mr. J. Alan Leadbeater: That's right. I can tell you it was 47%.

**Mr. Mike Wallace:** Okay, that's what I was looking for. Thank you for that.

So this budget was approved, technically, approximately this time last year. You went through the process and got it approved. You've been spending money so far for the first seven months. At the sixmonth point, where are you on year to date?

Mr. J. Alan Leadbeater: Where are we on year-to-date expenditures?

Mr. Mike Wallace: Yes.

**Mr. J. Alan Leadbeater:** I'm not sure. Do we have year-to-date expenditures? If we don't, I can get those for you.

Mr. Mike Wallace: Are we ahead, behind? Where are we?

Mr. J. Alan Leadbeater: We're ahead.

**Mr. Mike Wallace:** We're ahead, meaning we're saving money over what we've spent, what we were allocated. Is that correct?

Mr. J. Alan Leadbeater: Yes, that's correct.

Currently, as I mentioned, we have some issues around getting accommodation for some of the extra bodies that we were allocated.

**Mr. Mike Wallace:** So of that allocation, because this is done in numbers, the one I'm looking at in tab 4 is not done in bodies. Where are the bodies?

Mr. J. Alan Leadbeater: Bodies are on the second page.

**Mr. Mike Wallace:** Where are we in terms of number of hirees in 2006-07?

Mr. J. Alan Leadbeater: I think it's 16 that have not been hired.

Mr. Mike Wallace: They are still unhired but are budgeted for?

Mr. J. Alan Leadbeater: That's right.

**Mr. Mike Wallace:** And what's your expectation on having them hired by the end of this fiscal year?

**Mr. J. Alan Leadbeater:** Our expectation is that we will probably have underspent by about a million dollars.

**Mr. Mike Wallace:** So technically, this committee could remove half a million dollars today and you'd still be safe.

Mr. J. Alan Leadbeater: Technically, you could, yes.

**Mr. Mike Wallace:** Are you looking at coming for supplementaries?

**Mr. J. Alan Leadbeater:** If Bill C-2 were to pass, we would then look to what we have not spent of that \$1 million to see what we could use for one-time costs for Bill C-2. For ongoing, we would come back in next year's budget.

**Mr. Mike Wallace:** On the money side, in 2007-08 my expectation is that it will go down by about \$500,000. Then it will stay about the same in 2008 and really drop off again in 2009-10. This is in addition to the \$5.5 million you're already getting. Is that correct?

**Mr. J. Alan Leadbeater:** Yes. Once we get the backlog out of the way and get back to treating incoming complaints within the standards I mentioned to you—four months for the tough ones and one month for the...we will still need the \$1.5 million additional to our ongoing budget to meet that.

**Mr. Mike Wallace:** So my point today then—because I'm new here—is with this \$2.8 million, how many new bodies are to be hired?

**Mr. J. Alan Leadbeater:** If you look a the second page of that tab you'll see it's 22.

**Mr. Mike Wallace:** And you've only hired eight of them. Is that correct?

Mr. J. Alan Leadbeater: I believe it's six.

Mr. Mike Wallace: So of 22 you've hired six.

Mr. J. Alan Leadbeater: That's correct.

**Mr. Mike Wallace:** Taking Bill C-2 into account, which I know you've been looking at, will you actually need more money? Have you hired everybody who's supposed to be hired by this time?

**Mr. J. Alan Leadbeater:** No, we haven't made any budget requests for Bill C-2.

• (1600)

**Mr. Mike Wallace:** But you haven't even bulked up to what you asked for last year, right?

Mr. J. Alan Leadbeater: That's right.

Mr. Mike Wallace: What's taking you so long?

Mr. J. Alan Leadbeater: It's the accommodation issue.

Mr. Mike Wallace: What does that mean to me in English?

**Mr. J. Alan Leadbeater:** It means office space. For a year now we've been trying to secure additional office space through Public Works. We have a certain number of security requirements because of the nature of our work. We can't be in several buildings around town, so they've been trying to free up some space for us in our existing building. We haven't had very much luck, although I did speak to the Deputy Minister of Public Works on Friday. He said that if this came up I should mention to this committee that he is now on the case and we're hoping to have a positive outcome.

**Mr. Mike Wallace:** So there's no issue of actually hiring bodies; it's an issue of finding places for them to sit.

Mr. J. Alan Leadbeater: That's correct.

