



House of Commons
CANADA

Standing Committee on Government Operations and Estimates

OGGO • NUMBER 058 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Thursday, June 14, 2007

—
Chair

The Honourable Diane Marleau

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

Standing Committee on Government Operations and Estimates

Thursday, June 14, 2007

• (1100)

[English]

The Chair (Hon. Diane Marleau (Sudbury, Lib.)): Hi, everyone. Today we have before us Madame Christiane Ouimet, who has been nominated for the position of Public Sector Integrity Commissioner. As you know, this position is being created to serve the public sector. She'll be there to make sure that public servants who report things that don't go well will be protected.

As you know, legislation was passed under one government, and then it was tweaked by another government. Finally we have a person who's actually going to head this commission. She will be reporting to Parliament, therefore her appointment has to be approved by Parliament.

You've read her CV.

[Translation]

We would invite you to make a few opening remarks, Ms. Ouimet. You have up to 10 minutes.

Welcome.

Mrs. Christiane Ouimet (As an Individual): Thank you very much, Madam Chair.

Madam Chair, committee members, I am very pleased to be here with you today to talk about my candidacy for the position of Public Sector Integrity Commissioner. It was a real privilege and a great honour to be considered for this position. So I would like to talk about my career and also share my general perspective on the duties of this important position for the public service and the government, and also, I think, for all Canadians.

[English]

By way of introduction, let me tell you a bit about myself. I come from the small village of St-Albert, Ontario, where I was born on a dairy farm to Madeleine Lafleche and the late Albert Ouimet.

I finished my primary education at the local school and then went on to *le village voisin* at Casselman High School. I subsequently completed my honours degree in French literature at the University of Ottawa. I then completed two Bachelors of Law, one in civil law and one in common law. I articulated at a local firm with a focus on general practice. Of course, I then did my bar exams.

My husband and I have been married for 26 years, and we have two wonderful daughters.

I joined the federal public service in 1982 as a recruit of the then Atomic Energy Control Board, which is now known as the Canadian

Nuclear Safety Commission. It was a regulatory and public consultation function that I was responsible for as a junior officer. This was also my first introduction to the importance of a sound regulatory framework for the benefit of the public and the industry alike.

I then moved on as chair of the Public Service Commission Appeal Board, where I conducted inquiries into the appointment and release of public servants. This involved a quasi-judicial role in ensuring that the merit principle was adhered to when an appointment was made and that employees who were demoted or released from positions had been given a fair chance to be heard. In all cases, of course, natural justice had to be respected.

A new tribunal now embodies those same principles and responsibilities today. Sound, fair, transparent, and meritorious staffing processes are the foundation of a public service that is able to provide the best services to Canadians.

After a short term heading the regulatory affairs directorate at Revenue Canada Customs, I became the first director of the merged enforcement operations section, which included commercial fraud investigations and the drug interdiction program. Because of the rigour of the processes and the diligence of officers, we had an excellent record of prosecuting cases.

In 1992, I joined the machinery of government secretariat at the Privy Council Office. I had the privilege of serving three previous prime ministers and providing advice on the economic portfolio in the context of transitions and government restructuring. Providing guidance on the roles and accountability of senior public office-holders was also part of our ongoing responsibilities. In that context, I learned about the functioning of the government and the importance of independent advice from the public service to ensure continuity and good government.

I later served in the Department of the Solicitor General of Canada for five years, where I eventually became Assistant Deputy Solicitor General, with direct responsibility for the aboriginal policing program. I will forever treasure the honorary title that the First Nations Chiefs of Police Association awarded me, as Honorary First Nations Chief of Police.

At the end of 1999, I became CEO of Consulting and Audit Canada at Public Works and Government Services Canada. On a cost recovery basis, we offered a full range of services aimed at improving effectiveness, efficiency, and accountability.

I would come back a few years later as the associate deputy minister, and I was responsible for the restructuring of a department with more than 14,000 employees. I was very much involved in the department's new values and ethics action plan in 2004, and I was also involved in resolving a variety of operational issues.

Prior to that, I served as executive director of the Immigration and Refugee Board, post September 11. During that period, a very successful alternative dispute resolution model was developed by our immigration division.

I know this is of interest to some of the committee members. I know that alternative dispute resolution is key for the sound operation of administrative tribunals, which are set up specifically to render justice more quickly and more simply than traditional courts in specialized fields.

Finally, I have a few comments about my current position as associate deputy minister at Agriculture and Agri-Food Canada. My role has been to support the deputy minister as he or she sees fit on a variety of issues. I've been involved more recently in corporate issues dealing with employee unions, grievances, diversity issues, and human resources strategies. I was also charged about a month ago by the new deputy minister with the role of champion for values and ethics.

• (1105)

One might say that I've had an eclectic career. But I think the common thread has been a desire to serve and to make a contribution in the public interest. I believe my legal background has served me well, especially in a quasi-judicial environment that is of course similar to the office of the Integrity Commissioner. I feel very privileged to be considered for the position of Public Sector Integrity Commissioner.

I have examined the new provisions of the Public Servants Disclosure Protection Act to assess the tasks that lie ahead. As I see it, the intent of these new provisions is to legislate a strong regime enshrined in legislation, as was important to members of this committee, to govern the disclosure of wrongdoing in the federal public service.

The key elements are, of course, the independent body that was created, the commissioner, reporting directly to Parliament with an expanded jurisdiction; the authority for the commissioner to report on investigation findings and make recommendations when wrongdoing is established and to make special reports to Parliament; and a clear prohibition against reprisal action against complainants.

There's added protection to potential complainants offered by the creation of a tribunal to which the commissioner can apply, and there are a number of other sets of legal provisions, such as legal assistance, protected disclosure. But I know the committee is well versed in the contents.

In due course, I would propose to examine carefully the relationships between the role of the commissioner and those of other oversight bodies and parliamentary agencies and even internal functions, but again, I'll be guided by the legislative framework in the act.

The position of Integrity Commissioner is one that carries with it the trust and confidence of Parliament. Simply put, the essential role of the commissioner and the office will be to give effect to an act whose purpose is to encourage employees of the public sector to come forward if they have reason to believe that serious wrongdoing has taken place and to provide protection to them against reprisal when they do so. The goal is a system that is fair, accessible, and allows justice to be served. More importantly, the goal is to protect the public interest.

• (1110)

[*Translation*]

Throughout my career, I have had the privilege to serve Canadians in very different roles. I am honoured to be considered for the position of Public Sector Integrity Commissioner. I believe it is a role that will help to enhance the reputation of the public service, by providing transparency and openness for anyone who feels they have been wrongfully treated. I may come from humble beginnings, but where I come from, honesty and sincerity really matter. I am proud to remember that my father was always seen as a man of great integrity. That was his trademark, and he was renowned for it not only in our small community but in neighbouring villages as well.

