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# Standing Committee on Procedure and House Affairs

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EVIDENCE

**Tuesday, May 9, 2006**

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**Chair**

**Mr. Gary Goodyear**

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## Standing Committee on Procedure and House Affairs

Tuesday, May 9, 2006

•(1105)

[English]

**The Chair (Mr. Gary Goodyear (Cambridge, CPC)):** Ladies and gentlemen, we will begin today's meeting, May 9, of the Standing Committee on Procedures and House Affairs.

Welcome, all members. I appreciate that you came out this morning. Before we begin, I would like to remind members that at the conclusion of the initial part of the meeting, I would like members to stick around for just a few moments so that we can discuss a little about future business.

Without further ado, Dr. Shapiro, thank you very much for coming out. It's indeed an honour to have you before the committee this morning. I would offer you a few minutes to introduce yourself, as well as your officials, to some of the newer members. Thank you.

[Translation]

**Mr. Bernard Shapiro (Ethics Commissioner, Office of the Ethics Commissioner):** Mr. Chairman, members of the committee, first I wish to thank you for having invited me to meet with the committee so early in the new Parliament. As well, I wish to congratulate you, Mr. Goodyear, on your election to the chair of this committee. I also wish to congratulate Mr. Guimond and Mr. Proulx who were elected vice-chairs. I wish the committee all the best in its proceedings and business. My office and I look forward to working with you.

[English]

I do have very brief opening remarks with respect to various issues related to the conflict of interest code for members of the House of Commons, which I hereafter call the members' code.

Before I proceed, I wish to introduce, as you suggested, the Deputy Ethics Commissioner, Robert Benson, who is with me today; and also Micheline Rondeau-Parent, who is the director of communications and parliamentary liaison for the office.

In early April I sent the committee a relatively comprehensive briefing book outlining some of the issues on which we will need to work together. Some are outstanding from the last Parliament. Others are new. The three main issues that I wish to outline for the purposes of my introductory remarks are, first of all, the members' disclosure statement and compliance status; secondly, a number of administrative issues; and finally, some issues relative to inquiries.

Let me begin with the first issue, which is members' disclosure statements and compliance. The outstanding matter I'd like to bring to your attention is the new interim disclosure statement for members

and their family members. It was developed in the last Parliament with the previously established subcommittee of this committee on the disclosure statement. Although the form itself has been used by the new members of the 39th Parliament, it was not, due to dissolution, officially approved by this standing committee. As I indicated in my letter last month, pursuant to section 30 of the members' code, a concurrence by the committee—and the House, if you wish—would be appreciated.

I wish to take this opportunity as well to provide the committee with the status of the members' compliance with the disclosure requirements in the current Parliament. I am pleased to confirm that all 68 new members submitted their disclosure statements within the 60-day period provided by the conflict of interest code for members of the House of Commons. I would like to thank the members for their cooperation in this regard.

With respect to returning members, they have all received their updated profile from my office, and there are presently just eleven members who have not yet responded. We are continuing to work the respective whips in relation to these members. We wish to acknowledge the excellent cooperation the whips have extended to our office in dealing with this issue.

Furthermore, we have received close to twenty disclosure summaries, which will be in the public registry of the 39th Parliament and thereby complete the compliance of these members very soon. Once again, I thank these members for their diligence in that regard.

Finally, in relation to compliance, I remind the committee as well that, at the request of the 38th Parliament subcommittee, we provided a proposed form to indicate the compliance status of all members, a form that was to be made available at the public registry in my office. To date, we have not received any feedback on this proposal, but within its consideration of various administrative rules in support of the code, the committee may wish to consider my office's proposal.

Let me now turn to a second issue, which relates in fact to rules of administration in support of the members' code. With my April letter I also forwarded to this committee some proposed rules in support of the administration of the members' code. These were provided to the 38th Parliament's procedure committee and were submitted pursuant to section 30 of the members' code. They relate to several different sections of the code, namely the disclosure statement, the reimbursement of costs associated with trusts, the inquiry process, the public registry and sponsored travel, among others.

As well, I tabled my second report on sponsored travel, as per section 15 of the members' code, which has been referred, as I understand it, to this committee. In it, two questions were brought to the attention of the committee, namely the interpretation of what we mean by "not wholly paid" and the status of travel sponsored by a private organization but paid for by the consolidated revenue fund—for example, the parliamentary centre—of one kind or another. You may wish to address these issues within your review of the administrative rules pursuant to section 30 of the code, and I would be pleased, of course, to work with you in this regard.

There are probably many other issues that could be raised, but the third issue I want to raise as an introduction to this morning's meeting has to do with the inquiries process, which is sections 27 to 29 of the code.

Following an undertaking with the previous Parliament's procedure committee, I provided you with a detailed draft of a set of procedural guidelines and a summary process chart in support of the conduct of inquiries pursuant to section 27 of the members' code. This is very much a working draft in progress for discussion and consideration of this committee. As it is a substantive and, I think, substantial document, I would be pleased to work with the full committee or any designated subcommittee, as I proposed in my April letter, in order to proceed with a detailed review.

• (1110)

In conclusion, my office and I very much welcome the opportunity to work with you in the next few months.

Along with the deputy commissioner, I will now be pleased to answer your questions.

Thank you.

**The Chair:** Thank you very much, Dr. Shapiro.

Mr. Benson, would you like a few minutes?

**Mr. Robert Benson (Deputy Ethics Commissioner, Office of the Ethics Commissioner):** No, I'm fine.

**The Chair:** Okay.

Members, as you know, we do a first round. Seven minutes seems to be a little tight, but I think we'll stick to seven minutes on the first round so we'll possibly have an opportunity for a third round.

I just want to caution everybody to keep your questions short so you'll get the answer you're looking for.

If I may, I'll offer the table to the opposition side.

Monsieur Proulx, please.

[*Translation*]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Thank you, Mr. Chairman.

Good day, Mr. Shapiro. Thank you for accepting our invitation. Thank you as well to Mr. Benson.

Mr. Shapiro, an article in this morning's newspaper talked about how some members and government officials accept so-called hockey freebies. These invitations are extended to members or ministers by lobbyists or companies that do business with the

government. A reference was made to certain members who accepted invitations to watch the game from a box. As everyone knows, box seats are relatively pricey. I wish the Senators had won their games. At least Members of Parliament would have been there to cheer them on. Unfortunately, that was not to be.

