



House of Commons
CANADA

Standing Committee on Access to Information, Privacy and Ethics

ETHI • NUMBER 005 • 2nd SESSION • 39th PARLIAMENT

EVIDENCE

Thursday, November 29, 2007

—
Chair

Mr. Paul Szabo

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

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

Standing Committee on Access to Information, Privacy and Ethics

Thursday, November 29, 2007

•(1105)

[English]

The Chair (Mr. Paul Szabo (Mississauga South, Lib.)): Ladies and gentlemen, I first want to ask for your indulgence to have silence in the room. It is very important so that those who are posing questions or answering questions are not interrupted or distracted from their business.

This is the fifth meeting of the Standing Committee on Access to Information, Privacy and Ethics. Our order of the day, as passed by the committee, is that in order to examine whether there were violations of ethical and code-of-conduct standards by any office-holder, the Standing Committee on Access to Information, Privacy and Ethics review the matters relating to the Mulroneys Airbus settlement, including any and all new evidence, testimony, and information not available at the time of the settlement, including allegations relating to the Right Honourable Brian Mulroneys made by Mr. Karlheinz Schreiber, and in particular the handling of allegations by the present government or past governments, including the circulation of relevant correspondence in the Privy Council Office or Prime Minister's Office; also, that Mr. Karlheinz Schreiber be called to be a witness before the committee without delay, and that the committee report to the House its findings, conclusions, and recommendations thereon.

Our witness this morning is Mr. Karlheinz Schreiber.

Good morning, Mr. Schreiber.

Mr. Karlheinz Schreiber (As an Individual): Good morning.

The Chair: I understand you have with you your counsel, Mr. Richard Auger, who is available to consult with you but not to address the committee.

I welcome an opening statement, if you have one, but first I would like to have you sworn in as a witness.

Mr. Karlheinz Schreiber: The evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

The Chair: Thank you, Mr. Schreiber. I now invite you to make any opening statement you may have.

Mr. Karlheinz Schreiber: First of all, as I already said, good morning.

I am somewhat delighted that finally my request for an inquiry to clean up all these things is in your hands. Whatever I can do I'm prepared to do, under the right circumstances.

I have an opening statement to make. I would like to read it to you, if you don't mind.

Before I start reading I would like to ask you to keep in mind that my mother language is not English. I try to do my best, as much as I've learned over the years, but once in a while it's a little bit tricky between the rules. But I will do my best. Therefore, I am reading. If you have any questions, don't hesitate to ask for clarification.

My name is Karlheinz Schreiber. Yesterday morning I was taken from the Toronto West Detention Centre in a van by two officers from the Ottawa Detention Centre. I was handcuffed. I was in leg irons. I wore an orange jump suit. I do not understand why that was necessary, given that I have been on bail for eight years and three months pending an extradition request by Germany.

I'm a Canadian citizen and I am proud of that fact, the day when I chose to become a Canadian. I was very upset when the Prime Minister of Canada said that I should be sent home for trial. Canada is my home. It has been determined by the court that I'm not a flight risk. I've absolutely no interest in leaving Canada. My sureties have been impeccable, and I would do nothing to hurt them. You know who they are.

I first got bail right after I was arrested, with an extradition warrant to send me to Germany. I got bail right after the extradition case was filed with the Court of Appeal of Ontario. Every time until now, I have received bail on every judicial review that I have brought from the minister's decision. Because of the desire of the Minister of Justice to have me removed from Canada, my counsel, Edward Greenspan, in order to avoid my removal agreed that I would not seek my further release until after November 15, 2007. At the conclusion of my appeal on November 15, 2007, the Court of Appeal of Ontario dismissed my appeal and accepted the Minister of Justice's assurance that he would do nothing to remove me from Canada until December 1, 2007, which means 12:01 a.m. this Saturday.

Mr. Greenspan wrote to Nancy Denison at the Department of Justice on November 22, 2007, after filing a notice of application for leave to appeal to the Supreme Court of Canada on the decision of the Ontario Court of Appeal. Following the filing of said notice, Mr. Greenspan wrote Nancy Denison at the Department of Justice seeking immediate confirmation that there is a stay of the surrender order in place pursuant to section 62 of the Extradition Act. Having regard to the fact that the notice of the application for leave had been served and filed and having regard to the position taken by the Department of Justice on other extradition cases, there was no response from the Department of Justice.