I would serve as Public Sector Integrity Commissioner in his memory, and with great humility and pride, if your committee and Parliament entrust me with that honour.

Thank you.

The Chair: Thank you, Ms. Ouimet.

We will start the questions with the Liberals.

Mr. Simard, please.

Hon. Raymond Simard (Saint Boniface, Lib.): Thank you, Madam Chair.

Welcome, Ms. Ouimet.

[*English*]

As the chair was saying a few minutes ago, we're all very keen and very happy to see this position finally filled. I think you're obviously a very interesting candidate.

As members of Parliament, we've all had people call our offices and say they would like to report something that's happened in the federal government. I could be wrong, but I think one of the biggest challenges you'll face will be to distinguish between a whistleblower and somebody who's upset or not happy with their boss or who's been bypassed for a promotion or that kind of thing.

So I'm curious to know what the criteria are, what you base yourself on, to actually distinguish whether or not this is a real case or this is just somebody who's upset, who's been bypassed in a promotion. Does somebody have to break the law? What kind of criteria are set up for that?

Mrs. Christiane Ouimet: Thank you, Madam Chair.

Essentially, the first thing the commissioner has to do is be guided by the parameters set out in the legislation. There are very specific steps that determine the jurisdiction and the scope. I did mention in my opening statements that one needs to look, as well, at the parameters of the responsibilities and duties of other oversight bodies, as well as internal processes.

I've definitely been involved in some of those issues as a decision-maker working in a quasi-judicial tribunal, and very similar issues were raised at the time with respect to timelines and scope.

In the end, I would like to mention that as an officer of the court I was sworn in about 25 years ago. A similar oath that was taken 25 years ago says, regarding barrister of law and solicitor: "shall not refuse causes of complaint reasonably founded, nor shall you promote suits upon frivolous pretences". This is part of my oath as an officer of the court. This would be very much an important task as a commissioner.

Hon. Raymond Simard: Are you the person who would do that triage? Maybe you can talk to me a little bit about the structure. Does every department have a structure set up? Does somebody who wishes to report something have to report to their superior, or can they go directly to you?

Could you talk to me about that a little bit?

Mrs. Christiane Ouimet: Very briefly, it's set out in the legislation, as I read it. There are preliminary issues that need to be decided. An investigator can be assigned once the commissioner has decided whether he or she has jurisdiction. Once an investigator has been assigned, that does not mean that the complaint is well founded. There's a series of steps that need to be involved. I referred to natural justice, but that means simply collecting evidence.

The commissioner can also decide to meet with the complainant and other people. There's a fair bit of flexibility with respect to the process. In the end, once you affect the rights of the individual, the Supreme Court has indicated quite clearly that you have to be guided by natural justice, and that would be my ultimate guide.

•(1115)

Hon. Raymond Simard: In terms of process, does the person who wishes to complain go to their superiors first?

Mrs. Christiane Ouimet: In fact, this is a very good point, Madam Chair.

There is the option of going internally to the officer responsible in each organization. But probably by the time the commissioner is seized with this issue, that is definitely one issue he would have to decide—whether the individual did go for remedial action and whether appropriate action could have been taken. Occasionally maybe the complainant would think that it would not be appropriate for him to go to his immediate supervisor or to the officer of the department. This is the process as I understand it.

[Translation]

Hon. Raymond Simard: One of the problems that often happens when a new position such as this is created is that proper resources are not provided.

Are you satisfied with the resources you've been given? Have you put your structure in place? Can you tell us about the number of employees there will be and how the office will operate?

Mrs. Christiane Ouimet: Madam Chair, just yesterday I got a courtesy call from the executive director and from the acting commissioner. It was a very brief call to inform me that he had received additional resources. I did not ask for any details. Instead, we discussed the transition period, and I told him that I was relying very much on the work that had been done by the Office of the Acting Commissioner. He told me that he was in a position to staff a number of key positions.

It is very important that we recruit highly-qualified individuals for these positions. It is very difficult to do that at this point, because we do not yet know what the needs are and what the impact of the legislation will be. It is a small office, but it will operate very professionally. One of my first obligations will be to look at the resources.

Hon. Raymond Simard: Are you the person in charge of recruitment?

Mrs. Christiane Ouimet: I will be doing the recruitment together with my team, because the team is responsible for delivering the important reports. I imagine there will be some positions for investigators, public relations people and researchers. I do not have any details, unfortunately, but this will definitely be one of my priorities.

Hon. Raymond Simard: Often, mandates for positions such as yours are quite vague. Is your mandate clear, and what is your term of office?

Mrs. Christiane Ouimet: The act provides that the term can be as long as seven years, but I think there is some latitude regarding the recommendation on this.

Hon. Raymond Simard: So you would say that you are satisfied with the mandate you have been given.

Mrs. Christiane Ouimet: First, I was very impressed with the actual wording of the act—it goes into some rather interesting detail. Some of the administrative tribunals for which I have worked had only two or three sections on them in the legislation. This act is very detailed, but it does provide the flexibility required to individuals who operate at arm's length. The objective of the legislation vis-à-vis the legislator's objective is very clear. As for the rest, each case that deserves the Commissioner's attention and recourse to the process must be dealt with individually.

The Chair: Thank you.

Ms. Bourgeois.

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Thank you, Madam Chair.

Good morning, Ms. Ouimet. I'm very pleased to meet you. Yours is an extremely important position, particularly in the context of public service restructuring. Many employees will be retiring in the next few years, and many people would like positions in the public service. I think your job will be crucial over the next five to seven years.

Since we want to get to know you, I am going to start right off with a difficult question, but please do not let it annoy you. Have you been involved at all in partisan political activities in recent years?

The Chair: We do not have the right to ask that question at this point, Ms. Bourgeois.

Ms. Diane Bourgeois: I apologize. I will ask you a different question then. Do you have a lot of experience in the field of personnel management?

• (1120)

Mrs. Christiane Ouimet: Thank you, Madam Chair.

First of all, as a public servant, I am very aware of what is and is not acceptable. I think I have always carried out my duties very diligently.

I have a great deal of management experience. I managed many people and also regional offices in the various positions I have held. I think this is an important aspect. On five or six occasions, I managed regional offices with different mandates. This gave me a very good overview of operations and the development of policies that would have a genuine impact and that could be implemented. In my opinion, I have considerable experience in this field.

Ms. Diane Bourgeois: In your management work, have you ever been involved with whistle-blowing incidents?