What is your policy regarding such matters? I don't wish to mention any names, but the article refers to a certain MP who sought direction from your office before accepting this invitation. What is your position on requests of this nature from MPs, ministers or government officials? Does it come down to a question of judgment or do you simply wish to be informed or to have the facts on record so that if, for instance, a reporter brought the story to the public's attention, you'd be protected because you could say that you had approved the request? Please explain your policy so that the public can understand the need to proceed with caution when situations like this arise.

[*English*]

**Mr. Bernard Shapiro:** The first thing I want to say in response is that the policy is different for members of the House and for public office holders. It's not the same policy. It's different in two regards.

To take the easier one first,

[*Translation*]

one that does not require a great deal of thinking,

[*English*]

there's the question of the members of the House. Here the requirement is that any gift worth \$500 or more be publicly declared. A hockey ticket or a series of them would be a gift and would need to be publicly declared if the accumulated value of the gift over a 12-month period was \$500 or more. In that case, it would simply need to be declared and we would put it on the public registry.

For public office holders, the requirements are a lot more stringent in two respects. First of all, the number is \$200 rather than \$500; and secondly, we ask additional questions. It isn't enough to just disclose the gift. We want to know, for example, whether the donor is doing business with the federal government—as you mentioned is a possibility—or whether there are contract negotiations going on between the sponsor of the gift and whoever is being asked to come. So we ask a more difficult set of questions, where it is a matter of judgment and not just a matter of whether the gift is \$200 or more over a 12-month period.

So that is the policy. Certainly, if a particular individual were to ask in advance we would be glad to give him our opinion on whether this was acceptable or not, depending on whether it was a public officer or a member of the House.

I hesitate to comment on the particular case you made. I also read the paper this morning, so I have that information. But it wouldn't be sufficient for me to make a comment now.

• (1115)

**Mr. Marcel Proulx:** Am I to understand that if an MP or an officer were to ask for authorization, or advise you, it would automatically be a yes?

**Mr. Bernard Shapiro:** It would not automatically be—

**Mr. Marcel Proulx:** What would bring you to refuse or to warn that there would be a danger of not following the code?

**Mr. Bernard Shapiro:** There are two issues. For the MP, it is to be a question of the value of the gift. You don't ask any further questions in the current policy; it's just the value of the gift. If it's high enough, it gets publicly declared. It's up to the public or whoever's interested in these things to decide whether that's appropriate or not.

For a public office holder the matter is different because there we will try to determine whether or not there is some contact or link between the donor and something that's in the area of responsibility of that particular public office holder, and therefore whether or not it would be seen to bias that person, in which case we would say that in our judgment it's not simply enough to declare it; it's not appropriate that they should accept the gift at all.

**The Chair:** Ms. Redman.

**Hon. Karen Redman (Kitchener Centre, Lib.):** Thank you.

Dr. Shapiro, if I could just follow up, what would happen if your advice is not followed by an individual cabinet minister?

**Mr. Bernard Shapiro:** That would be a matter for us to inform the Prime Minister that the public officer was not in compliance with the code. I have no sanctions to impose. It would be up to the Prime Minister to take whatever action he thought was appropriate.

**Hon. Karen Redman:** I'm looking on page 108. Is there not a prohibition in the code?

**Mr. Bernard Shapiro:** There is.

Let me give you an example of something that's not an ethical issue. There is a prohibition in the law against stealing. It doesn't keep people from stealing from time to time, and there are penalties involved if people are found guilty of doing that. I have no power to impose sanctions on anyone. All I can do is report the event—in this case it was a public office holder—to the Prime Minister, whose job it would be to decide what, if anything, to do.

**Hon. Karen Redman:** How would that then be made public—or would it?

**Mr. Bernard Shapiro:** I am not sure and I don't want to answer you incorrectly. It would not be made public in general.

**The Chair:** You still have 30 seconds if you want to get another one out. You're good? All right.

We'll go to Mr. Reid, please.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Thank you.

Thank you, Mr. Shapiro and Mr. Benson, for being here. It's always a pleasure to have you here in our little committee.

I wanted to ask a couple of things. Actually, I wanted to, if I could, just get the list from you, Professor Shapiro, of the items on which you're seeking to have the committee undertake its responsibilities under section 30 and make a recommendation to the House. Obviously there's a disclosure statement itself, a copy of which we have in a binder that was prepared for us. I'm not sure if it was prepared by the clerk or by you—okay, by you. So we have that

disclosure statement for members and their families. What other items are there that you're looking for?

**Mr. Bernard Shapiro:** This matter that I raised a few minutes ago was an issue that arose during the committee meetings last year, during the last legislature, of having in the public registry certain information about the status of the members' files as a whole, not by member, but how many members are in compliance. Are there any out of compliance? How many have submitted their disclosure statements? How many have not, etc.? You asked us to provide some sort of template of the kind of simple information that might be reported, although without any attributions to specific people. We provided that. You may or may not like it; you may change your mind entirely about whether you think it's a good idea. You just need to discuss that so we can deal with the agenda item that came up last year.

● (1120)

**Mr. Scott Reid:** If you'll forgive me, under which tab is that in the items sent to us?

**Mr. Bernard Shapiro:** It's under tab 2 and it's the very last page in that tab.

**Mr. Scott Reid:** Okay.

Was there anything else?

**Mr. Bernard Shapiro:** I did point out that the sponsor travel report has been referred to this committee; it's my understanding. And in that report, which came out in January last year, there are two relatively small but not trivial issues that need to be thought through, and that is the question of what we mean by "not wholly paid", which has come up a number of times in the sponsor travel thing, and also the question of how we treat travel that is, let's say, sponsored by an NGO but actually paid for from some government subsidy or other, so the actual end payer is really the federal government, but in an indirect way. Do we treat that as something that's paid for by the federal government, in which case it doesn't need to be included, or do we not? That's an open question.

**Mr. Scott Reid:** Okay, that's essentially what we'd use as our template. And I assume the recommendation is in the report that was tabled by you in January, which is at tab. 4. I assume that is what you're looking for us to—

**Mr. Bernard Shapiro:** Right. That's correct.

**Mr. Scott Reid:** All right. That's good.

I have three things. Is there any other thing, or only those three at this moment?

**Mr. Bernard Shapiro:** There is one very big thing, which came up at the end of my opening remarks, which is the inquiry process. There was some concern last year, I think quite legitimate and appropriate concern, that the process for inquiry was not adequately detailed and adequately outlined so people could understand what the process is when an inquiry gets launched. We've done a lot of work in this area—trying to get ready for the next meeting of this committee actually—and we've provided quite a detailed process for you that we would like to discuss and find out if it's acceptable or not, if it needs to be changed or whatever.