On November 26, 2007, counsel for the applicant wrote another letter to Nancy Dennison at the Department of Justice seeking a response to the letter of November 22, 2007, by 1 p.m. Counsel for the Department of Justice called our office at 12:36 p.m. and stated that she anticipated having a response before the end of the day, but not before 1 p.m.

● (1110)

On November 26, 2007, at 6:55 p.m., the Department of Justice faxed a letter to counsel for the applicant indicating that she was unable to respond to the letter dated November 22, 2007, and was still seeking instructions.

The Department of Justice has in the past obviously taken the position that section 62 of the Extradition Act does apply to the Supreme Court of Canada leave application—several times before in my own case, and in many other cases.

My counsels informed me that pursuant to paragraph 62(1)(b) of the Extradition Act, there is an automatic stay of the surrender order pending the application for leave to appeal to the Supreme Court of Canada. Any other reading of the section of the act would render the section pointless, because there would never be any appeal from an appeal or judicial review. No one would ever be able to appeal to the Supreme Court of Canada, because leave is always required.

Nancy Dennison then wrote to my counsel, Edward Greenspan, on November 27, 2007, and said:

It is the position of the Attorney General of Canada that section 62 of the Extradition Act does not provide for an automatic stay of an outstanding surrender order pending the outcome of the leave application to the Supreme Court of Canada. On behalf of the Attorney General of Canada, I am prepared to consent on strict terms to a judicial stay of the surrender order pending the outcome of your application for leave pursuant to section 65.1 of the Supreme Court Act.

As affirmed by the Court of Appeal for Ontario per Doherty, J.A. on November 15, 2007, the Minister is "entitled to give significant weight to finality concerns". Given the history of this matter, including two previous unsuccessful applications for leave to appeal to the Supreme Court of Canada, my consent is contingent on your agreement to file all the materials in support of your leave application on an expedited basis and by no later than December 10, 2007.

Mr. Greenspan wrote back on November 28, 2007, and said:

I acknowledge receipt of your facsimile received by my office at 5:32 p.m. on November 27, 2007, responding to our letter to you dated November 22, 2007.

It is, of course, our position that section 62 of the Extradition Act provides for an automatic stay of surrender pending the determination of the leave application to the Supreme Court of Canada. However, we are concerned that, in light of the Minister of Justice's public statements with respect to his claims of limited discretion, in the absence of a court ordered stay of the surrender he will surrender Mr. Schreiber in breach of section 62 of the Extradition Act.

It is apparent from your letter that the Minister is prepared to respect the court ordered stay, as he has publicly stated that he would not surrender Mr. Schreiber

until the stay ordered by the Court of Appeal of Ontario has expired on December 1, 2007. Furthermore, it would appear that in your letter, you take the position on behalf of the Minister, that he is prepared to extend a court ordered stay upon an imposed abridgment of the time limitations for the filing of leave applications.

● (1115)

As you are aware, my associate Vanessa Christie has been involved in this matter for a number of years and has been responsible for the preparation of a great deal of the materials and memoranda filed with the Court. Unfortunately, I have just been informed that she had a family emergency in New Brunswick [reason stated in letter to Department of Justice but felt it to be too personal to state in this statement] and Ms. Christie will be leaving today to join her family. In addition, I am scheduled to commence a Superior Court trial in Sudbury which will occupy the week of December 3, 2007 and am to appear in Chicago for the sentencing of Conrad Black on December 10, 2007. Even if I were prepared to accede to an artificial abridgment of the rules of the Supreme Court of Canada, I would not be able to file the necessary materials in accordance with your manufactured schedule.

I would request that you seek instructions to consent to a court ordered stay of the surrender in accordance with the rules established by the Supreme Court of Canada. The rules require that all materials with respect to our leave application be filed by January 15, 2008. We are, of course, prepared to honour a strict adherence to the rules and would request that the Minister do likewise.