**Mr. Mike Wallace:** You anticipate that you will have about half of that done before the end of this fiscal year. You'll have another eight—half of what's still not fulfilled. Is that correct?

**Mr. J. Alan Leadbeater:** I'm still in the hands of Public Works. If I were to get office space tomorrow, I think we could fill the spaces.

**Mr. Mike Wallace:** I said at our last meeting that we're getting a fair amount of push-back that we should have been cutting not only programs but also part of our structure of government here. This is a solid and easy—no offence—half a million dollars that we could get. It's not going to get spent. It could go into our surplus, of course. I assume that any budgetary stuff not spent in a fiscal year ends up in the surplus.

**Mr. J. Alan Leadbeater:** If there's any portion of this budget we can't spend it will come back to the government; it'll come back to the treasury at the end of the year.

Mr. Mike Wallace: Okay, those are my questions. Thank you.

The Vice-Chair (Mr. David Tilson): Ms. Stronach.

Hon. Belinda Stronach (Newmarket—Aurora, Lib.): Thank you, Chair.

I would also like to point out that this is not my regular committee, but thank you for coming.

What are the ten institutions referred to in the Senate Standing Committee on Legal and Constitutional Affairs document?

**Mr. J. Alan Leadbeater:** They're the additional foundations that have been added.

**Hon. Belinda Stronach:** When you talked about a blanket of secrecy, which to date is unprecedented, I'm trying to understand the decision to go that route, especially when there's been no indication that there was a concern. So I'm trying to understand that circumstance. Perhaps you can illuminate that and talk a little bit about it.

**Mr. J. Alan Leadbeater:** I'm trying to understand it too, as a matter of fact. When the Access to Information Act first was brought in, in 1983, all government institutions that were added to the statute were added full blown—the documents they already had, the documents that had been created before the act came into force, as well as future documents. All the crown corporations had been added—all the documents they held in the past and the documents they create in the future.

The Senate...why they picked the foundations and the officers of Parliament? Those are the only organizations the Senate picked to not have any retroactive application of the Access to Information Act. It came as a surprise to me, and I'm not sure I understand, given the care with which there have been exemptions tailored for all these organizations. If you have carefully tailored exemptions, why then remove all the documents from the coverage of the statute?

So I am not able to help you with a good explanation. I don't understand it.

Hon. Belinda Stronach: So what is the check and balance there?

**Mr. J. Alan Leadbeater:** It's unfortunate that all the records created by these foundations that were created by previous governments will never see the light of day through access to information. I don't understand why that should be the case, and the same for officers of Parliament. Why should the records held by officers of Parliament, the Auditor General, and so forth, never be subject to the light of day, even if they pass all the injury tests, and so forth. Somebody may want to write the story of the Auditor General's role in dealing with the sponsorship issue. That's a perfectly legitimate subject for historians. They'll never get those records, if the Senate amendments are passed. Someone may want to write the story of the Office of the Information Commissioner's fight over the agendas of the Prime Minister at some point in history, but they'll never get those records.

I don't understand the rationale.

• (1605)

**Mr. Sukh Dhaliwal:** I'm looking at it from the employee's perspective. You put the estimates together, and this is one department where you cannot predict how many cases will come to your desk. It's very uncertain for the employees as well. What is the turnover, or stability, of your employees? Is there quite a bit of turnover every year?

**Mr. J. Alan Leadbeater:** We have a very stable organization over time. We try to get people who are willing to commit themselves to us for a specific period of time. We have quite a few come in near the end of their careers and retire from our organization. I think last year our turnover was something like 6%, was it? Do we have that figure?

We don't have the figure. Something tells me it was 6%, but if that's wrong, I'll certainly make sure the committee is aware of that.

## The Vice-Chair (Mr. David Tilson): Thank you, sir.

Mr. Stanton.

**Mr. Bruce Stanton (Simcoe North, CPC):** Thank you, Mr. Chair, and thank you to our witnesses today for joining us and filling in some blanks.

In reading your report on plans and priorities, which was tabled in the House for the fiscal period April 1 to March 2007.

Mr. J. Alan Leadbeater: Part III of the estimates.

**Mr. Bruce Stanton:** Part III, correct. I noted, and this is under a section called "Other Items of Interest"...I think it starts on page 16 and runs over to page 17, and I'll quote:

The panel agreed that increased resources were needed

They're talking about the panel decision now in November of 2005.

for the processing of complaints, for the investigation

-etc.