Meanwhile, I should say we are using that process for the inquiries that are currently ongoing.

**Mr. Scott Reid:** That is tab 5, of course.

**Mr. Bernard Shapiro:** That's correct.

**Mr. Scott Reid:** Okay. That is very recent. The date on here is April—

**Mr. Bernard Shapiro:** Yes, it is April.

**Mr. Scott Reid:** Turning to the disclosures that are made public, the actual part that's produced by you, you came to the committee and indicated that you would like to put these on the Internet. They are currently publicly available during normal office hours at your office. At this point.... I apologize, I should have checked this myself at your website before coming here, but are these currently available on the Internet, or are they not?

• (1125)

**Mr. Bernard Shapiro:** They are not. They are for the public office holders but not for the members of the House. This was a matter that came up last year, and we did canvass the members of the House to ask them whether they thought this would be an appropriate next step. They were not, in fact, interested in taking that next step, so we haven't done so.

I should say that you don't have to come to the office. Upon request, we will fax a page or two or more of the public registry to someone who requests it.

**Mr. Scott Reid:** There was a concern that was expressed to me. It may be based on a misapprehension but it was expressed to me by two separate members of Parliament, both of whom have children who are now of working age but still quite young. This may or may not be a correct fear. If it isn't, then I'd like you to let me know. Their fear is that they have to provide information regarding members of their family who are dependent upon them and live in the same residence, which obviously means their teenage children. This includes information on their place of employment. There was fear that this information would become publicly available, which clearly can't have any influence on conflict of interest but which could, in their minds, represent a bit of a threat to their children.

I'm not sure if that's actually a correct fear, or if it's something that actually can't happen, but I thought I would ask the question to find out whether it's a possibility or not.

**Mr. Bernard Shapiro:** The requirement is in the legislation that we do make available, without specifying numbers, for example, income over \$10,000. Any asset or liability over \$10,000 has to be included. It's referred to but its amount is not referred to. The same would be true for the member. If you have a mortgage, we don't refer to the amount of the mortgage. We only verify the fact that there is one.

**Mr. Scott Reid:** Actually, the real question is not so much whether it is disclosed to you. It is whether the place of employment would wind up being publicly available on the parts of the disclosure that are made public. I don't have any children, but let's say, for the sake of argument, I had a 17-year-old son or daughter who was working at a local convenience store, gas station or retail outlet, whatever the case may be, and earning a sufficient amount there to qualify. As things stand now, would that information become publicly available?

**Mr. Bernard Shapiro:** It would. Our understanding of the legislation is that we have to provide both the nature and the source of the income. Therefore, it turns up on the disclosure summary.

**Mr. Scott Reid:** I was looking through the summary. The regulations under subsection 25(1) of the code—

**The Chair:** Mr. Reid, you have about ten seconds.

**Mr. Scott Reid:** Okay.

Under subsection 25(2) of the code it mentions certain things that may be excluded from these disclosures. I'll simply read paragraph 25(3)(1), which says that the items that can be excluded include:

(1) any other asset, liability or source of income that the Ethics Commissioner determines should not be disclosed because (i) the information is not relevant to the purposes of the Code, or (ii) a departure from the general principle of public disclosure is justified in the circumstances.

At this point, I am encouraging you to consider that particular piece of information as qualifying under the second of those two descriptions I just gave to you. It would be a move in the right direction if you'd be willing to consider that.

**Mr. Bernard Shapiro:** I'm certainly willing to consider it, for sure, and I'll let you know.

Mr. Benson would like to make a comment as well.

**Mr. Robert Benson:** During the last Parliament the issue was raised before this committee that Dr. Shapiro was going to take the position that the information we obtained from spouses, common-law partners, or dependents would be used only for the purposes of advising the member. The initial intention was not to disclose it.

The committee members reviewed what had been done in the formulation of the member of Parliament code, and it was the intent, as expressed to us at that time, that they wanted disclosure of spouses, common-law partners, and dependants. As a consequence of that discussion from this committee, we disclosed fully on spouses and dependants.

**The Chair:** We're going to have to save it for the next round.

Thank you.

Monsieur Lemay.

[*Translation*]

**Mr. Marc Lemay (Abitibi—Témiscamingue):** Thank you, Mr. Chairman. Thank you, Mr. Shapiro and Mr. Benson, for agreeing to come here today and for answering our questions.

You've sent us a draft dated April 5, 2006 on the conduct of inquiries.

First of all, can you tell what guidelines the Ethics Commissioner applies to determine if there is a need for him to conduct an inquiry?

[*English*]

**Mr. Bernard Shapiro:** I can't really respond to that question in a detailed way because it depends on the context in which the information arises or the issue arises.

The reason I would decide to commence an inquiry would be because the information that came to me, one way or another, seemed to me to be convincing enough that an issue of public ethics was at stake and should therefore be investigated. It's a very vague response, but that is in fact what I do. I ask myself whether or not the information is sufficiently convincing and sufficiently substantive to make an inquiry worth while.

I try not to do this often because one of the difficulties that I find we work under is that the launching of an inquiry all by itself creates problems for the people about whom the inquiry is launched. Irrespective of the outcome or irrespective of any wrongdoing, clearly that's the case. It's the sheer mentioning of something.

To choose another context, it's as if one accused a kindergarten teacher of some sort of sexual harassment. Whether or not it's true, damage is created by the sheer mention of the possibility.

I try to do it quite infrequently, and I have done it quite infrequently simply because of that.

• (1130)

[*Translation*]

**Mr. Marc Lemay:** Judging from the number of journalists in the room today, it's clear that they monitor very closely the actions of the Ethics Commissioner.

Before you even announce your plans to conduct an inquiry, would it not be advisable, strictly from an information standpoint, to contact the MP or the minister concerned to let him or her know what you're intending to do? You might have some questions concerning the information you received. I don't know if I've explained myself clearly, but the lawyer in me feels that simply saying that you have received information and that you will conduct an inquiry could cause more harm than anything else.

In short, shouldn't you raise the matter first with the member or minister concerned?

**Mr. Bernard Shapiro:** Mr. Benson will answer that question.

[*English*]

**Mr. Robert Benson:** In the conduct of inquiries, again the code requires that this activity be conducted in private. If information is coming to our office, we're not making it public. If it's being made public by some other means, then that's not a matter under our control. But if information is flowing to our office in relation to the conduct of a member, then it has to satisfy the test, as Dr. Shapiro said, that it's a matter of whether he's sufficiently satisfied or whether on reasonable grounds he believes there is an alleged breach of the code having occurred.