It is our position that neither Mr. Schreiber nor the Court ought to be dictated by this artificial timetable.

I hope I got it all right for you.

I have just been informed that at 9:30 today, the Department of Justice wrote Eddie Greenspan and said,

In view of this unforeseen change of circumstances (the family emergency of Ms. Christie) the Attorney General consents to file our materials on January 15.

Until the court hearing in Toronto tomorrow determines the length of the stay, I am unwilling at this time to testify until the court of appeal decides how long the stay will be in effect.

I'm sorry, we had to write this down first.

Mr. Greenspan has advised that this matter is not resolved now. We have a right to file on January 15. We do not need the consent of the Attorney General.

As I understand, my case will be dealt with tomorrow in the Court of Appeal for Ontario, and a decision will be made. Until that time, I will not speak or answer any questions of this committee. As well, I am here as a result of a Speaker's warrant. It requires me to give material evidence. I do not know the scope of your inquiry, and therefore wish to have it properly explained to me so that I can prepare to answer material questions with material evidence.

Further, the Speaker's warrant says, "That you allow Karlheinz Schreiber access to any place to retrieve any necessary document as may be needed as papers before the Standing Committee on Access to Information, Privacy and Ethics."

I was not given an opportunity to go to my home. I was not given any opportunity to retrieve any necessary documents, and I have not been given any opportunity to review what I have available to me in order to properly prepare myself to testify.

•(1120)

Mr. Greenspan believes that the Speaker's warrant therefore is unlawful and unenforceable and that I should be immediately returned to Toronto. When the issues in Toronto have been resolved and when I have a clear opportunity to prepare myself, then I will voluntarily speak.

I am not entitled to have counsel ask questions or cross-examine anyone. I'm not entitled to have counsel make legal arguments on my behalf. And unless safeguards are taken to protect my rights, like the safeguards that are fully provided for in any public inquiry, I will not speak.

I have nothing more to say now. I have made it clear that I wish to speak, but not in circumstances that are calculated to be degrading and humiliating.

•(1125)

The Chair: Thank you for that. Thank you for your statement, Mr. Schreiber.

Just for clarification and to advise you, this committee does meet Tuesdays and Thursdays while the House is sitting, from 11 a.m. until 1 p.m. We have meetings after this on December 4, December 6, December 11, and December 13. The committee has also under consideration to have additional meetings in December. As well, there are recommendations to the committee to have additional meetings through January. We do have lots of time to hear you, and I think it would be in the best public interest and your interest and this committee's interest that you be permitted, if it is a legal obligation and all the things are cleared, to be able to do what you have to do with regard to other proceedings, if those are in order. We understand that. But I want you to understand that we do have time to hear you, and we are flexible on that time to take into account your other obligations, which we understand very well.

Secondly, Mr. Schreiber, you indicated that you were not clear on our mandate or what the committee is here for. Did you receive a copy of my letter of Thursday, November 22, 2007, to you with regard to the call to bring you before the committee?

Mr. Karlheinz Schreiber: From the committee, yes.

The Chair: And in that, did you happen to note that it outlined...? So you are generally aware of why we're here?

Mr. Karlheinz Schreiber: Yes.

The Chair: Okay.

I also had a meeting last Saturday for two hours with Mr. Greenspan and explained it fully to him in great detail, and our procedures, and of course that you have parliamentary protection—that anything you say here cannot be held against you in another jurisdiction, another court of law.

You also understand that this is not a court; this is a committee of the Parliament of Canada, which is looking into matters and wants to have information related to its order of reference.

We are going to proceed. As you know, the Speaker has provided you with a Speaker's warrant, which lays out specifically that you have access.... And I want to read it into the record: "That you allow Karlheinz Schreiber access to any place to retrieve any necessary

document as may be needed as papers before the Standing Committee on Access to Information, Privacy and Ethics".

We want you to have full access. We want you to have the time to properly review them so that you can come before this committee and give fulsome answers to the questions that are posed to you, if you are able. We will certainly respect this order to the letter.