Indeed, the Panel recommended the revision upwards of certain amounts recommended by the Secretariat.

It therefore came as an unpleasant shock to learn that outgoing Liberal Treasury Board ministers had denied any funding for fiscal year 2005-2006, for those same items that the Panel had unanimously agreed ought to receive additional funding for fiscal years 2006-2007 and 2007-2008.

Could you comment on that particular statement? What we've talked about is that the panel decision has effectively been upheld in the current fiscal year. There seems to be a diversion or a disconnect between the decision of the Treasury Board at that time and the panel. Do you have any comment to add to that?

**Mr. J. Alan Leadbeater:** Just to explain, when we started the panel process for the first time—it would have been in mid-year of 2005-06—we were having tremendous fiscal pressures in the Office of the Information Commissioner, and we were consulting regularly with the Treasury Board to determine whether the board would be willing to give us, by way of supplementaries for 2005-06, an additional \$400,000, which related to items that we were asking the panel for—apparently for the backlog.

Mr. Bruce Stanton: Primarily, yes.

**Mr. J. Alan Leadbeater:** We wanted to get a jump-start on it, and we thought we had a pretty good understanding with the Treasury Board that we would be given the funds to get a jump-start on 2005-06. In fact, I think it was at the last Treasury Board meeting before the election that the Treasury Board staff came with the proposal from the Information Commissioner for supplementaries for 2005-06, and the board denied it.

We were at such a late period in the fiscal year that we really had to cut out a lot of the activities and initiatives we had entrained in order to make up the \$400,000. That is the frustration that's being expressed in that paragraph.

• (1610)

**Mr. Bruce Stanton:** So, really, you were delayed further. So as of April 1, under the new report that was tabled, were those funds then available?

## Mr. J. Alan Leadbeater: Yes, they were.

**Mr. Bruce Stanton:** You could then start the process of clearing up this backlog and so on.

If I could have a bit more time, Mr. Chair, there's one other item here that I'm curious about, and it relates somewhat to Mr. Wallace's question. I'm looking at your bar graph in table 1—it's on page 8, in the same report. It sets out the number of inquiries that are pending, received, completed, and under investigation. It shows a significant increase in the number of inquiries that are completed, but at the same time, the number pending from the previous year also went up.

I'm thinking that if the expectation was that in 2006-07 you'd have your funding in place now and you could start clearing up this backlog, that you were going to complete more cases in this 2006-07 fiscal year compared to the previous year.... The number pending actually didn't drop.

Do you see what I mean here?

**Mr. J. Alan Leadbeater:** There are a couple of things when you're dealing with a backlog process. If you turn all your attention to the backlog, then everything that's coming in the door is quickly being added to the backlog. So you could work away at backlogs, but.... You have to get enough human resources in place to have almost two teams. One keeps the ones coming in the door from getting into a backlog and another team works at getting the ones in the backlog. Because of our accommodation issues and because of just not getting those extra bodies in place, we're grinding away at them. We're getting as many out as we can, but we just keep adding to the backlog as new ones come in the door.

So until we get bodies in chairs, our success is just not going to show up in the figures.

### The Vice-Chair (Mr. David Tilson): Thank you.

Monsieur Roy.

[Translation]

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane— Matapédia, BQ): Thank you, Mr. Chair.

I want to know how many requests, not complaints, you receive every year.

#### [English]

Mr. J. Alan Leadbeater: I think it's about 29,000.

#### [Translation]

Mr. Jean-Yves Roy: You receive 29,000 requests. You said one in every ten gives rise to a complaint. So you would have—

## [English]

**Mr. J. Alan Leadbeater:** I could give you the full workload figure that appears in our annual report for last year.

## [Translation]

Mr. Jean-Yves Roy: Yes, please.

## [English]

**Mr. J. Alan Leadbeater:** The full workload figure was 2,700 complaints.

Mr. Pat Martin: So 2,700, not 27,000.

### Mr. J. Alan Leadbeater: Right, 2,700.

## [Translation]

**Mr. Jean-Yves Roy:** Since one request in ten gives rise to a complaint, you therefore receive approximately 27,000 requests for access to information. If you divide your \$8,181,000 budget by 27,000, you get the cost of dealing with one request or one complaint.

If the number of requests increased by 10%, for example, you would be able to calculate the cost of processing a request based on the increase. Do you understand? It is possible to make such a calculation.