As we've gone into the inquiry process that we've submitted to the committee here, we're not putting the members against whom potential allegations are being made or alleged in the position of having to defend themselves or prove their innocence. First of all, the standard has to be met that there's a threshold, that the information available crosses the threshold, and that there's an allegation that warrants being looked into.

**Mr. Bernard Shapiro:** I should add, relative to the response to your question, that the issue of who to speak to in advance of the decision being made is very difficult. It doesn't mean to say I

shouldn't try to do it better than I have done. I don't want to say that. But it's very difficult. Frequently what happens is that the relevant information will be more easily available from other people, from people not in fact named. And we hesitate, of course, to go to any outside person mentioned before we go to that person, for sure.

Nevertheless, the suggestion you make is, I think, an interesting one, and one that I'd want to think through more carefully before I gave a full response.

[*Translation*]

**Mr. Marc Lemay:** Do I still have some time remaining. Splendid.

For example, an MP or a minister shouldn't have to learn from the media that the Ethics Commissioner has been asked to conduct an inquiry into his activities. You're probably much better acquainted with members of the press than I am. Imagine one of them phoning your office to confirm that you have been asked to investigate Mr. Marc Lemay. As soon as you've answered the question, that's it. There's no stopping things until the story is confirmed.

**Mr. Bernard Shapiro:** All I can say in answer to a question of that nature is that I have no comment.

**Mr. Marc Lemay:** Fine.

On another subject...

Is my time up already? Good heavens!

[*English*]

**The Chair:** Sorry.

Ms. Crowder, please.

**Ms. Jean Crowder (Nanaimo—Cowichan):** Thank you, Mr. Chair.

Thank you, Dr. Shapiro and Mr. Benson, for coming before us today.

You talked about the issue of public ethics and investigations, and you talked about criteria being somewhat loose but sufficiently convincing. Mr. Lemay's question prompted me to wonder what would actually be sufficiently convincing. Could you talk about what sorts of elements you would consider?

• (1135)

**Mr. Bernard Shapiro:** One of the presuppositions I make about ethical behaviour is that it always involves a conflict of values, and therefore judgments are constantly required to be made. It cannot be reduced to a set of simple rules—i.e., if you do this, then that's fine. Ethics are simply not like that.

The criteria I use in the first instance are the principles upon which the code is based—that is, both codes, and a set of principles upon which they're based. What I try to do is look at the material in front of me and say, "Does this threaten one of those principles in a serious way?" I can't know in advance just which of the principles are going to apply, just how it's going to threaten them. Each case will be quite different from another.

Those are the criteria I use, essentially—the principles.

**Ms. Jean Crowder:** In effect, it largely does rest on the person in your office to use a fair amount of discretion.

**Mr. Bernard Shapiro:** That's right. I think that's true. And I think the same obligation devolves upon members who may launch inquiries on their own, so to speak. That is, when the member wishes to launch an inquiry about whoever, the same sort of discretion needs to be used. And I think it often is, so I don't mean that as a criticism, but it is not a question that's easy to reduce to a simple formula.

**Ms. Jean Crowder:** Just out of curiosity, in terms of the guidance that's provided for members, particularly new members who come on, certainly there are briefing notes available and certainly direct contact, but really it is reliant on the member then to seek out information in order to determine whether or not what they're doing is within the bounds of the guidelines.

**Mr. Bernard Shapiro:** The code requires members to give reasons and some substantiation for any allegation they might be making.

**Ms. Jean Crowder:** I was taking a quick look at your annual report from June 2005. Among the challenges ahead, you mentioned access by citizens to the Ethics Commissioner. Certainly Mr. Reid touched on how people could access information through the office. What nature of inquiry would you get from the public?

I mean, this is a fairly broad statement, so....

**Mr. Bernard Shapiro:** What I didn't intend to mean by that statement was access by members of the public to the information inside the office. That's obviously not possible; it's confidential information. By access to the Ethics Commissioner, I simply indicated that we get a lot of calls and e-mails saying you should do X—you should inquire about so-and-so; you should do this; you should do that; you should do something else; I would like you to investigate Ms. So-and-so.

The legislation does not provide for that possibility. That is, I or members themselves are the only people who can launch an inquiry. We do get a lot of correspondence, either electronic or not, from people who say that in their district, X in essence happened—this person did that; that person did this; you should launch an inquiry against whomever. We respond by indicating that if they regard the matter as serious, they should deal with it with the local MP—or any MP, actually—who can then, if he or she is convinced, take action, and if not, not.

So there's no direct access. We refer them back to—

**Ms. Jean Crowder:** When you're talking about challenges around these issues, what were you talking about specifically, in terms of challenges on access by citizens?

**Mr. Bernard Shapiro:** I was talking about the kind of frustration that gets expressed in the material coming to our office from the fact that they can't do this. I'm not saying it's appropriate they should do it; that's a whole other question that needs to be carefully thought through. When I imagine the number of inquiries that could thereby be launched, it's a little scary. Nevertheless, that's another matter.

**Ms. Jean Crowder:** Can I take you up on that? When you say the number of inquiries that could be launched, I'm not sure what you're suggesting.

**Mr. Bernard Shapiro:** When you appear on a talk show, let's say on television or on radio, subsequent to that you get an endless number of communications suggesting you should do A, you should

do B, you should do C, you should do D, and asking why you're called the Ethics Commissioner in the first place if you can't do these things, and saying it's an outrage. The mere existence of the Ethics Commissioner creates a level of expectation in the public about response to issues that are important to them. That level of expectation had not been envisioned; let me put it that way. It's a challenge to educate people and say no, this is a serious matter—you have an MP; this is the appropriate route; you don't come directly to us.

Another kind of challenge relative to access to the Ethics Commissioner is that in many ways people think of the Ethics Commissioner as a kind of federal ombudsperson, so when they've exhausted all the possible appeals inside, let's say, the Department of National Defence and don't like the result, perhaps appropriately, they'll call up to tell us it's an ethical issue, and they want us to do something. That's not what was intended in the creation of the office. Whether it should be is, again, a different policy question, but it's certainly not what was originally intended. It becomes a challenge simply to deal with the onslaught of people. We need to respond to them in some way that makes them feel the matter is serious and that we take ethics seriously, but this is not the way to go about it.

• (1140)

**The Chair:** Thank you.

Colleagues, we'll move to round two. Again I'm going to cut it back to five minutes for each question.

Mrs. Redman, please.