I would also want to indicate to you that the committee, also under this Speaker's warrant, indicates that your attendance before this committee is required from time to time until that attendance before this committee is no longer required, and that the committee will continue to deal with your testimony and members' questions—not cross-examination with lawyers, but the questions the members have—until such time that it is completed, other witnesses are heard, and it is determined by this committee that your presence would no longer be required. At that time we will give you formal affirmation that you are no longer required for the purposes of the committee. I can assure you that it will be some time, and we will keep you apprised on a regular basis.

I think we understand that you are at a disadvantage right now. We do want you to be fully prepared to address it. In discussion with the members of the committee, it was agreed that in order to facilitate you to be aware of the kinds of questions, the nature, the scope of those questions, we are going to move now to the round we would normally have to pose those questions. Those questions will be on the record. The members have a seven-minute time slot to advise you of the areas of interest.

You may wish to answer any or all of those questions if you are able, but I understand if you are unable you will undertake to answer those at a future meeting. We will provide you within one hour of this meeting with a transcript of these proceedings verbatim so that you have full knowledge of the questions.

When you return.... Will you be able to return here next Tuesday? Maybe you can consult with your lawyer as to whether next Tuesday at 11 a.m. is acceptable.

•(1130)

Mr. Karlheinz Schreiber: It depends where I am.

The Chair: We will certainly consult with you, but your presence is requested at every meeting we have, unless there is proper justification that you are unable, for good reason, not to be here. Is that understood?

Mr. Karlheinz Schreiber: Yes.

The Chair: I'm now going to move to Mr. Thibault, seven minutes.

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Chair, you just can't run this the way you want to. This man had asked to make a motion, and you sat there and ignored him. He has the right to make a motion. You just can't go on your willy-willy way and say we're going to start on a line of questioning. Mr. Schreiber has said he's not even going to answer any questions.

So I'm simply saying on a point of order to you, sir, that Mr. Hiebert had requested politely that he wished to make a motion. You have ignored him. I suggest that you recognize him. He wishes to make a motion.

The Chair: Thank you, Mr. Tilson.

I apologize for that. I would certainly now recognize Mr. Hiebert if he has a motion. I was not aware that he wanted to suggest we do something else.

Please proceed, Mr. Hiebert.

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Thank you, Mr. Chair.

In light of the circumstances around Mr. Schreiber's testimony this morning and the fact that he believes he's not had enough time to prepare to answer the questions the committee members will have, I move that we reconvene either tonight at 7 p.m. or tomorrow at a time after the Ontario Court of Appeal has heard his application.

The Chair: That's in order, and I will take a speakers list on that.

You are first to speak, and the members could indicate on a speakers list and the clerk will keep it.

Mr. Hiebert, we'll proceed with your argument for the motion.

Mr. Russ Hiebert: Thank you, Mr. Chair.

Clearly, Mr. Schreiber, you've had an opportunity for some time to anticipate that you'd be coming before this committee. It's been speculated in the papers and in the media for weeks now. I would tend to believe that, with that in mind, and with its inevitability, you may have perhaps put some thought into preparing for this particular committee.

I have no doubt that you need access to the papers that are contained in your home, and we know that the Speaker's warrant provides you the right to access those papers. But I would simply suggest, sir, that if we give you the opportunity to access those papers, to review your notes, to consult with your counsel, that we reconvene, as we've all been anticipating this opportunity to speak with you for some period of time. We're certainly ready, and we want to give you the chance to be ready. That's why I'm moving this motion that we reconvene tonight, or, as you suggested in your opening statement, if you simply cannot speak before the application is heard by the Ontario Court of Appeal tomorrow, that we reconvene tomorrow after that application has been heard. Certainly that would give you the freedom to speak openly to this committee at that time.

The Chair: Have you completed your statement, Mr. Hiebert?

Mr. Russ Hiebert: I've completed my statement.

The Chair: Okay.

I would like to ask Mr. Hiebert, would you please write out your motion in detail, precisely as you moved it, so that the clerk will be able to read it into the record when a vote is called on it.

I'm now going to move to Mr. Thibault.

With points of order, please tell me the specific nature of the point, and then you can go into detail if it is in order.