[English]

**Mr. J. Alan Leadbeater:** It certainly is a way to forecast additional resources, but not quite as sophisticated as the Treasury Board would require, I don't think. But it's one that we'll use, if it looks good.

Basically, we see that an investigator can handle effectively approximately 45 complaints a year, with the hundreds of thousands of pages to review in files, and so forth. That's a figure we've discussed with other investigative agencies and with the Treasury Board, and that's a general standard that we follow in asking for resources. So we take our number of complaints and divide by 45, and that is the number of bodies we need.

• (1615)

### [Translation]

Mr. Jean-Yves Roy: So, it's 2,700 complaints divided by 45.

How many investigators do you presently have?

### [English]

**Mr. J. Alan Leadbeater:** Of actual investigators, we have 29, and we're waiting to put 16 in chairs.

#### [Translation]

**Mr. Jean-Yves Roy:** This means that you're presently far from meeting the demand, as you mentioned earlier. What kind of a backlog do you have? Does the backlog create additional work? When the processing of a complaint is late, the plaintiff must surely try to contact you many times, which is really very time-consuming.

I've already been an ombudsman for health services. While I was answering ten phone calls because I didn't have enough time to deal with a given complaint, there was nothing else I could do.

I understand this is the problem you are presently facing.

#### [English]

**Mr. J. Alan Leadbeater:** As we answer backlogged, old complaints, as we finish those investigations, those are on average taking us 18 months. If we take all the old ones out and just look at what's coming in the door, those are on average taking us 4.8 months. So you can see that if we took out the old cases, we can turn them around in four months, but until we get the old cases out of the way, we're going to have overall turnaround times in excess of a year.

[Translation]

**Mr. Jean-Yves Roy:** Access to information dates back to 1983. Was the 10% yearly increase very steady? Was it higher in some years?

[English]

**Mr. J. Alan Leadbeater:** It's not constant. The forecasting of complaints in the door is something we have to look at over a long period of time. Some years, we have not had the increase we expected, but if you look at it over a ten-year period of time, yes, it will have averaged approximately 10%.

## [Translation]

**Mr. Jean-Yves Roy:** During recent years, did you observe increases higher than 10%?

#### [English]

**Mr. J. Alan Leadbeater:** Last year, we did not have an increase of 10%. We had a stable incoming load.

#### [Translation]

Mr. Jean-Yves Roy: Okay, thank you.

## [English]

The Vice-Chair (Mr. David Tilson): Thank you.

Mr. Van Kesteren.

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Thank you, Mr. Chair.

Thank you for coming.

I have just a couple of questions. Most of my questions have been answered. I just want to understand something, and then I want to split my time with Mr. Wallace, who has another question.

On this increase—I'm almost afraid to ask you this question for freedom of information—do you have specific areas where they're coming from?

**Mr. J. Alan Leadbeater:** Do you mean budget heads we've allocated the amounts to?

**Mr. Dave Van Kesteren:** No. Where is the increase in the numbers coming from?

Mr. J. Alan Leadbeater: Okay. I thought you meant the increase in the budget.

Where are the increased complaints coming from?

Mr. Dave Van Kesteren: Yes.

**Mr. J. Alan Leadbeater:** We try to publish those figures each year in the annual report, so I'll be giving you figures that are one year stale: 30% that come in the door have to do with government institutions that have just applied exemptions and the individuals think there's too much secrecy; 24% are delays, so it's a very high percentage, and if we can get delays down across the system, we hope that will reduce the number of complaints; 30% are about time extensions, government institutions that don't meet the 30 days and they notify the person that they're claiming an extension of time for another year, and those people will complain; then we have about 4% that relate to cabinet confidences, complaints around the decision by the Privy Council Office to refuse disclosure based on cabinet confidences; then fees are 3%; and then we have miscellaneous

around 7%. Miscellaneous can be translation, refusal to translate by government institutions, failure to keep up with Info Source, and different complaints like that.

**Mr. Dave Van Kesteren:** What about departments? Can you target certain departments that are more delinquent than others? Have you done that?

I was thinking of a business setting. The first thing you would do when you try to reduce these numbers is look at the one end to see if they can be reduced by a different procedure. On the other hand, if there are certain organizations or certain levels of government that are delinquent, then we can maybe address those areas.

• (1620)

**Mr. J. Alan Leadbeater:** We do what we call report cards on government institutions. We did twelve report cards last year on twelve institutions. We try to do those on an objective basis so that our subjective judgments about their quality don't come in. We look at the percentage of requests they receive that are not answered within timeframes and we give them a grade based on that percentage. If you have zero to 5%, you get an A; if you have 5% to 10%, it's a B, and so forth.