**Hon. Karen Redman:** Thank you.

I have a few questions that aren't necessarily connected. I've just been reviewing the section on sponsored travel. In your view, would it be a breach if somebody was donated money or received a gift of money from a private individual and did not report it? I see that it looks as though one member reported that. If it were in some foreign country and somebody was personally given money, would the assumption be that it would show up here?

**Mr. Bernard Shapiro:** My view is that if you've paid for the travel yourself, it is not sponsored travel. If there is a donor involved, whether a private individual or somebody else altogether, then it is sponsored travel and should be reported.

**Hon. Karen Redman:** Again, what would be the repercussion if this came to light after the fact? Would they then merely have to report publicly if it had been an error or an omission?

**Mr. Bernard Shapiro:** That's right.

**Hon. Karen Redman:** Would these rules be the same for public office holders as well?

**Mr. Bernard Shapiro:** The situation for public office holders involves another level of judgment that goes into the matter as to whether the donor in any particular case has some inappropriate relationship to the government, in the sense that they may be involved in sponsoring something that's currently under discussion or part of the responsibilities of the department for which this public office holder is responsible, so there's another set of questions we ask just to ensure that if they're accepting the gift, not only is it publicly declared, but it is also appropriate in the first place, and that's a matter of judgment.



**Hon. Karen Redman:** There again, if you felt it was inappropriate, you would then go to the Prime Minister and it would not be made public, and it would be up to the Prime Minister to then act on that?

**Mr. Bernard Shapiro:** That is correct.

**Hon. Karen Redman:** You've made a real distinction, and I certainly can understand it, and give examples of why members of Parliament need to be treated in one way and public office holders handled in another way. Keeping with that theme, if I were in negotiations maybe as a finance minister, I can understand why it might be interesting or that it may be pertinent or worth the public knowing that I had a mortgage with bank X. However, I don't see that members of Parliament would be in that position, so I guess I scratch my head as to why that level of detail is necessary in these disclosures for ordinary members of Parliament.

**Mr. Bernard Shapiro:** Well, to really answer that question you would have to ask the people who created the legislation and the code in the first place. From my point of view, it's required by the code itself, so we do it.

I think that's all I can say.

**Hon. Karen Redman:** Do you use it in any way?

Mr. Reid is sort of pointing a finger in this direction, but I would assume that as we go forward we're trying to refine this. So I guess I raise this as something we might want to look at. I would ask you, is it useful from your position to know this mortgage information about members of Parliament? Is it in any way pertinent to how you do your job—and credit card balances?

**Mr. Bernard Shapiro:** I could imagine if it were pertinent, but it often isn't. It's often such a small factor in a much larger picture that it often isn't really terribly relevant, but from time to time it might be. It's partly a question of how far you want to go in differentiating between real conflicts of interest and apparent conflicts of interest.

There is an argument, as I've said in one of my annual reports, of whether or not the Ethics Commissioner should deal altogether with apparent conflicts of interest or whether that's more of a political issue, which needs to be dealt with in another arena. I haven't satisfied myself about the appropriate answer to that question, but I do know that if you give me any particular individual, I will find an apparent conflict of interest with any particular policy matter if I look hard enough. But it will be apparent; it won't be real. So the issue is not unimportant, but very difficult to get hold of.

• (1145)

**Hon. Karen Redman:** Do you track these public disclosures in your office, or does any other department of the government who accesses this information? Do you track who accesses them or how they're used?

**Mr. Bernard Shapiro:** The disclosure summaries you're talking about. We do not track that.

**The Chair:** Thank you, Mrs. Redman.

Mr. Preston.

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Thank you very much for coming.

I'm going to follow up just a little bit further on where we just were. On apparent conflict versus real conflict, there is a great deal of information in these disclosure documents that I have trouble determining could ever be considered to be a conflict of interest, whether it's a credit card balance or a mortgage or where my son works.

In your answer to Mrs. Redman you suggested that you could come up with cases where that might be a conflict, but I still have trouble digging for that.

**Mr. Bernard Shapiro:** I think there are two things. First of all, the code requires certain kinds of information, so it's not a question of whether it's a conflict of interest or not; it just requires that we have to have it, simply because the code requires it.

**Mr. Joe Preston:** I'll get back to that one, but go ahead and answer the first one.

**Mr. Bernard Shapiro:** It seems to me the issue of what information we ask for is an issue worth discussing. That's how the discussion went in revising the form, so the form is much smaller than it used to be and requires less information, etc. That's an ongoing matter of discussion. I'm certainly willing to discuss it with the committee and adjust the form accordingly.

**Mr. Joe Preston:** I guess that's my point. Are you putting forward recommendations to remove more and more of what I would consider non-conflict data?

**Mr. Bernard Shapiro:** Well, the only recommendation I put forward so far is in fact the form that you have with you. That came from us. We worked with the subcommittee and then we developed it and are bringing it forward. It remains to the committee to discuss and decide what they like about it and what they don't and what they'd like to change and things of that sort.

**Mr. Joe Preston:** Mrs. Redmond suggested that other than perhaps the finance minister, dealing with a bank would be the only case you could possibly think of where a conflict would arise over who my mortgage is held with or the size of it. Could you give me an idea through history where you've come across another?

**Mr. Bernard Shapiro:** Mr. Benson.

**Mr. Robert Benson:** Although we haven't had any situation of this up to this point in time, through the existence of the office we have had disclosures from individuals where they come to us and they have interests in a private corporation. As a consequence of having interests in a private corporation, they may be a guarantor on a significant amount of loans, and that significant amount of loan may be with a particular financial institution.

As I say, we haven't had this case so far, but I'm trying to use an example—say, before a parliamentary committee doing a bank merger or something to do with the banking industry. If that bank or that financial institution appears personally, the member may be in a position, because they have this substantial private interest, that they should not be—

**Mr. Joe Preston:** I understand that from a business point of view—if it's a business or a direct commercial involvement—but I'm talking about who my mortgage lender is and the outstanding balance of my personal mortgage on my residence. I understand when you take it to business.

**Mr. Robert Benson:** But the code requires a liability. It doesn't make a distinction between a mortgage, a loan, a guarantee, and so on.

**Mr. Joe Preston:** It's the same with balance of assets of personal goods. Whether I have artwork or posters on the wall does not seem to me to be a way of determining whether I may have a conflict.