Mrs. Christiane Ouimet: There definitely were cases where employees were dissatisfied and filed complaints. I have been involved in the official procedures set up to solve such problems. I believe in them very much. I have heard a number of grievances at the third level, before they went to the administrative tribunal.

Ms. Diane Bourgeois: The mandate you have been given and the related legislation have a major flaw: whistleblowers do not have enough access to proper legal services. The act provides for an amount of \$1,500 for services of this type. Given that following the whistle-blowing incident, despite the 60-day period provided for in the act, the employee may be exposed to psychological harassment, what do you intend to do to provide better protection for whistleblowers?

Mrs. Christiane Ouimet: Thank you, Madam Chair.

Access to legal services is a very positive feature. Even though the amount provided for these services may seem modest, people can choose good legal counsel who are familiar with the system and who can provide proper advice. It is also up to the Office of the Commissioner to offer the support required to provide technical interpretation of various aspects of the legislation. I also think it is important to work with the deputy head, who may be involved at some point, and to know whether a release occurred within the department.

I do not think the drafters of the legislation considered that this was part of the definition of harassment. That refers rather to a situation where there are reprisals in the workplace. We must look at what this means in practical terms. There is in fact a provision whereby employees may be relocated for 60 days, when necessary, so that they do not feel any pressure. Once whistleblowers are known, it is very difficult for them to function in their daily work environment.

Of course, the Commissioner must ensure that there is equity. We talk about equitable procedures and natural justice, and this mandate is very important. We must do everything required. Each case will be different, so I cannot speculate about situations that will arise.

Ms. Diane Bourgeois: I was pleased to see that in your presentation you focused on justice, understanding and assistance. However, whistleblowers do not necessarily have a financial problem to report. They may be speaking out against abusive behaviour on the part of a superior toward a subordinate or any other matter. How can whistleblowers be sure that they will not suffer reprisals afterwards?

These reprisals will not necessarily come from people from the same office. Reprisals could come from the regional level or from a deputy minister who has dealings with that particular workplace. You say that you are going to look into this matter, but at the moment there are people waiting to blow the whistle on wrongdoing. This morning, they are expecting to find out how far the act or your mandate allows you to go.

• (1125)

Mrs. Christiane Ouimet: Madam Chair, the act provides a framework and the tools required to deal with the concerns raised by the member. The Commissioner's role will be to ensure that we look into all the facts and circumstances with proper diligence. It is difficult to provide more details without having a specific case before us, but I am quite sure, and I would like to assure the committee that the act provides an excellent framework with which to deal with these concerns.

Ms. Diane Bourgeois: The Bloc Québécois has a number of problems with this legislation. I just mentioned one of them. It would be advisable, Ms. Ouimet, for you to clearly define your role and mandate at the beginning of your tenure.

In the past, there was a public service integrity officer who had certain powers under legislation. This particular individual tried to help whistleblowers. The 2002-03 Annual Report of Parliament mentioned a number of cases of harassment. I dealt with some of these cases myself. The issue remains the same: the Commissioner or the officer versus the power of the departments. I do not think the act gives you adequate power over the departments.

I get emotional when I talk about this, because there are over 29 cases that have never been settled. I know that you have only recently been nominated, but have you already set the priorities and objectives you would like to achieve during your tenure?

Mrs. Christiane Ouimet: Thank you for the question. I have made careful note of your concerns.

I am interested in two aspects in particular. First, education, training, prevention and cooperation. We should not wait until a problem occurs. If we can educate people and work with the public service, we should do that in order to avoid disturbing situations.

I touched very quickly and briefly on the second point in my remarks, and I also discussed this with the acting commissioner as well. I am talking about settling disputes amicably to the advantage and satisfaction of the complainant. I want to see how we could settle disputes even more quickly, more fairly and more simply. Provision has been made for this as well, even as regards the establishment of the tribunal, with reference made to a conciliator.

I think these are tools that have not been tested. You are right there, but we must definitely use them. Of course, it is very early in the process, but those are the two priorities I would like to focus on. I would also like to take note of all the points raised here today and review them further.

The Chair: I would just like to let Ms. Bourgeois know that in the past, there was no legislation, and that the Commissioner's role was set out in a policy. That individual did not really have the powers that Ms. Ouimet will have, because there is legislation governing her office's operations and she reports directly to Parliament. That was not exactly the case before.

We certainly tried to give the Commissioner sufficient authority to settle cases, but, of course, we will see what happens over time.

Go ahead, Mr. Poilievre.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Thank you, Madam Chair.

I am pleased to see that you will have to stay independent of the Auditor General. You will be able to table reports in Parliament, with no hindrance from the ministers or departments. You will have the power to see that problems raised are disclosed to the public and that voters, politicians, and the media can find out about them in the course of your investigations of public servants' complaints. It gives you a great deal of independence. That's something that never existed in government before.

I would like to know the powers investigators in your office will have. First of all, will they be hired by you, rather than by the government?

● (1130)

Mrs. Christiane Ouimet: As far as I understand it, the investigators will be hired under the Public Service Employment Act. There is a recruitment process in place, but the investigators will report to the Office of the Commissioner.

Mr. Pierre Poilievre: And not to the government, not to Treasury Board—

Mrs. Christiane Ouimet: No.

Mr. Pierre Poilievre: They are employees, like the people working in the Office of the Auditor General.

Mrs. Christiane Ouimet: That is correct.

Mr. Pierre Poilievre: What powers will they have? For example, could they require that documents be produced in the course of their investigation? Will they have the authority to demand that documents be produced?

Mrs. Christiane Ouimet: I would like to give you an analogy, if I may. When I chaired an appeal committee, there was also a parallel investigation office whose role was very similar to yours. There was a purely administrative precursor, who did not have the same powers

as the office under the policy. We hope that people identified by the whistleblowers will cooperate willingly. As you know, the Commissioner has some fairly coercive powers. Subpoenas can be issued, but before we reach that stage, we have a whole range of tools we can use under the act.

There are or were many approaches of this type and many investigators of this type. I assume that the people involved in the investigations will act in good faith. If necessary, I will not hesitate as an officer of Parliament and as Commissioner to take all steps necessary to ensure that the documents, the evidence... As I mentioned earlier, we must have all the facts, all the evidence.

Mr. Pierre Poilievre: You are going to require that certain things be done.

Ms. Christiane Ouimet: If necessary.

Mr. Pierre Poilievre: Exactly. That means you have a great deal of power.

Mrs. Christiane Ouimet: Indeed.

Mr. Pierre Poilievre: Are you going to require people to answer questions?