Once we're in there and looking at that, then we will see processes that need work, education and training that needs work. Maybe they need additional resources in their access to information group. We'll make recommendations to the government institution that are designed to get them back on track and hopefully reduce the complaints.

**Mr. Dave Van Kesteren:** That answers my next question. It isn't an antagonistic viewpoint or approach that you take; there's cooperation. You say, "Listen, in order to speed this up, we've had difficulty with such and such", and that's done on an ongoing basis.

## Mr. J. Alan Leadbeater: That's right.

If I could just congratulate this committee, last year you called before the committee the institutions that received Fs on their report cards. That process was very helpful in putting the incentive into the senior management of those organizations to have plans and resources in place to try to get themselves out of the F. I hope you'll keep that up.

Mr. Dave Van Kesteren: Will we get a report card soon?

**Mr. J. Alan Leadbeater:** We publish our report cards at the same time as the annual report, and the annual report comes out usually in June of each fiscal year. We start our report card work now, and the report cards themselves will be finished probably by the end of February. They then get fed into the annual report process.

The Vice-Chair (Mr. David Tilson): Thank you. I recall we also asked the PAs to come, too.

Mr. Martin.

Mr. Pat Martin: Thank you, Mr. Chair.

Mr. Leadbeater, Senate amendment 119, which they are proposing to Bill C-2, is the one that says that the five foundations—the Asia Pacific Foundation, the Canada Foundation for Innovation, the Millennium Scholarship, the Trudeau Foundation, and the five officers of Parliament—would start having to release information from date of royal assent on, with nothing retroactive now. Ms. Stronach asked why perhaps that would be.

A lot of us feel those foundations were places where the Liberal government squirrelled away billions and billions of dollars, almost as off-balance-sheet financing out of the perusal of the public accounts committee or the Auditor General. Perhaps that's not a question so much as a statement.

Senate amendment 117 is one that I'd ask you to comment on. It's the one that talks about how draft audit reports and related audit working papers should be subject to access to information. I think there's a disagreement between you and the Auditor General or your office and that of the Auditor General on this. She cites the problem that if they had to release draft audit documents, the people she relates to and relies on to be forthcoming and cooperative may be less likely to be that, or there may be a lack of candour in their cooperation.

Can you tell us why you think the draft audits should in fact be subject to access to information?

**Mr. J. Alan Leadbeater:** One of the positive features of Bill C-2 is that draft audits are included and made subject to access to information.

**Mr. Pat Martin:** They add related audit working papers as well through the Senate.

**Mr. J. Alan Leadbeater:** Yes, and the Senate amendments have now made sure that working papers also are subject to right of access after the audits are complete.

It has just been our experience that both the quality of audit work and the accountability of institutions are improved when those are accessible to access requesters over time. That view was a view taken by Justice Gomery in his report, even though the audit community is concerned about this. I think the audit community's concern can best be addressed by ensuring that government employees are required to create the records to leave an audit trail.

• (1625)

**Mr. Pat Martin:** So that sort of builds on the obligation of duty to document as well. Would you see that as being complementary or related?

**Mr. J. Alan Leadbeater:** To the extent that auditors have refrained from putting information in audit reports or that government institutions have refrained from leaving a paper trail, I don't think the answer is to give them secrecy. To the extent that it is a problem, I think the answer is to make it a requirement that they create the record.

**Mr. Pat Martin:** Now Senate amendment 121 says that the Canada Elections Act goes under schedule II of the ATIA.

Do you have any comments? Some reservations have been raised by the government-side members, I believe, that ballots may be analyzed, etc., or that there may be some confidentiality issues. Have you given any thought to that amendment? **Mr. J. Alan Leadbeater:** Ballot papers that are protected by the Canada Elections Act would still be protected by the Access to Information Act insofar as the personal identifiers are concerned.

Under the proposal that came from the House to the Senate, technically it would be possible for an individual to request access to the ballots, as happened in Florida in the dangling chad case. The Senate decided it did not want that level of openness to exist with respect to ballot papers. I'm not sure of the rationale, because if someone wants to pay  $20 \varepsilon$  a page for every ballot paper to have access to them, then be my guest. But it would not infringe upon the confidentiality required to run an election.