I'll recognize Madame Lavallée on a point of order.

•(1135)

[*Translation*]

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Thank you, Mr. Chairman.

Mr. Hiebert's motion is not an ordinary motion. It is a disguised motion to adjourn and it is unacceptable that he debate it. Given that it is a disguised motion of adjournment, we cannot debate it. It must be put to a vote now.

[*English*]

The Chair: Madame Lavallée, that is not a point of order, that's a point of debate.

I'm going to now move to Mr. Thibault, please.

[*Translation*]

Hon. Robert Thibault (West Nova, Lib.): Thank you, Mr. Chairman.

I am unable to support this motion or to vote in favour of it. The Committee is sitting and has its agenda. A witness is before the Committee. It is possible for us to put to him questions that are general in nature, that are not specific. We will be able to put our questions to the witness once he has had reasonable access to his documents.

We could perhaps consider the possibility of adding hours to the Committee meeting if need be. We have already, through a motion, encouraged the Steering Committee of this parliamentary committee to add to the schedule additional meetings in December or January.

We are not in agreement with the motion that would allow us to adjourn this morning.

[*English*]

The Chair: I now have Madame Lavallée, *s'il vous plaît*.

[*Translation*]

Mrs. Carole Lavallée: The Bloc Québécois is it too in disagreement with the idea of adjourning now, which Mr. Hiebert's proposal amounts to. Mr. Schreiber is here to provide evidence before the Committee. We have questions of a general nature to put to him. I believe we should allow him time to answer our questions.

As for the addition of other meetings, Mr. Hiebert, you will remember that the Committee discussed the possibility of doing this in December. This would indeed grant Mr. Schreiber time to better prepare himself. I believe that between now and Tuesday morning, it should be possible for him to review most of his papers.

[*English*]

The Chair: Thank you.

I will now move to Mr. Pat Martin, on debating the motion of Mr. Hiebert.

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

I have serious reservations about the motion put forward by Mr. Hiebert.

People should be aware that right up until late last evening, we were trying to convince the Speaker to allow Mr. Schreiber to go to his home and stay there under supervised house arrest, where he would have had free access to his documents and to his clothes and hopefully where he would have an opportunity to have a restful night's sleep in his own home. I still think that's the direction we should go, but seeing as we couldn't convince the Speaker to release him into that kind of supervised custody, I think he has a valid point about access to his documents. I think a lot of this testimony will rely on verification by documents.

Having said that, there's no point in adjourning this meeting at this time because I believe there's a great deal to be gained from Mr. Schreiber by asking questions of a general nature, or outlining the types of questions that our various parties might want to pursue in the future, and in effect serving advanced notice of the types of documents and research Mr. Schreiber might want to look into in the coming days.

Having said that, I would like to add one final point. Mr. Schreiber has said he is not willing to speak to us or answer questions at this meeting. I think perhaps we should ask the law clerk to remind Mr. Schreiber that he does not have the right to remain silent in this setting. This is quite different from a court of law, as I understand it. I would like that verified by the senior law clerk, perhaps.

The Chair: There has been proper instruction to Mr. Schreiber and Mr. Auger. Let's not be too hard on the words. He has clearly indicated he is willing to appear before this committee and to answer our questions on a fulsome basis.

I'll now move to Mr. Dhaliwal.

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

This is about a point of principle. Canadians want to know the truth, whether there is an abuse of public trust, and it is very important that we should listen to Mr. Schreiber.

He's here today. We should put questions of a general nature. If he can answer, he can answer yes or no. He can tell us that he will come back to these questions later. So I personally do not support this motion to adjourn this meeting, because we would like to continue with this meeting now.

The Chair: Thank you.

Mr. Wallace, please.

Mr. Mike Wallace (Burlington, CPC): Thank you, Mr. Chair.

I will be supporting the motion because what the opposition parties are portraying this motion as is exactly not what we want. You've all spoken about trying to get to the truth. We've added days. All this motion does is add some time.

The Speaker's warrant requires or asks the witness, in this case, to review his papers. He claims he has not been able to do so. We're providing some opportunity this afternoon to be able to go, in this motion, and do that. If that is not available to him, after the application that is in front of the Ontario Court of Appeal is heard tomorrow, it gives him that opportunity to review the papers.