Mrs. Christiane Ouimet: Yes, and I think that is implicitly part of the power to require the production of documents. However, there is a reservation in the legislation regarding Cabinet confidences. I have taken note of that. There are some guidelines regarding the documents that can and must be produced.

Mr. Pierre Poilievre: What type of individuals will you be hiring as investigators? Will they be former police officers or auditors?

Mrs. Christiane Ouimet: Madam Chair, based on my experience at administrative tribunals, I would say it is important that these individuals be appointed according to the merit principle, that they be recognized for their rigour and for their integrity.

● (1135)

Mr. Pierre Poilievre: More specifically—

Mrs. Christiane Ouimet: You want to know what the basic requirements are?

Mr. Pierre Poilievre: I can think of many individuals with a variety of skills, but I would like to know what the specific requirements will be for investigators.

Mrs. Christiane Ouimet: I hesitated a little, Madam Chair, simply because my own legal background leads me to think that this type of training is an asset for conducting investigations. However, I would not want to rule out people who do not have legal training but who do have equivalent experience. I would think that legal training could be an asset for understanding the quasi-judicial context, the principles of natural justice and procedural equity. Consequently, a candidate with legal training might have an advantage.

However, this does not rule out people with experience in enforcing the law, with programs, contributions, policy development and human resources, if only to distinguish between mandates—namely whether or not they are complementary or whether the complainant would do better to go elsewhere.

Mr. Pierre Poilievre: Your team of investigators will have to be made up of people with a variety of skills, would it not? Distinguishing between cases of genuine abuse and false allegations is one of the challenges you are going to have to meet. You will need people with experience in investigations, others with experience in procedures, and still others with experience in human resources.

Mrs. Christiane Ouimet: I could not agree more, Madam Chair. I have no idea how staffing has been done so far, but I have made careful note of these comments. I think this is an excellent suggestion.

The Chair: Thank you.

Mr. Dewar.

[*English*]

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you, Chair, and thank you to Madame Ouimet.

It's an interesting resumé, and I took note of your experience with Customs. My father was a career public servant with Revenue Canada, Customs and Excise, and he retired just as you began there. So it's an interesting background. I think you have some skills that are well suited for the position, and I am glad we have passed the legislation and that we're moving on, because I honestly believe there were gaps in the previous legislation.

I was wholeheartedly supportive of the changes in Bill C-2 because some things needed to be changed, and I think the tribunal was one. I think it was important to have a clear pathway for public servants to be able to go where they'll have a speedy resolution, or as quickly as possible, and I was concerned the previous legislation was putting them into a process that would have been problematic and wouldn't have a speedy resolution. Certainly when we had testimony at committee, it was clear there was a huge backlog with the previous remedy. So I'm glad to see we have the dual pathway in the present legislation, and I fully support that.

Being in Ottawa and connected to a lot of people in this community, I have had the opportunity to know many whistle-blowers. First of all, were you aware, or were you involved at any time with a case, which is well known in this town and indeed across the country, of Dr. Chopra, Dr. Hayden, and Lambert? Do you know the case they have currently, and were you involved in any way with their situation? You probably are aware they were dismissed in 2004 and currently are fighting their case. I know it doesn't have any effect or bearing on what your position would be—it wouldn't be affected by this legislation—but I'm just curious if you knew about their case or had any involvement with it at all.

• (1140)

Mrs. Christiane Ouimet: Madame Chairman, I only know what I read in the paper. I've never been involved in that case.

Mr. Paul Dewar: Thank you.

I asked you that so I could move on from there, and so that there is no conflict. That was the reason for my question.

In my opinion, their case is one where they did the right thing and, sadly, were dismissed as a result.

In the case of Mr. Chopra, it was not once but a couple of times. He's like a hamster on a wheel. Every time he gets put back into his position, he is then dismissed. His case, including that of Madam Hayden and Monsieur Lambert, is worthy of looking at for your purposes. People who were doing the right thing, in this case protecting Canadians' health, spoke up, paid the price, and are still paying the price.

It would be a case for you to examine, and it would be helpful, because we still have—and I encourage my colleagues on the government side to help you with your job—to mop up the previous cases, so that we can move on and have a clean slate. That is critically important, and I encourage them to do that.

But I encourage you to look at their case because it is helpful. There's no question that it's complex, but it is a textbook case in terms of what happens when people blow the whistle—in this case, there were three people—and then are dismissed, in the most recent case without cause.

I also want to reference Mr. Jeewanjee, because he was in a similar circumstance, working for CIDA. He did some critical analysis on the program review of what CIDA was doing. He was isolated and didn't get promoted, i.e., he was set aside. He is fighting his case right now. That is another one to look at.

I want to turn to the legislation, because it is fairly prescriptive, and I think that is helpful. One of the areas, if you look at the parameters—There was a debate at committee, and I believe with the previous legislation, on what to do with the RCMP.

If your appointment is successful—and I don't see any reason why it wouldn't be, from my perspective, but it has to go through Parliament, of course—it is interesting to look at the present legislation and what's happening right now with the RCMP. We have legislation that allows for members of the RCMP to come forward, but they have to go through the chain of command and the processes within the RCMP first. I would like your comment, as obviously you can't do anything other than comment.

As I see it, the dilemma is that presently we have a lack of confidence in the RCMP's chain of command. If you will, the chain is broken. Mr. Poilievre's questioning was helpful here. You will have the powers to investigate, subpoena, and bring people forward.

Have you looked at this facet of the legislation—in other words, at how the RCMP is affected, and how members of the RCMP would be able to come forward and be protected if they want to disclose? We have seen a couple of people bring forward their issues in committee—not this committee—but I'm really concerned. I happen to know that there are an awful lot of others who would like to do so, but they don't feel that they can, because they feel vulnerable.

I would like your comment on what you have observed. Vis-à-vis the legislation, how do you see it working with the RCMP—if you've had time to look at it? I appreciate the fact that you might not have had the time.

Mrs. Christiane Ouimet: Madam Chairman, thank you for the question.

In fact, I have not focused at all on that aspect of the legislation. I would simply offer the general comment, to which I alluded in my presentation, on the importance of looking at the framework of the legislation and the respective mandates of other organizations, for instance, the Commission for Public Complaints Against the RCMP. This has a role with respect to the public coming forward regarding issues involving the RCMP.

I believe member talked about the internal disclosure process. This is something that I would propose looking at, but always guided by the parameters of the existing legislation.

● (1145)

Mr. Paul Dewar: Regarding the present situation of the public complaints facet of the RCMP, one of the deficiencies there—and this is just by way of comment to you—is that, sadly, it's within the RCMP. I think that's one of the problems, and hopefully that will be looked at. The public complaints body is within the structure of the RCMP, which structurally is conflicted.