The Vice-Chair (Mr. David Tilson): Thank you, Mr. Martin.

Go ahead, Ms. Stronach.

Hon. Belinda Stronach: Thank you very much, Mr. Chair.

In your presentation you talk about establishing an internal audit function. Can you explain how that would work?

**Mr. J. Alan Leadbeater:** Yes. Our office being as small as we are, we've never had, in 23 years, an internal audit function. We are audited annually by the Auditor General; our financial statements are audited.

All officers of Parliament got together and decided that in keeping with the new internal audit policy of the Government of Canada, which is to try to have a better, more professional audit system within government institutions, we too would try to have a system that both reflected our level of risk, which is fairly low because of having audited financial statements, and the size of our budget.

So we will build an internal audit function that relies heavily on consultants—outside auditors—to come in and advise the Information Commissioner on an annual basis. We'll have an audit committee that has external members. By that means, we hope to make sure that we can demonstrate to the public and to Parliament that we are good stewards of the funds you give us.

**Hon. Belinda Stronach:** So am I correct in hearing that the internal audit group will report to the external audit committee? What if there is a disagreement between what the internal audit committee recommends and what you feel is appropriate?

**Mr. J. Alan Leadbeater:** Well, because it is "internal", the decision of the head will sway the day. But we have made a commitment that all internal audit reports will be public so that any disagreement will at least be public and available for discussion publicly.

Hon. Belinda Stronach: Thank you very much.

The Vice-Chair (Mr. David Tilson): That concludes the second round.

The chairman has some questions.

You made some comments, Mr. Leadbeater, about the operation of the advisory panel, and you had two items of criticism. One was that it's being held in camera, and the other was with respect to the timing.

Are you able to tell us what happened in that advisory committee if it was held in camera?

• (1630)

**Mr. J. Alan Leadbeater:** Well, they issued a decision to us, so I can tell you what's in the decision. I don't think, because the committee is ad hoc and is not governed by a standing order of the House, that an in camera session really means the same as an in camera session in this committee.

The Vice-Chair (Mr. David Tilson): I know that. We've spent some time on this with the Ethics Commissioner, and it probably doesn't mean anything.

However, you're right that this committee opposed this proposal. Originally you went cap in hand to the Treasury Board—which was Mr. Reid's main criticism—and there is the suggestion that if you happened to be questioning or challenging the Treasury Board, that might prejudice your application for funds. I seem to recall that was a major concern. But it really still exists, doesn't it?

Mr. J. Alan Leadbeater: Yes, it does.

The Vice-Chair (Mr. David Tilson): What I'm interested in is the process. How many meetings did you have with the advisory panel?

**Mr. J. Alan Leadbeater:** I believe we met twice. At one of the meetings the Information Commissioner appeared and at the other the Privacy Commissioner appeared. And the Treasury Board—

The Vice-Chair (Mr. David Tilson): So the Information Commission appeared once.

**Mr. J. Alan Leadbeater:** We appeared once to make our case. At the same meeting the Treasury Board officials were also witnesses, along with the officials from the Office of the Information Commissioner.

The Vice-Chair (Mr. David Tilson): And how long did that meeting last?

**Mr. J. Alan Leadbeater:** My recollection is that it lasted approximately an hour and a half.

The Vice-Chair (Mr. David Tilson): Okay.

And this advisory panel was an all-party panel?

Mr. J. Alan Leadbeater: Yes.

The Vice-Chair (Mr. David Tilson): Now, on the issue of this backlog, if I recall correctly, Commissioner Reid came here in the last session and was concerned about the backlog and about requiring more funding. I think you had been rejected for \$400,000. You can correct me if my memory is faulty.

Mr. J. Alan Leadbeater: Yes, that's in part III of the estimates.

**The Vice-Chair (Mr. David Tilson):** And then you got \$400,000 this year. This year you got \$400,000?

Mr. J. Alan Leadbeater: Yes, we received money this year, a total of \$2.8 million.

The Vice-Chair (Mr. David Tilson): I know, but this was specifically for the backlog issue. Correct?

**Mr. J. Alan Leadbeater:** If you look at the chart at tab 4, you'll see that in the 2005-06 main estimates we had funding for the backlog in 2005-06 only.

## The Vice-Chair (Mr. David Tilson): What item is that?

Oh, I see, it's number 2.