It is not a delay tactic. I think that is a very misinformed position to take on this. In fact, we're trying to speed it up, not slow it down. We are trying to get to those questions.

Mr. Schreiber has clearly indicated in his opening statement—which was completely about his extradition and not about the case of the settlement, which is what the motion was about—that he's not going to talk to us or say anything to us of substance until he looks at his documents. This motion provides him that opportunity to look at his documents.

Let's get back at it this evening, if possible, instead of waiting until next week. If you do not support this motion, you are delaying this process for another four or five days.

Thank you very much, Mr. Chair.

● (1140)

The Chair: Mr. Tilson is next, followed by Mr. Mulcair.

A point of order, Mr. Asselin.

[*Translation*]

Mr. Gérard Asselin (Manicouagan, BQ): Mr. Chairman, on a point of order.

[*English*]

The Chair: Could you please state the nature of the point and then you can get into the details?

[*Translation*]

Mr. Gérard Asselin: Mr. Chairman, I am indeed making a point of order. The basis of the motion moved by the member and the debate that has followed aim to postpone this meeting to this afternoon or this evening.

This is a motion to adjourn, Mr. Chairman. Earlier, you said that that was not the case. I challenge that decision. I am asking that you consult the clerk, because I am convinced that the substance of the discussion has provided proof that this is a disguised motion to adjourn to this afternoon or this evening.

[*English*]

The Chair: Yes, thank you, Mr. Asselin.

Let me submit that the members can at any time move a motion to adjourn. That is not debatable and we should have a vote. If there is a motion to adjourn with conditions—such as we meet again—then that is not an immediate vote. There is debate and it is subject to amendment, etc., as you know.

Thank you for bringing that forward, but it's not a point of order.

Mr. Wallace is complete, then it would be Mr. Tilson, please.

Mr. David Tilson: Thank you, Mr. Chairman.

I concur with Mr. Martin that Mr. Schreiber should have some time to review his documents. I don't know how much time he requires. He wasn't really clear about that.

I simply dismiss the opposition's comments that we're trying to delay this matter. We're suggesting that the matter be held tonight and tomorrow, so I don't know where Madame Lavallée, in particular, gets that into her head.

Mr. Schreiber, as I understand, three weeks ago submitted....

First of all, as a question to you, Mr. Chairman, the other person who's at the table with Mr. Schreiber—Richard Auger, it says—I assume that's his counsel.

The Chair: Yes, Mr. Tilson.

Mr. David Tilson: It was mentioned at the beginning? Thank you.

As I understand it, Mr. Schreiber was able to prepare an 81-page affidavit three weeks ago. I suspect that his papers are in order. He certainly concluded that they were in order—it was about three weeks ago—to prepare a very detailed affidavit of 81 pages. But I understand that he may not have seen those papers for a few weeks. So I believe there would be sufficient time for him to review that affidavit and other documentation this afternoon. Therefore, I would encourage members of the committee that we sit tonight and tomorrow to hear Mr. Schreiber's testimony. I do concur with Mr. Martin that he should have some time. I would think, if we put this off until tonight, Mr. Schreiber will have this afternoon to review his papers.

The Chair: Thank you.

The clerk has advised that he has received papers to sign Mr. Mulcair officially into this meeting, replacing Mr. Martin at this time. So I will now give the floor to....

• (1145)

Hon. Robert Thibault: I have a point of order.

Just for our clarification, I'm pleased that Monsieur Mulcair is joining the debate, but it's been my understanding when we've dealt with this in committees in the past that you couldn't replace a regular member of the committee if that member of the committee was still in the room. If he had to leave the room to go to another committee or to vote, then he would have a replacement, but not while he was present.

The Chair: The clerk advises, and I do recall, that the Bloc has done this on a number of occasions, that they have substituted another member.

I have received the papers for duly signing in Mr. Mulcair, and I give the floor to him.

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Thank you, Mr. Chairman.