But I must say that if you look at the exemption—it's on page 142 of the act that I have here—it does lay out that:

A member or former member of the Royal Canadian Mounted Police may not make a complaint under subsection (1) in relation to any matter that is the subject of an investigation or proceeding under Part IV or V of the Royal Canadian Mounted Police Act or an investigation or proceeding relating to administrative discharge under the Royal Canadian Mounted Police Regulations, 1988 unless

- (a) he or she has exhausted every procedure available under that Act or those regulations for dealing with the matter; and
- (b) the complaint is filed within 60 days after those procedures—

That's one of the things you'll have to grapple with, and I encourage you to take a look at that. It's one of the issues that Canadians are looking at closely. And of course, the people in the RCMP want to have the confidence of the structure that we're providing here to ensure that they are able to come forward and be protected at the same time.

I have one last question, Mr. Chair.

Can you comment on the section in terms of how you see the tribunal working—it is prescriptive—and your relationship to the tribunal? I'd like any comments or observations that you might have.

Mrs. Christiane Ouimet: Thank you, Madam Chair.

Yes. I think there's a fair bit of detail with respect to how the tribunal is set up with the chair and, as well, with respect to the mandate—no less than two and no more than six or seven.

Once a tribunal has been set up by the commissioner, by application, it is a clear indication that, first, they want an arm's-length body to look at the seriousness of reprisal. I think this is a very clear indication in the legislation that the tribunal will also operate independently of the commissioner. And it'll be important for the commissioner to bring forward all of the relevant evidence, facts, and reports that will guide the tribunal in taking the appropriate action and remedy. It would be, as well, with great respect that I would have to treat that separate institution, which would be a very important function.

Mr. Paul Dewar: So as your position is separate from that of the government, you have an arm's-length relationship with the tribunal, if I can put it that way.

Mrs. Christiane Ouimet: This would be my understanding, Madam Chair.

Mr. Paul Dewar: Thank you, Madam Chair.

The Chair: Mr. Szabo.

Mr. Paul Szabo (Mississauga South, Lib.): Thank you.

Welcome, Ms. Ouimet.

Maybe you could elaborate on a couple of the comments that you made. You referred to a supervisor's looking at some of the material and that maybe they could take some remedial action. I'd like to explore with you what exactly you contemplated as being a supervisor's so-called “remedial action”.

The other aspect you referred to is that you would try to work with the public service to avoid situations. I assume that would be a prevention approach. I'm curious about that. As you know, the public service is defined in the legislation not just as we know it, but as including crown corporations and agencies. I think the only exclusions are, basically, the military, SIRC, CSIS, etc. I'm not sure whether part of the responsibility of the public service, as defined in the legislation, is to work on programs to prevent situations.

I wonder if you could comment on those two—the remedial action and the work with the public service.

Mrs. Christiane Ouimet: Certainly, Madam Chair.

I would perhaps start with the letter. First, it was a misnomer. I should have referred to the public sector as opposed to the public service. Throughout my experience, when I was dealing with crown corporations, I obtained a very good understanding of their role and the importance as well of delivering either policy or programs.

I think that the education, prevention, and training—I believe this was discussed as well in committee, if I'm not mistaken, as to who should have the role. Certainly now the newly named Canada Public Service Agency presently has a role, along with Treasury Board, with respect to education and training, and this is very important to maintain as the employer.

But like any tribunal—I mean, the Supreme Court of Canada has been reaching out through its chief justice—not that I compare myself to the Supreme Court, but general courts and general tribunals want to make known what the mandate is, what is the transparency, what is the openness, and as well, to try to reach out to a very diverse group of people who deliver services to Canadians, to try to improve the way they do so and try to come to terms with issues that may happen in the workplace.

So this is in the most general terms of making known the role and mandate of this new institution and, as well, not to work in isolation. That would be my first comment, Madam Chair.

The second one has to do with alternative dispute resolution. So it is in that context that I would have referred to a supervisor taking remedial action. In the context of a process, a mediated approach, you always look for recognition that either a wrong has been committed or a mistake has been made, and often I have found that lack of communication was definitely key, either on the part of the complainant or on the part of the respondent. Often we come to a resolution of those issues in a variety of situations that could arise.

I think I'll leave it at that.

• (1150)

Mr. Paul Szabo: I'm curious. You mentioned a wrong or a mistake. I think we're agreed that human resources disputes are not part of your purview. There is already a broad mechanism throughout the public service to deal with HR, and one of your big jobs is going to be to set those criteria very clearly and make sure your department doesn't start taking on a duplicative role.

Wrongs or mistakes—I'm not sure that covers wrongdoing as defined in the legislation. There's quite a list, but wrongdoing includes breaking a law of Canada. It's not a small matter—an allegation of breaking a law. The second aspect, to my recollection, is where it has to do with putting at risk the health or safety of persons. And the last one, which is very important, is that should someone be discovered to have blown the whistle, an alleged reprisal would be taken. This gets, I'm sure, very complicated.

So trying to deal with wrongs or mistakes doesn't seem to fall into the definition of wrongdoing. Would you agree?

Mrs. Christiane Ouimet: Madam Chair, the member is absolutely correct. This is the example that I gave for alternative dispute resolution, where it would not fit squarely within a contravention of the act, of the regulation, of the code, or a serious breach, abuse of funds, gross mismanagement, and also when there's a specific threat to the health, safety, and security of individuals and the environment, as I recall the legislation—and of course, anybody who encourages those specific breaches.

So the legislation is very specific as to what falls under the definition of wrongdoing, but often the complainant does not know, when he or she comes forward, whether his or her complaint falls within that definition. This is where I think there would be also another benefit to the function, as we lead the individuals to alternative dispute resolution. Maybe there's no wrongdoing, but there has been a mistake or there has been a wrong that could be corrected, nonetheless, even though through the alternative dispute resolution by mutual agreement.

Mr. Paul Szabo: And that would be determined pursuant to an investigation of the facts, because we're all talking about allegations.

Mrs. Christiane Ouimet: Correct.

Mr. Paul Szabo: There is just one last area, and I think it's important.

I recall over so many years dealing with this issue of anonymity. Anonymity is an extremely important aspect, and I think we've taken all possible steps. I remember that we recognized that in small agencies or departments, if a matter should come out, chances are it was readily apparent who would have been the whistle-blower, and that there are some reasonable and possible protections for that person, even to transfer out.

