



House of Commons
CANADA

Standing Committee on Public Accounts

PACP • NUMBER 028 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Tuesday, November 21, 2006

—
Chair

The Honourable Shawn Murphy

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

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

Standing Committee on Public Accounts

Tuesday, November 21, 2006

• (1550)

[English]

The Chair (Hon. Shawn Murphy (Charlottetown, Lib.)): Colleagues, we're in public and we're going to consider a motion that's been presented to the committee. It deals with an issue that arose in the previous committee, in the previous Parliament.

The committee by motion asked the law clerk to look into alleged discrepancies in the testimony given by certain witnesses who appeared before this committee on the sponsorship issue, alleged discrepancies with what the same witnesses gave when they testified before the Gomery commission.

There has been some work done, but the law clerk wanted us to tighten up the motion. He wants to have a very specific motion, which has been circulated to all members. The issue has been looked at—

[Translation]

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Chairman, you will have to start over; we missed a bit.

[English]

The Chair: I'll start over again.

This, colleagues, is a motion that the committee has been asked to consider. It involves an issue that arose in the previous Parliament, in the previous public accounts committee. It involves testimony given by witnesses who appeared before this committee on the sponsorship issue and alleged inconsistencies between that testimony and testimony the same witnesses gave subsequently at the Gomery hearings. We made a motion that the matter should be looked at by the law clerk and that the law clerk come back to this committee.

The law clerk has done work and is prepared to come back to the committee, but he wants the motion tightened up and he wants it to come from this committee. I consider it a formality. I will read the motions. There are two.

Motion one is that the evidence and documentation presented to the Standing Committee on Public Accounts during the hearings on the November 2003 report of the Auditor General, as well as the testimony of Charles Guité on November 9, 2002, meeting number 64 in the first session of the 37th Parliament, be deemed received by this committee in this session.

Motion two is that the committee request the Library of Parliament to draft a comparative report on discrepancies in the testimony of those individuals who appeared before both the committee's hearings on the November 2003 report of the Auditor

General, as well as the testimony of Charles Guité on July 9, 2009, meeting number 64 in the first session of the 37th Parliament, and before the Gomery commission; and that the law clerk and parliamentary counsel of the House of Commons do provide the committee with guidance on legal issues related to the evidence contained in this comparative report.

That, colleagues, is the motion we're being asked to consider here today. Is there any discussion?

Mr. Proulx.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Just on a point of order, you read into the record, on the first motion, “November 9, 2002” where it should be July 9, 2002.

The Chair: It's July 9, 2002.

Mr. Marcel Proulx: And in motion number two, you read “July 9, 2009”. I assume it should be 2002.

The Chair: It's July 9, 2002. I should have my glasses on; my apologies for that.

Mr. John Williams (Edmonton—St. Albert, CPC): Mr. Chairman, I think that rather than the entire November 2003 report, it was actually chapters 3, 4, and 5 that were the chapters we dealt with. We didn't deal with the entire report in comparison with Gomery. It was strictly chapters 3, 4, and 5 of the November 2003 report.

Again that would apply to motion number two.

The Chair: That's just a clarification, yes.

Mr. Fitzpatrick.

Mr. Brian Fitzpatrick (Prince Albert, CPC): Chapter 5 is the one I'm concerned about here now, where we want to make things right.

It was my understanding that the Gomery commission was not given any jurisdiction over chapter 5. As people may recall, that was the Earncliffe involvement with things and so on. We had to have our own special study on chapter 5, because nobody was really doing a study on chapter 5; it was conveniently left off the table.

If Gomery had no jurisdiction over chapter 5, why would we be doing a comparison with something that he wouldn't have delved into?

The Chair: If the witness didn't testify before this committee, we will not be doing any comparison.

Mr. Williams.

Mr. John Williams: Mr. Chairman, you may want the clerk to check, but I'm quite sure that at every meeting at which we were dealing with the sponsorship issue, the orders of the day were chapters 3, 4, and 5 of the November 2003 report of the Auditor General. So I don't think we can take chapter 5 out of it, because there may have been some reference to chapter 5 during the investigation even though the focus was on the other chapters. Because the orders of the day were chapters 3, 4, and 5, I think it has to stay that way.

• (1555)

The Chair: And I agree. Of course, it's irrelevant anyway. If they didn't testify, we're not going to compare.

Are there any other comments?

Brian, is there anything you should add to this? I've tried to explain it the best I can.

Mr. Brian O'Neal (Committee Researcher): I don't believe so. I do think it's important, though, to point out that—I wouldn't call it an analysis—the comparison that has been done was done by the Library of Parliament. The completed document has just been submitted to the law clerks, as this motion indicates, so that they could provide some advice to the committee and guidance to the committee about this document.

The Chair: Mr. Williams.

Mr. John Williams: Mr. Chairman, I just think I should inform the committee regarding the July 9, 2002, meeting with Charles Guité that the meeting was held in camera. It was held in camera on the understanding that the testimony would not be made public until such time as all charges and subsequent appeals, and so on, had been dealt with, if charges were laid. And in the event that no charges were laid, I think it was to be held in camera for either two or three years. I think it was three years.

There was a meeting of the public accounts committee when Mr. Guité was appearing in 2004, I guess it would have been. Do you remember, Mr. O'Neal? It was 2004. He waived that right for the testimony to be retained for three years. Therefore, based on that, the testimony was made public.

There was also another in camera meeting at that time. It was held with a Mr. Tremblay. Mr. Tremblay passed away; therefore, on the second or third anniversary of the date, as the chair at that time, I caused the information to be made public. But he, of course, never appeared before the Gomery commission. Therefore, there was no comparison to be made on the testimony by Mr. Tremblay.

The Chair: Yes, and of course the law clerk, Mr. Walsh, will be aware of that too.

Are there any other comments? If not, we will accept the motion to approve the amended motions. We'll do them as a composite motion, one and two.

Do you want to do them separately? Okay, on motion one as amended, do we have a mover? Mr. Christopherson.

(Motion as amended agreed to) [See *Minutes of Proceedings*]

The Chair: On motion two as amended by the insertion of the words "chapters 3, 4, and 5", do we have a mover? Mr. Williams.

(Motion as amended agreed to) [See *Minutes of Proceedings*]

The Chair: I want to thank the committee for that.

We're going to now suspend for one minute to go back in camera.

[*Proceedings continue in camera*]

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.