**Mr. J. Alan Leadbeater:** Yes, and that \$434,000 was pulled out; it was one of the deductions. Then we had \$2.8 million added in by the panel. We had collective agreements of \$298,000. We had an adjustment of employee benefits, which pulled out another \$53,000. With the total additional funds we received, our overall budget became \$8.1 million.

The Vice-Chair (Mr. David Tilson): All right.

**Mr. J. Alan Leadbeater:** And Ruth McEwan just pointed out to me that of the additional funds we obtained from the panel—the \$2.8 million—about \$868,000 related to the backlog.

**The Vice-Chair (Mr. David Tilson):** I guess where I'm going on this thing is that we're continually talking about a backlog. Can you tell us how this additional money you got for this year helped the backlog specifically in this year? How has the backlog been improved with that extra funding?

Mr. J. Alan Leadbeater: Yes, again I'll take you back to our annual report, and we....

The Vice-Chair (Mr. David Tilson): I want to know what we got for \$800,000.

• (1635)

**Mr. J. Alan Leadbeater:** Well, remember, the \$800,000 is for this fiscal year that we're working in, and for the last fiscal year there was the \$400,000 that we thought we were going to have but that was taken away from us. Remember, that was the note in the—

The Vice-Chair (Mr. David Tilson): Yes.

**Mr. J. Alan Leadbeater:** We started 2005-06 with 1,365 backlogged cases. We completed 1,319 cases during the year. We had come in the door with 1,408 cases, with 1,454 cases pending at the end of the year.

The Vice-Chair (Mr. David Tilson): So 46 cases cost us \$800,000?

**Mr. J. Alan Leadbeater:** Well, no, but my explanation before was that when we're working without the additional investigators that we have now been given the money for, we keep adding to the backlog every time we close a backlog case, because the new cases coming in the door keep adding onto that. So the issue is that until we get these new people in chairs, we are still going to have this revolving door.

The Vice-Chair (Mr. David Tilson): I understand that. I just want to know what you did with the money you were given. That's all I want to know.

Mr. J. Alan Leadbeater: We reduced the growth of the backlog.

The Vice-Chair (Mr. David Tilson): By how many cases?

**Mr. J. Alan Leadbeater:** I don't have the figures for all the previous years, but the backlog was growing by probably 300 to 400 cases every year. This year, it grew by only 100 cases, so we've successfully retarded the growth of the backlog.

That's not good enough for us. We have this plan to completely get rid of the backlog, but we have to have the investigators to do it.

The Vice-Chair (Mr. David Tilson): I understand that. I guess I'm looking at the chart that really shows no difference, and I don't know where it is. Four years from now, you hope to eliminate the backlog. Is that right?

Mr. J. Alan Leadbeater: Yes, but we'll have 16 more investigators.

The Vice-Chair (Mr. David Tilson): That's if you get more space. Tell us about that.

**Mr. J. Alan Leadbeater:** I can only tell you that with my discussion with the deputy minister, David Marshall, he has asked me to tell this committee that he is aware of the problem and intends to solve the problem.

The Vice-Chair (Mr. David Tilson): Yes.

What do you think of the process with the advisory panel? You've talked about timing—I don't know what that means—and you've talked about in camera. Generally speaking, what do you think of it, other than the fact that it has no status?

**Mr. J. Alan Leadbeater:** How I think all of us envisage this is that there should be a committee, a properly established committee of the House and Senate. We are officers of Parliament, not just the House of Commons. It should operate in public. It should have a sufficiently well-staffed group to become familiar with the details of budgets. Committees that look at estimates don't traditionally have the time and the energy to get involved in the details of budgets. But a committee that's actually going to make recommendations for funds that are going to be binding during the pilot period on the Treasury Board of Canada needs to have proper support, and it needs to come in the planning cycle earlier. There's not much good having this done in October or November when, in our planning cycle, we can't get it into the main estimates. We can barely get it into the supplementary estimates at that point. So it needs to be done earlier in the process.

All officers of Parliament and the Treasury Board have agreed that we'll do an evaluation of the pilot project after the end of 2007-08, which is the second year of the pilot, and when every one of the officers of Parliament has been through the process. Now, only two officers of Parliament have been through it.

As I'm being critical, I'm trying to be positively critical in the sense that we need to have a proper evaluation before we really know whether this is something that's worth doing or whether this committee or another committee should do it.

• (1640)

The Vice-Chair (Mr. David Tilson): Does the advisory committee receive advice from anyone other than the Treasury Board that you know of?