The other aspect that was an extremely sensitive matter was the issue of the confidence level of those in the public service, as defined in the legislation, that the process would work, that it would be fair, and that there would be integrity of the office. And in fact the cynicism with regard to the public service renewal process followed through with the whistle-blower. There was a tremendous amount of cynicism.

I raise that as a preamble because I note in your resumé that you are basically, and have been since the early nineties, management. The people and the cases that have come forward have not come from management, they have come from people below the positions you have held.

Do you see the positions from which you are coming being an issue in regard to whether or not the public service, as defined, will have the confidence in you, as the new commissioner, to be able to discharge the responsibilities in a fair and effective fashion?

• (1155)

Mrs. Christiane Ouimet: Thank you, Madam Chair.

In fact, I would refer back to, first, my oath of office with respect to being a lawyer; and secondly, that very early in my career I had the opportunity to operate in a quasi-judicial environment. I think I've established credibility as a neutral entity, because not only must justice be done but it must appear to be done.

I've also acted, as I referred to, in a lot of situations of alternative dispute resolution, and I gave a few examples. I think that, first, it would be recognized by virtue of the function of the agent of Parliament, which is an extension of Parliament, that the incumbent has to be guided by the framework of the legislation, and this is the ultimate guide.

In the end, I truly believe that the vast community of both the public sector per se and public service want to see this legislation go forward and want to raise the credibility of and confidence in the delivery of services to Canada, and this brings further transparency and openness.

I would like, as well, to leave this clear message to the committee, should they support my candidacy: I would absolutely deliver the functions of that role in a very diligent and impartial and neutral way. I think you would not expect any less.

Mr. Paul Szabo: Thank you.

Finally, Madam Chair, having been on the government operations committee at the time the former Privacy Commissioner, Mr. Radwanski, was in office, there was some history that ultimately came back to haunt that person and led to his resignation. In fact, he was found in contempt of Parliament for other reasons, and he's still undergoing some legal difficulties. So I think it's probably an important question to have your statement on the record.

You have been an employee in the service of the Government of Canada for a number of years and involved in a number of departments and a number of responsibilities. You obviously are known and have a reputation. Can you give the committee assurances that there are no matters of which you are aware that would impact on your suitability to be appointed to this position should those become public?

Mrs. Christiane Ouimet: I'm not aware of any issues or matters that would be brought forward with respect to the way I've discharged my duties as a public servant.

The Chair: Thank you.

When I was listening to Mr. Dewar I was surprised, because I understood that the personnel of the RCMP and the RCMP per se followed the same path as other public sector groups—unless that's been changed. The intention of the original law was that a person would not have to go through the internal process before reporting to the commissioner. I don't think that has changed, but maybe I'm wrong. I didn't sit on the committee that reviewed the legislation; I was on the original one for Bill C-11.

Monsieur Poilievre.

● (1200)

[Translation]

Mr. Pierre Poilievre: Our chair is right with respect to whistleblowers. When someone blows the whistle, the procedure is the same with the RCMP as with the public service. There is a difference when a tribunal is involved. The RCMP must follow an internal procedure before turning to a tribunal. This was changed, because the initial legislation, introduced by the former government, made no reference to a tribunal.

I remember that you worked on this. I think Mr. Dewar made some interesting suggestions. If you make some recommendations later on, I hope you will look at the RCMP's situation very carefully before suggesting how we should change things, if necessary, to increase accountability within the RCMP. I think that may become necessary. I will leave that suggestion with you.

I would now like to talk about the tribunal. How can we avoid unacceptably long delays on the part of the tribunal when people want to use this instrument to protect themselves? How can we avoid a situation in which public servants have to wait years and years before they get this protection?

Mrs. Christiane Ouimet: Thank you, Madam Chair.

I think it goes without saying, and I referred to this in my remarks, that in order to be effective, an administrative tribunal must work quickly and efficiently. It is up to the Commissioner's Office to ensure that the initial part of the procedure is carried out as quickly as possible—namely, obtaining the evidence and the facts that can lead to the establishment of a tribunal.

Once it is developed, the tribunal operates independently. However, it will depend on a number of factors such as the complexity of the issues, the cooperation of the witnesses and the number of witnesses as well. In order for a system of this type to work, we must act quickly and efficiently.

[English]

Mr. Pierre Poilievre: That's true. We proposed a tribunal because we wanted something that was independent; that had order power, not the power to recommend; that had the power to fire and penalize bullies who issued reprisals against whistle-blowers, but also the power to restore those whistle-blowers. We believed it was necessary to have something with order power. But at the same time, we didn't want to just leave it to the courts, because when whistle-blowers are fighting with government in courts, the resource imbalance is enormous.

We see this with cases right now, where whistle-blowers are trying to fight the justice department and the imbalance is extraordinary. In

some cases, if the union doesn't support them, the whistle-blower has to pay out of his own pocket. It can cost hundreds of thousands of dollars to fight with a justice department that is full of lawyers who are happy to work as many hours as they're given.

The tribunal is meant to redress that imbalance. I want to make sure that at the end of the day the whistle-blower doesn't get beaten down through attrition by government bureaucrats who are resisting a final outcome. So I think it will be important for you to look to that and work to see that the whistle-blower has a fair hearing in front of these tribunals and isn't overpowered by the infinite resources of the state.

What do you think?

● (1205)

Mrs. Christiane Ouimet: Duly noted. I think those are valid comments, Madam Chair.

Mr. Pierre Poilievre: I thank you for that.

I'll just conclude by saying that in these offices like the one you're taking—and this one is particularly important—in the Radwanski case, in the case now with the Lieutenant-Governor of Quebec, and others, we've seen that the public trust seems to have been broken by the conduct of people who fill these offices. Your office will come under immense scrutiny because of the standard it sets and the name it carries. You are the person who will personify integrity in public service. Above all, that is your job: you are it. You are meant to be the personification of ethics and integrity in government. We trust that you will honour that title and live up to its expectations.

Thank you very much for being with us today.

[Translation]

The Chair: Mr. Simard.

[English]

Hon. Raymond Simard: Thanks, Madam Chair.

I have one final question, and I probably know the answer, but I'd like to verify it anyway.

There are organizations out there who get 100% or 80%, or a large majority, of their funding from the federal government. If someone sees wrongdoing in these organizations, your powers don't extend to them, do they? Are they outside your purview?

Mrs. Christiane Ouimet: Exactly, that's not my understanding. There's annex A, which lists all of the organizations. If an organization is not in the public sector per se, my understanding is that we don't extend into the private sector, even though the organization might be the recipient of a grant.

Mr. Paul Szabo: My recollection is that they do. In trade relations, absolutely.

Mr. Pierre Poilievre: I think it's the contrary.

Perhaps your office could look into it and write us on that.