**Mr. Robert Benson:** I explained this in the previous Parliament. Through the experience of a conflict of interest adviser, the overall initial disclosure gives the adviser a position on the overall net worth of the individual. It's not necessarily that the case will occur, but there are annual reviews that occur. You have a snapshot at the beginning of the life of the individual complying with a conflict of interest code. What may happen, on annual review, is that snapshot or that value may differ. And through the life of the office, we've had situations where there's been an increase in, say, the net worth of the individual, which is unexplained. It just comes up within the personal assets, so we'll go back and ask a question—what's this attributable to—just to close the loop on it.

**Mr. Joe Preston:** In your question about sponsored travel, you've discussed about partially sponsored travel. You've released a report. How have you been handling it to date, and what are you recommending happens to partially sponsored and not wholly paid travel?

• (1150)

**Mr. Bernard Shapiro:** We certainly recommend that anything that you, yourself, haven't paid for before or hasn't been paid for by the federal government is part of sponsored travel. It may be half a trip, a quarter of a trip, a trip—whatever.

What we're not sure about is how the committee would like us to treat what I call indirect sponsorship by the federal government. The federal government, let's say, supports some NGO. The NGO sponsors your travel. How should we treat that? I think there are arguments for treating that as if it were federally funded in the first instance. We need to discuss how to make sure we're on the same wavelength.

**Mr. Joe Preston:** All right. We'll wait until that day and we'll do that.

**The Chair:** We will go to Mr. Ménard for five minutes, then to Mr. Hill. If other members want to get on the list, please signal me.

[*Translation*]

**Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ):** Commissioner, based on your experience in office, can you tell me what percentage of your time you spend on conducting inquiries?

[*English*]

**Mr. Bernard Shapiro:** I'll give you an estimate.

[*Translation*]

**Mr. Serge Ménard:** I understand. Of course you haven't prepared an answer.

[*English*]

**Mr. Bernard Shapiro:** There are huge differences from time to time. Sometimes you're doing nothing else for a week except that, and then you don't do it for another three or four weeks. If I were to think of the office as a whole, I would say that somewhere around two-thirds of the resources we have are spent dealing with

disclosures and compliance arrangements for both public office holders and the MPs. I would say that relative to the amount of energy and time we give to inquiries, it might be—depending on the season, so to speak, because it varies enormously—somewhere around 15% or 20%, something like that. I think it's roughly the same relative to my own time, if you're thinking about me personally. It's both my own time and the office's time, and I would that say so far it's been around 15% to 20%.

[*Translation*]

**Mr. Serge Ménard:** You mentioned the time devoted to inquiries.

**Mr. Bernard Shapiro:** That's correct.

**Mr. Serge Ménard:** Do you feel that you have enough staff to carry out the duties assigned to your office?

[*English*]

**Mr. Bernard Shapiro:** I would say that for the current functions the office has, the only place where there is what I would call a gap between the people resources we have and the job is in the area of the inquiries; that is, it is starting to take up more time than we expected and require a different kind of talent from what we had. We've tried to solve that problem partly by outsourcing, partly by contracting with people to do specific jobs. We'll have to monitor that carefully in the future so that we can know. If in fact our experience tells us that we can expect three inquiries a year, that's one thing. If our experience tells us we can expect a dozen and a half, that will be a totally different matter, and we'll deal with that in the budget estimate process as we go along.

So far, I have to say—I don't want to be critical—that we have received the resources we have asked for. There has been no difficulty in getting the resources we've needed so far.

[*Translation*]

We never know what the future holds for us, but for now, we have enough staff.

**Mr. Serge Ménard:** I'd like to take up where my colleague seated to my right left off.

First of all, I was very pleased to hear you state your guiding principles. As someone who practised criminal law, I know full well the harm that some accusations can cause. Therefore, it's important to tread carefully until we have proof.

Regardless, when someone asks you a question about a complaint filed against a member or some other person, wouldn't it be better for you never to comment?

**To quote Voltaire:** A lie repeated often enough will end up as truth.

I don't think his intention was to encourage people to lie, but the fact remains that some people apply this adage. Resentment can lead to accusations being levelled against a person. The damage can never really be repaired. I've seen first hand the fallout when some professors were the target of false accusations.

In my opinion, you've given some excellent examples and I'm pleased with that. However, I feel certain that if someone were to put this type of question, you would respond: No comment. Would it not be better for you to say that you never comment before an inquiry is actually concluded?

•(1155)

**Mr. Bernard Shapiro:** You might be right. That would be a far more appropriate answer.

**Mr. Serge Ménard:** You stated that sponsored travel referred to travel paid by a third party or by an organization. What about families that are relatively well off? It's possible that as a parent, one might like to take one's children on a trip. That could even with older parents when their children are grown and are well off.

Do you believe that these trips paid by family members should also be disclosed?

[English]

**Mr. Bernard Shapiro:** No, we make a distinction between gifts and gifts from family or close personal friends. If you have either a grandfather or a father who wishes to pay for something, we consider that a gift within the family, and it doesn't have to be declared as sponsorship.

**The Chair:** Okay. Thank you.

I will now go to Mr. Hill.

**Hon. Jay Hill (Prince George—Peace River, CPC):** Thank you, Mr. Chairman.

Thank you, gentlemen, for appearing today.

First of all, I want to say that I was very pleased to hear your statement, Dr. Shapiro, in your earlier response to Ms. Redman, I think, that you realize perception becomes reality when you deal with political sensitivities and you deal with members of Parliament.

You'll recall appearing before this committee in the last Parliament, dealing with one of my colleagues, Deepak Ohrai, in a very sensitive situation, and what readily became political reality once you had confirmed with a journalist that an investigation was under way.

I was pleased to hear you say that you recognize today that there is a reality and that you would now proceed differently by basically saying "no comment". If a journalist phoned you and asked whether it's true that so-and-so is being investigated, you would say "no comment", rather than "yes" or "no". As others have noted, simply by making the statement that yes, you are looking at this, immediately that particular member of Parliament is branded, for lack of a better term. I was pleased with that.

But I want to follow up on something else that I think I heard you say. In reference to a question from the opposition, you made a comment about being interviewed on a talk show. Do you believe that it's part of the mandate of the Ethics Commissioner to appear on talk shows?

**Mr. Bernard Shapiro:** No.

**Hon. Jay Hill:** Okay. Did I misunderstand your earlier statement?

**Mr. Bernard Shapiro:** I was searching for an example with which I've had considerable experience, which was talk shows. Not recently, I'd have to say, because I haven't done them, but I've had lots of such experience. It produces an enormous consequence that is unintended by everybody, which is why you try to avoid it in a sensitive place like this.