The warrant for witness signed by the Speaker of the House of Commons on November 27 clearly states that Mr. Schreiber must have access to any place to retrieve any necessary document as may be needed as papers for his appearance before our Committee.

Mr. Chairman, contrary to Mr. Hiebert, I believe that we could make good use of our time this morning. As other committee members have well said, Mr. Schreiber will remain under the authority of our warrant for witness until we have finished our work. Nothing prevents us from finding other dates.

If Mr. Hiebert is suggesting that we sit this evening or tomorrow, we will not object, unless he is telling us to stop now. We are here and we can indeed put questions of a general nature.

We are opposed to what has been suggested, but when Mr. Wallace talks of this, he takes his premise for an axiom. It is not true that Mr. Schreiber has had access to his papers; he told us that he did not access them. The fact that he was able to prepare an affidavit does not mean that he had access to his papers.

This is a most formal order and, personally, I rise up against the fact that Mr. Schreiber has not been offered the access required under our warrant for witness. This is unacceptable. The very respect for our parliamentary institution is in question. I want you, as Chairman of our Committee, representing this institution, to do what is required so as to ensure that the will of Parliament is fully respected in the pursuit of our work.

Thank you, Mr. Chairman.

[*English*]

The Chair: Thank you, Mr. Mulcair.

I'll move to Mr. Del Mastro, please.

Mr. Dean Del Mastro (Peterborough, CPC): Thank you, Mr. Chair.

Mr. Chair, I fully support my colleague's motion. What my colleague has put forward is a suggestion that Mr. Schreiber be allowed the time to consult his documents, to go home, read through those, and then return to this committee and be prepared to answer questions. Because these matters are not new to Mr. Schreiber. It's not as if he's being asked to testify about something that happened to someone else; these are his personal dealings. He has personal experience with this. I would think a little bit of refreshment—I can't imagine that he's had that much to do for the last couple of weeks, and as my other colleague pointed out, he did recently write a very lengthy affidavit. I cannot imagine that he has anything that he really needs to refresh himself on. But in the event that he does, we support that and give him the opportunity to refresh himself and come back to provide testimony.

Mr. Chair, based on the comments that have been made by Mr. Schreiber, I feel that this is nothing but an extradition delay tactic and has nothing to do with the truth. Canadians want the truth. They would like Mr. Schreiber to answer a few basic questions so that we can get to the truth. What they aren't looking for is for this to continue on and on, a soap opera type of hearing that is only going to allow Mr. Schreiber to avoid extradition to face very serious charges in Germany.

The Chair: Thank you.

Now, Mr. Schreiber, you may be able to assist us with some facts. Could you please advise the committee where your documents and records are located?

Mr. Karlheinz Schreiber: In Toronto, in Ottawa, in Switzerland.

I enjoy that I give you some pleasure.

I want you to understand something: these events are 25 years ago.

The Chair: We need to deal with this question of the members here.

So you have records that you believe are necessary for you to testify before us in Ottawa, Toronto, and Switzerland.

• (1150)

Mr. Karlheinz Schreiber: I can arrange the papers on time. It depends very much what you want really to know. If you want to come to the truth for Canadians—

The Chair: I think that's helpful.

If in fact we proceed as we had originally planned, the members are going to give you an indication of the nature of the questions, so that you can prepare for them.

Do you have here in Ottawa, in your home in Ottawa, do I understand—

Mr. Karlheinz Schreiber: Yes.

The Chair: —sufficient papers there for us to proceed?

Mr. Karlheinz Schreiber: Yes. It depends what you want. When you speak about the affidavit, no, because this was prepared with my lawyer. I have been eight weeks in jail now, so my lawyer came there, and it was all stuff he had at home and from the court cases.

The Chair: But you would have the ability to have any records that you have in Toronto or Switzerland forwarded to you if necessary.

Mr. Karlheinz Schreiber: Sure.

The Chair: Okay. So the documents are going to be available, and we do have Ottawa documents that probably will cover the germane areas of the question before us.

Mr. Schreiber, please.