Ms. Christiane Ouimet: Certainly.

Hon. Raymond Simard: Yes, I'd like clarification on that, please.

The Chair: Monsieur Nadeau.

Mrs. Christiane Ouimet: Just to make sure, could you rephrase the question?

Hon. Raymond Simard: Yes, there are organizations outside of government who are sometimes fully funded by the government or receive a large majority of their funds from the federal government. I'd like to know, if somebody within those organizations sees any wrongdoing, can they report to your office, basically? Do your responsibilities extend to those organizations?

Mrs. Christiane Ouimet: They do not fall within the definition of the public sector—

Hon. Raymond Simard: Exactly.

Ms. Christiane Ouimet: —but they are the recipient of a grant or a contribution.

Hon. Raymond Simard: Of federal funds, yes.

Mr. Pierre Poilievre: Or they are contractors.

Mrs. Christiane Ouimet: Okay, but that's—

The Chair: Perhaps I can add something. My understanding is that under Bill C-2, the Auditor General's powers were expanded so that she would be able to go in there and follow the money.

Hon. Raymond Simard: So whose responsibility is it?

The Chair: In that case it would be the Auditor General's.

Mr. Pierre Poilievre: No, no, the Auditor General follows the money if she's conducting an audit. But for public disclosures, I actually think it is covered under the whistle-blower protection component.

The Chair: I thought so too, but we'll get an answer from you, to clarify the facts. I know it was discussed at length when we had it, and I'm sure it was discussed at length afterwards.

[*Translation*]

I apologize, Mr. Nadeau. I will give you your time now.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Madam Chair.

Good afternoon, Ms. Ouimet.

In your capacity as Integrity Commissioner, will you be responding to complaints or suggestions from people, as well as from departments, government organizations and Crown corporations? Let us take the example of the Department of Finance, CIDA and Canada Post. Will you be involved with all these groups?

Mrs. Christiane Ouimet: Yes, as I understand it.

Mr. Richard Nadeau: So no Crown corporation or other government body has been left out.

Mrs. Christiane Ouimet: There is one exception—the Canadian Security Intelligence Service and National Defence. That is my recollection.

Mr. Richard Nadeau: So everything related to high levels of security. But you are there for all the others.

Mrs. Christiane Ouimet: That is my understanding.

Mr. Richard Nadeau: I was pleased to hear my friend Ms. Poilievre speaking indirectly about the \$1,500. I'm going to throw the ball back into his court, so to speak. The situation is somewhat the same as that regarding the Court Challenges Program.

When the time comes to provide financial assistance to allow a public servant or a government employee who blows the whistle to follow through with legal proceedings, it becomes a struggle between David and Goliath.

In any case, does your position provide protection for all Canadians? For example, if an individual wants to report something, but does not think that it falls within the usual context, are you able to do an investigation?

● (1210)

Mrs. Christiane Ouimet: I am going to be cautious here, because it is easy to misinterpret things. I do not think the office has jurisdiction over the private sector. A little earlier, one of the members made a distinction. It would all depend on the source of the disclosure. If it concerns contributions, I have some authority to determine whether any wrongdoing occurred. However, in the case of the private sector, as you described it, I would not have this authority.

Mr. Richard Nadeau: But it would be possible if it were a citizen and the case involved government funds.

Mrs. Christiane Ouimet: There would have to be some link between the situation and the public sector for the office to have jurisdiction.

Mr. Richard Nadeau: The example I was thinking of was in the context of the public sector. I'm not talking about a private company. If government funds are mismanaged or someone has taken inappropriate action, a complaint could be made by an ordinary citizen.

Mrs. Christiane Ouimet: Serious mismanagement, as described in the act, could fall within the purview of the legislation and could be reviewed by the commissioner.

Mr. Richard Nadeau: I have two other questions.

I had to give some answers to officials from Public Works and Government Services Canada. The issue involved a pay matter. I had suggested a meeting with Minister Fortier on this. One individual agreed to be present, but two others refused, because they were afraid they could lose their job if they went to see the minister. However, the issue was of concern to them, because they were not getting their pay regularly.

There is fear within the public service. I do not know how widespread it is, but what are you going to do to ensure that public servants, wherever they may work, know that they can meet with you without feeling the sword of Damocles is hanging over their head?

Perhaps you cannot answer the question immediately, but do you have some thoughts on this in terms of marketing your position as Public Sector Integrity Commissioner?

Ms. Christiane Ouimet: While I cannot comment on this specific case, a case with which I am not familiar, I can say that the act provides a number of tools, such as protected disclosure.

Secondly, comprehensive information documents explaining the mandate of my office were distributed by Treasury Board and the Public Service Agency. As I said a little earlier, part of the mandate of the office of the commissioner is to ensure that the right information is made available so that people feel comfortable coming forward.

Mr. Richard Nadeau: I am sorry to interrupt you, but my time is limited.

Have you spoken with representatives from the Public Service Alliance of Canada or from other public service unions?

Mrs. Christiane Ouimet: I have worked closely with the unions, particularly in my three previous positions. Indeed, I facilitated meetings with the unions. I was the principal contact person and I had excellent working relations with them.

Mr. Richard Nadeau: What do you believe will be your principal challenge when you take up your new duties?

Ms. Christiane Ouimet: Defining the office's mandate. I will strive to keep in mind the questions that have been raised, as I want to ensure that I carry out the work with which Parliament and the committee have entrusted me with integrity, diligence and thoroughness.

•(1215)

The Chair: Thank you, Mr. Nadeau.

Over to you, Mr. Kramp.

[English]

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Thank you. I'm just going to take a short time here. It's honestly quite refreshing to have such a capable invitee here at our committee. I have a couple of quick questions.

How do you plan to deal with anonymous complaints?

Mrs. Christiane Ouimet: In fact, the act is quite clear with respect to anonymous complaints. I think the employee will have protected disclosure; however, he or she must put in writing the basis of the wrongdoing. It doesn't lend much credibility to a complaint if the individual cannot come forward and stand behind the allegations. And that's also part of natural justice. The individual is protected to the extent that it does not impede the actual process and resolution of the issues.

Mr. Daryl Kramp: Thank you.

I'm deeply concerned, because legitimate complaints are just that—legitimate. But a lot of times rumour, innuendo, and suspicion themselves can ruin careers, let alone impact legislation and/or even politics. We've all seen that ugly head of it. That's why I want to somehow be assured that your department would thoroughly examine a complaint before you take any precipitous action that could be harmful to the complainant or the appellants.

Mrs. Christiane Ouimet: Madam Chair, this is a very valid point. Frivolous and vexatious proceedings should not be pursued.