**Hon. Jay Hill:** Okay, I guess I was just a little concerned when I heard that statement, that perhaps, by your own admission, you'd do things today in your office differently from how you did them a year ago.

**Mr. Bernard Shapiro:** We might. I hope we learn from experience.

•(1200)

**Hon. Jay Hill:** Right. We all do.

**Mr. Bernard Shapiro:** I think it also depends on the type of show you're talking about. For example, I would not agree to appear on a talk show of any kind that has the call-in kind of arrangement. It's just not right in this particular context.

On the other hand, I think we do have an educational function to try to help make Canadians understand that there is a program, and that it's moving forward and developing over time, etc. So I might agree, for example, to be interviewed, but not about the kinds of things most people want to interview me about, because that would be inappropriate.

**Hon. Jay Hill:** And that might be about who is and who isn't being investigated.

**Mr. Bernard Shapiro:** Saying anything about a specific person would be wrong.

**Hon. Jay Hill:** Okay. I appreciate that.

You made earlier reference to the fact that there are different guidelines, if I can call them that, pertaining to ministers as compared to those for members of Parliament as compared to those for public office holders. I think it's becoming better known that there are different guidelines, depending on what occupation we have and what job we have in a given time.

Do you see some specific problems with those differences in guidelines, especially in those categories—cabinet ministers versus members of Parliament? We talked about that earlier. Madam Redman made a comment about that in connection with the disclosure statements and how much we have to disclose. The other level would be public office holders and public servants.

**Mr. Bernard Shapiro:** I'm not going to make any comment about public servants. I haven't thought about it carefully, and I don't wish to comment on it.

In terms of differences in standards, let's say, or in guidelines for ministers and parliamentary secretaries, etc., as compared to MPs, I have no problem with the fact that there are differences. I think the responsibilities of these people are different. The occasions on which conflict of interest might arise are very different, and I have no conceptual problem with that distinction.

I think there is likely to be in the future—although I may be wrong—pressure to eliminate the distinction, simply because people find it easier to keep one thing in mind rather than two. And you can sort of understand that, but I have no difficulty with the distinction currently made.

**The Chair:** Thank you, Mr. Hill.

Mr. Ménard, go ahead, please.

[Translation]

**Mr. Serge Ménard:** Section 22 of the draft we received stipulates the following: “Although the Commissioner has no power to compel the production of documents or witnesses, [...]. This is the part that interests me.

As you've gone about conducting your inquiries, have you ever felt that you lacked the authority to compel the production of documents or witnesses so as to wrap up your work? Obviously, I'm talking about compelling reluctant witnesses to appear or else they will face sanctions.

[English]

**The Chair:** Mr. Benson, go ahead, please.

**Mr. Robert Benson:** Thanks for the question.

This is something that has come up in the inquiries that we conduct.

Again, if I can draw the distinction between the public office holder code, which is not this one.... Under the public office holder code, the Ethics Commissioner has the power to summon or subpoena information; under the member of Parliament code, he does not.

In conducting investigations, if the allegation raised leads us to try to obtain information from government departments or organizations, we have great difficulty getting that information. Under the Access to Information Act and the Privacy Act, we are not an investigative body under those acts that would allow them to release it to us, and we don't have the power to summon or subpoena, so we can't get the information. So if in relation to a particular situation the path of the inquiry leads us to a government department, they react as they have to, but they cannot provide the information to us. So we end up against a bit of a roadblock there.

[Translation]

**Mr. Serge Ménard:** Then I would I be correct to summarize the situation by saying that you need this authority?

[English]

**Mr. Robert Benson:** We made the comment in an issues and challenges paper that the Ethics Commissioner should have that authority.

[Translation]

**Mr. Serge Ménard:** Thank you.

[English]

**The Chair:** Okay, we'll move to Mr. Lemay, then Mr. Reid, and I have no further names on the list.

[Translation]

**Mr. Marc Lemay:** I have two brief questions for you.

Firstly, in the draft guidelines, you make a distinction between “in private” and “in camera”. Why not simply use the words “in camera”? Everyone is clear on what this means.

Secondly in section 35 of the draft, you note the following: “Any attempt to obstruct an inquiry may also be treated as a contempt of the House of Commons”. What exactly do you mean by “any

attempt to obstruct”? Are you referring to a journalist who goes too far?

• (1205)

[English]

**Mr. Bernard Shapiro:** I haven't got an answer to the second question because I haven't thought about it very carefully and I haven't looked at the material recently. Perhaps Mr. Benson can help.

Relative to the first question, I think you are right: *huis clos* would be a better way of phrasing it.

**Mr. Robert Benson:** In relation to the second part of the question, in formulating section 35 of the draft policy, we went to the U.K. or Westminster model, and this is one provision they have specifically in there. In the conduct of inquiries in the British Parliament, any attempt to obstruct an inquiry process is considered contempt of Parliament—or can be, if it's reported. Obviously the House would have to consider it.

[Translation]

**Mr. Marc Lemay:** Thank you.

[English]

**The Chair:** Mr. Reid, please.

**Mr. Scott Reid:** This is a very brief follow-up. I ran out of time in my earlier questions. Regarding the information about family members and place of employment, I gather you feel beholden to continue putting out this information until you get contrary instructions from us. Would that be correct?

**Mr. Bernard Shapiro:** That is correct. My concern has always been focused on the members themselves and not the members of their families. We hoped to use the family information to help advise the members about where a conflict of interest might arise and therefore how to behave appropriately. That was in fact what we suggested. It was not acceptable to the committee, and I await further clarification.

**Mr. Scott Reid:** I might be able to arrange for some of our colleagues to send you advice that we might want you to do otherwise. That's the sense I have, but we'll keep you posted.

Thank you.

**Mr. Bernard Shapiro:** You're welcome.

**The Chair:** Thank you, members of the committee.

Dr. Shapiro, I appreciate very much you coming out on short notice to present before the committee.

Mr. Benson, thank you as well.

Ladies and gentlemen, we were going to move to future business, but given that not all the whips are here today, I propose that we use the next meeting to deal with future business.

Are there any concerns with that? It's simple enough.

**Hon. Jay Hill:** We might want to have a little discussion. It's up to the committee.

**The Chair:** It's entirely up to the committee. We were going to talk about a subcommittee. Do you want to deal with it right now? Okay.

Then what I propose is we give our witnesses one minute to step out of the room.

So I encourage folks to please leave the room if you're done.

We'll have a one-minute recess for the witnesses to leave.