**Mr. J. Alan Leadbeater:** Other than the officers themselves, only the Treasury Board, I think.

The Vice-Chair (Mr. David Tilson): Can you tell us, of your staff, the people who work for the commission, the percentage increase of salaries for last year?

**Mr. J. Alan Leadbeater:** I think collective agreement changes were 2.2%.

The Vice-Chair (Mr. David Tilson): Can you tell me about travel? How much money did you spend on travel last year?

**Mr. J. Alan Leadbeater:** Yes, I think I can. As you know, we put travel and hospitality up on our website. I'm not sure if we do totals or if we do it by, maybe, grand total of travel. The grand total of travel was \$14,324.

Ms. Ruth McEwan (Director General, Corporate Services, Office of the Information Commissioner of Canada): That's for this year.

Mr. J. Alan Leadbeater: Oh, that's for this year.

I don't have last year's figure with me, but it's roughly the same.

The Vice-Chair (Mr. David Tilson): And how much for hospitality?

**Mr. J. Alan Leadbeater:** Again, looking at 2006-07, this year, the commissioner's was \$932.48 and mine was \$77.19.

The Vice-Chair (Mr. David Tilson): Before the meeting gets out of hand, I think the chair has finished his questions for now.

We'll move to Mr. Dhaliwal.

Mr. Sukh Dhaliwal: Thank you, Mr. Chair.

To carry on where you left off on the backlog issue, I would like to hear again how many backlog cases we have as of today.

**Mr. J. Alan Leadbeater:** I don't know as of today, but Mr. Dupuis thinks it's approximately 1,100. If that's wrong, I'll be happy to inform the committee, but we think there are about 1,100 in backlog.

**Mr. Sukh Dhaliwal:** Did you say that 16 more employees are needed to clean that up?

**Mr. J. Alan Leadbeater:** We wouldn't put them all on backlog because we want to keep files from going into backlog. I think we have assigned approximately eight investigators to backlog.

**Mr. Sukh Dhaliwal:** Mr. Chair, I would like to know when this backlog will be cleared and what resources you need to clear that up.

**Mr. J. Alan Leadbeater:** As I said in my opening remarks, our plan is to have the backlog cleared by 2008-09, and by 2009-10 be into full standard on the new cases coming in the door. That is a one-year delay over what we asked the panel for because of the accommodation issue.

**Mr. Sukh Dhaliwal:** So there's no way accommodation can be arranged to clean it up?

The Vice-Chair (Mr. David Tilson): I'm just the chairman, I don't know. Don't ask me questions, ask him questions.

Mr. Sukh Dhaliwal: I'm asking him questions through the chair.

The Vice-Chair (Mr. David Tilson): Sure, absolutely. Thank you, sir.

**Mr. J. Alan Leadbeater:** So you're asking me if there is anything this panel can do to facilitate the accommodation issue?

**Mr. Sukh Dhaliwal:** Right, so that the backlog issue is taken care of and there's just the regular caseload to be dealt with.

**Mr. J. Alan Leadbeater:** I certainly would appreciate someplace to come if Mr. Marshall isn't successful in getting accommodation for me, as he's indicated he will.

The Vice-Chair (Mr. David Tilson): We always welcome the Information Commissioner at this committee.

Mr. J. Alan Leadbeater: Thank you, Mr. Chairman, I appreciate that.

Mr. Sukh Dhaliwal: Thank you, Mr. Chair.

The Vice-Chair (Mr. David Tilson): Mr. Martin.

Mr. Pat Martin: I won't take very much time.

Perhaps just as a final comment, Mr. Leadbeater, on the very last line of the very last page of your report, in commenting on the Senate amendments, you draw the woeful conclusion that neither the House version nor the Senate committee version will materially improve the accountability of government through transparency.

Could you clarify that you're only talking there about the access to information provisions of Bill C-2?

• (1645)

**Mr. J. Alan Leadbeater:** Yes, I absolutely am not making any observations with respect to all of the other provisions.

**Mr. Pat Martin:** Because there are other...the whistle-blower and many of the other provisions.

That's all I wanted to get on the record. Thank you.

The Vice-Chair (Mr. David Tilson): That appears to be it for questions from the committee, Mr. Leadbeater. I thank you and your colleagues for coming this afternoon and answering our questions.

Thank you very much.

Mr. J. Alan Leadbeater: Thank you, Mr. Chairman.

The Vice-Chair (Mr. David Tilson): The meeting is adjourned.

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