Mr. Daryl Kramp: I have just one other brief question, then. It's not even a question as much as it's almost a pie-in-the-sky type of approach.

You obviously will have legal parameters and responsibilities. But during your term of employment as commissioner, you're going to have quite an opportunity, as well, to have a dramatic impact on the system and its actual operation. I'm trying to advance your thoughts years down the road. You're going to leave that job afterwards, and you're going to leave a legacy. What would your thoughts be as far as any goals are concerned at this particular point? In your legacy, what would you like your accomplishments to be, and/or would you have established a sense of direction?

In essence, in the short term, what would your personal stamp be on this position?

Mrs. Christiane Ouimet: Thank you very much, Madam Chair, for the question.

In fact, I do consider it a real privilege and a real honour to be in that position. In the end, I'll be guided by the legislation, but I would like to be remembered, just as I have been for the last 25 years, as an individual who is credible and, in the simplest terms, is doing the right thing for the protection of Canadians and the public interest and is being fair in doing so.

Mr. Daryl Kramp: Thank you very much.

I have no further questions.

The Chair: Thank you.

I'm going to go to Mr. Poilievre for a very short one and to Madame Bourgeois for a very short one after that.

Mr. Pierre Poilievre: There is a Supreme Court ruling from the seventies. It's the Fraser case. And I hope you have a chance to read it, because it delineates some very clear distinctions between whistle-blowing and public policy advocacy.

The Fraser case involved a public servant who did not agree with the direction of the Trudeau government and did everything he could to undermine its policy direction. And while many of us might have some sympathy for his ultimate goals—actually, I'm not sure what his ultimate goals were—they were policy objectives, and he was working against the interests of a democratically elected government.

I think he faced dismissal. He fought the case all the way up to the Supreme Court, arguing that he had the right to do what he was doing as a whistle-blower. The Supreme Court ruled that he was not in fact a whistle-blower but that he was trying to frustrate the will of a democratically elected government.

We've seen a case recently in which that occurred.

I think that ruling is very applicable. I'm sure you haven't had a chance to look at it yet, but I encourage you to. I want to know the distinctions you see between public servants who might wish to carry out some policy objectives by using the powers vested in them as public servants and those who are honestly pointing out wrongdoing as defined by the act.

•(1220)

Mrs. Christiane Ouimet: Thank you, Madam Chair.

I recall reading the decision way back when, because it was a landmark decision. I don't have all the details. But I think, in the end, I would revert to the actual legislation and the process and follow religiously what the legislators has entrusted the office to do.

[*Translation*]

The Chair: Ms. Bourgeois.

Ms. Diane Bourgeois: Thank you, Madam Chair.

Ms. Ouimet, we have highlighted numerous problems that will be requiring your attention, starting with the 60 days worth of protection provided by the act—which is far too little—and the \$1,500 provided for legal fees, which is also far too little, given that, as you are probably aware, today's lawyers charge \$150, \$200 or even \$300 an hour just to hear a case.

I would like to come back to what Mr. Poilievre was saying earlier. In 99% of cases, whistle blowers are not acting out of malice—they are not abusing the system or making frivolous complaints. When employees make complaints, it is because they are genuinely concerned about potential conflict with the code of ethics to which they are bound as public service employees. Starting from the premise that there will be huge numbers of frivolous cases is, to my mind, starting out on the wrong foot. In spite of all the problems that employees can face, there does not seem to have been much whistle blowing thus far. This is because complaints are often handled by people who do not understand what these employees are going through. Employees think twice before making a complaint. The officer who handles the complaint should be very understanding, should listen to all that the person has to say, and should be independent of the Treasury Board and the public service, because Treasury Board and the public service are the enemies of whistle blowers. Whistle blowers are putting their jobs on the line. We therefore need an ethics commissioner who is willing to go see them in their place of work and who is able to inspire trust. Yes, there may well be many legitimate complaints, but I do not think that there will be many career-damaging complaints because public service employees think these matters through first.

That is what I wanted to say, Madam Chair.

The Chair: Thank you, Ms. Bourgeois.

Mr. Moore

[*English*]

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Thank you.

I move that the nomination of Christiane Ouimet as Public Sector Integrity Commissioner be concurred in and that the chair report it immediately to the House.

[*Translation*]

I move that the nomination of Christiane Ouimet as Public Sector Integrity Commissioner be concurred in and that the chair report to the House of Commons immediately.

(Motion agreed to unanimously.)

The Chair: Thank you. I will report to the House immediately, as soon as I can get there. I will ask for the unanimous consent of the House to get it done, because time is marching on.

Ms. Diane Bourgeois: Could I please ask you a question, Madam Chair? There is something that is bothering me, and it has nothing to do with Ms. Ouimet's competence. After all, I did vote in favour of the motion. I am not questioning her competence. Nonetheless, I think that it is a little too early to confirm the appointment of somebody who will be assuming such an important role. Allow me to explain myself. I think that we ought to give Ms. Ouimet the opportunity to prove herself. Although she answered our questions, she did so as somebody who has not yet held the position. She has only seen the act, that is all. I would have liked her to have spoken more extensively about her plans and priorities. I feel this needs to be raised. Do you understand? Employees will be affected. We have got the process back to front.

The Chair: Allow me to answer, Ms. Bourgeois. She cannot start making plans as she does not have the job yet.

● (1225)

Ms. Diane Bourgeois: That is why I am saying that—

The Chair: She has to be appointed before she can start her job.

Ms. Diane Bourgeois: I have no problem with that, but will we come back to... We cannot let five or seven years go by without finding out what her priorities are.

The Chair: No, but remember that we can ask her to come back before the committee in September to explain what she has done since taking office. That is a decision the committee is free to make. We have been discussing this position for years, Ms. Bourgeois; some of us have been talking about it for a long time and are anxious to see somebody appointed so that the work can begin.

Ms. Diane Bourgeois: That is fine, but I do not want her to be given a blank cheque. That is what I want to avoid, and so I hope that Ms. Ouimet will send us her plans and priorities in the very near future.

The Chair: Ms. Bourgeois, if you had seen the act, I do not think that you would call it a blank—

Mr. James Moore: We finished debating C-2 six months ago.

The Chair: Ladies and gentlemen, I want to say—

Ms. Diane Bourgeois: It has nothing to do with that. I just wanted to explain how I feel, as a member of this committee, accountable to both employees and the public.

The Chair: Ms. Bourgeois, this is pointless.

I just wanted to say that if we have a meeting on Tuesday, we will discuss our study, and possible report, on the public service—we will give instructions to our researchers—as well as any future business.

Meeting adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.