**The Chair:** Okay, in resuming our meeting, there are two items I would like to deal with today. First, if I could skip to the draft letter, which I handed out at the last meeting, we would like to send that out to our colleagues to get some input on our broadcasting issues. May I now have approval to send that letter out?

**Some hon. members:** Agreed.

**The Chair:** Thank you. We will send that letter out.

Yesterday the steering committee met and discussed in some detail the issue of security on the Hill. Following up on that meeting, the steering committee was of the opinion that we should set up a subcommittee to properly and appropriately look into matters of security on the Hill.

Indeed, the suggestion was made that there would be three phases to this. The first phase would be trying to understand exactly what the situation is at present. I propose that we set up a subcommittee to do exactly that and then bring that information to the main committee. We would probably encourage the subcommittee to continue on to look at what security is available and what else we should do. Ultimately, we would end up with a report.

I would like a bit of discussion, if we need to do that, but ultimately I would like to hear from members as to who would like to sit on the subcommittee. I see Mr. Preston's hand up.

Mr. Godin, we need you on this committee, sir. You're in? Thank you.

We have two members. I will be sitting on the committee, and there will be one member per party. Monsieur Guimond and Monsieur Proulx. I'm very pleased. Thank you very much.

Is there any other business that we need to attend to today?

Mr. Hill.

• (1210)

**Hon. Jay Hill:** First of all, I apologize for not having read through this letter that we've already agreed to send, which basically explains the guidelines. Having not recently read through it and just going by memory, I raise it in the context of what happened today.

My understanding of the guidelines for the televising of committee meetings is that we have certain televised rooms where CPAC provides a feed from those cameras to all networks that utilize them on a non-biased basis, if I can call it that.

If those are the guidelines we've been working with, perhaps the chair could explain to me how it transpired that we had these two cameras in the room today.

**The Chair:** All I'm able to explain, Mr. Hill—perhaps, Jamie, you can explain a bit further—is that when I got into my office this morning at 7:30, there was a note that the CBC would be in this room. I called Marcel, and I called your office as well; I called Mr.

Godin's office. That's as far as I can explain it. I got the notice this morning at 7 o'clock.

How does it happen that we don't get better notice and that there aren't specific rooms set up?

**Mr. James Robertson (Committee Researcher):** There are two rooms in this building that are set up for televising by the House of Commons and provided to CPAC, which broadcasts them. They're also provided to members of the parliamentary press gallery.

In 2000, the predecessor of this committee set up guidelines for the electronic media and the members of the parliamentary press gallery to give notice to film other public meetings. I think the original draft provided for a longer notice period. After negotiations with members of the parliamentary press gallery, the decision was that it was not to specify a specific period of time to provide notice. The thinking at the time was that witnesses sometimes changed at the last minute, the notices of meetings often go out late in the afternoon, and therefore the media do not always know who will be appearing. Also, they don't always know what other demands will be made on their camera crews, so they need some flexibility to give notice up until a short time before the meeting.

The purpose of the letter is to solicit input from all members of the House. The committee has previously decided to call representatives of the press gallery and representatives of the table officers. If there's a concern over the notice period or the lack of television facilities provided by the House, one of the ideas would be that these are things that could be addressed before these guidelines are made permanent.

**The Chair:** I think that makes sense. Are you comfortable with that, Mr. Hill?

**Hon. Jay Hill:** I'm just reading through it.

I guess perhaps all this time I was working under a mistaken premise, if I can put it that way, because it looks to me as if they are allowed under certain conditions: they have to be immobilized in the sense that they have to remain stationary during the proceedings, and they're not allowed to do close-ups. Like the cameras in the House of Commons, they're supposed to be focused only on the individual who's speaking, either the chair or the witness or the individual committee member who's asking a question.

I was under the understanding—well, maybe it had to do with the notice—that other committees that I was involved in where they attempted to—"they" being one network, whether it was CBC or CTV or Global, or whatever it was—would come in, and there was some high-profile witness or whatever, and they would come in and want to film the proceedings, and they were always not allowed, any committee I was ever involved in. So I was a little surprised to see television network cameras here, as opposed to the televised rooms, where my understanding is it's CPAC that broadcasts those proceedings the same as they do in the House of Commons.

But I guess under these guidelines this is allowed with sufficient notice, and provided they follow the rules exactly, and are restricted to certain—

•(1215)

**The Chair:** Just to add to those rules, Mr. Hill, the cameras are only allowed to film gavel to gavel, and the still-camera shots have to leave once the meeting starts. It appears to me that all the guidelines were followed. But your suggestions are worth noting, and perhaps in future meetings, when we discuss this matter about making it permanent, we may want to discuss that at greater length.

Mr. Godin and then Mrs. Redman, please.

[*Translation*]

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Chairman, as I clearly recall, we've already had all of these discussions. However, since this is a new Parliament, we can go over this one more time. No doubt James Robertson remembers that in the past we have held televised meetings in this room, in particular meetings of the procedure and house affairs committee. The CBC, CTV and Radio-Canada have all televised our proceedings. However, certain rules applied. We discussed time allocation and the fact that the witness list is subject to change at the last minute. We have absolutely nothing to hide. These are public, not in camera, meetings. Our goal in having the meetings televised was to make them more accessible to the public. I don't have a problem with reviewing the guidelines again, but we've already looked into this. We tried it out here and it worked very well.

[*English*]

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

Mrs. Redman.

**Hon. Karen Redman:** My comments aren't particularly substantively different from Yvon's, only to say that on environment, health, and finance, on many occasions it was CBC and CTV that did come in. So I would say this is very consistent with how things have been since 1997, in my experience.

**The Chair:** Mr. Hill.

**Hon. Jay Hill:** Yes, I appreciate that.

First of all, don't misinterpret that I'm saying I'm opposed to it. I was just wondering about the consistency of the application of the guidelines or rules or regulations, whatever they are. And I see where it may have arisen. Under one guideline here it says:

The electronic media will not be permitted to film those committee meetings that are being filmed by the House of Commons Broadcasting Service as they will continue to have access to the feed from the House.

I think that's probably where I was mixing apples and oranges, because if you're in one of those other rooms, that's when the chairman would ask a mobile camera to leave because it's about to be televised by the stationary House of Commons camera. So that's my mistake, I guess, Mr. Chairman. Thank you for clearing that up.

**The Chair:** My pleasure.

Thank you very much for all your comments.

Ladies and gentlemen, I want to remind you, if there are no further discussions on that issue, that the next meeting is Thursday, May 11, when we will in fact discuss the main estimates of the House of Commons.

Since there is no further business, this meeting is adjourned.

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