Mr. Karlheinz Schreiber: I have to remind you that I for years asked for an inquiry, and I am heavily interested to bring it out, but in a way on proper evidence. I was a judge for nine years in my country. I know exactly what you need, and I am not going have this as a political circus with some evidence. I want to have the truth out, and nothing else. What this gentleman is saying, yes, there is something—

The Chair: Mr. Schreiber, order please.

I think we understand.

Could you advise me whether you're aware of whether you can have your records with you at the location where you stay overnight?

Mr. Karlheinz Schreiber: It depends again what you want to know.

The Chair: I'm interested in the question: are you permitted to have your documents with you at the detention centre?

Mr. Karlheinz Schreiber: No.

The Chair: At this point, Mr. Auger, maybe you can just confirm with the directions you've been given by policing authorities who are responsible for the custody of Mr. Schreiber whether there are any restrictions on him having his papers with him while he is no longer in the custody of Parliament on the Hill here. Could you advise him on whether he has...or make a consultation right now? We'll take the time for you to get the answer to that question. Advise him so we can be absolutely sure that once he leaves here, no matter where he's going, and is required to go, that he will have access....

In fact the order, the Speaker's warrant, is clear. It says that Mr. Schreiber has "access to any place to retrieve any necessary document as may be needed". That means he specifically is authorized by this Speaker's warrant to go to his home to get the papers and all the documents he needs, so that he is satisfied that he has what he needs to be able to come here to give fulsome answers to the questions that are posed to him.

Could you please make that inquiry right now of whatever authorities? And if it's not possible to do within the next few moments, I will suspend this meeting until you get an answer for this committee.

Thank you.

Go ahead.

An hon. member: What are we doing?

The Chair: The motion before us, if I may, and the member is correct, is that Mr. Schreiber, after we release him from here, will have his papers and have an opportunity to review them. My concern would be if he is taken immediately back to the detention centre, and the order does not allow him to have those papers with him in the detention centre, then there won't be a meeting tonight because he won't be able to do what we're asking him to do.

So I'm asking to establish, please, right now if possible, or I'll suspend this meeting until we get this answer, that you, Mr. Schreiber, will have full opportunity to review your documents, so when you return before us, whenever the committee decides, you will be in a position to give fulsome answers to the questions posed. Can you consult with your lawyer and find out how we determine who is responsible to answer that question: can Mr. Schreiber have his papers at the detention centre?

Mr. Van Kesteren is the next on the list with regard to Mr. Hiebert's motion.

• (1155)

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

In light of what Mr. Schreiber has just told us, I really see no reason why this isn't an excellent idea, that we could just begin proceedings tonight and tomorrow.

Many of the questions that we will be asking you, sir, will be of such a nature that I don't think you will need much documentation, or any documentation.

We too want to get to the bottom of this. It would appear that the opposition, who were just giddy about extra dates and going on into December and January.... It's somewhat puzzling why they wouldn't entertain such a motion, and more than that, be very receptive to it, because we can shorten this and get to the bottom of it.

I think this is something that, again, has been stated, that the Canadian public expects. Let's get started. I would encourage the opposition to not delay this. Let's get started with the proceedings and let's get to the bottom of it.

Thank you.

The Chair: My next speaker is Mr. Hiebert, who is not at his place. We'll come back to him.

Mr. Del Mastro, and then I'll go to Mr. Hiebert when he's back to his place. After that I have Mr. Asselin, Mr. Thibault, and Madame Lavallée.

Mr. Dean Del Mastro: Thank you, Mr. Chair.

Mr. Schreiber just indicated a few moments ago, based on my comments, that he feels that this is a "circus". I believe that is the word he just used. I encourage my colleagues across the way not to encourage this committee meeting to become a circus. As the Prime Minister said yesterday, he hopes that this committee is a credit to Parliament. As a credit to Parliament, this committee should want to work to get to the bottom of this. Let's not allow ourselves to be led down a path of delay and excuse after excuse and delay. This will go on forever, Mr. Chair.

I humbly suggest that these matters are not new to Mr. Schreiber. We are asking questions of a general nature, which I'm sure he can answer. I would suggest that his contention that he's not prepared to say anything, or that he needs substantial time to prepare, or that he needs substantial time to review documents that are in Switzerland or Toronto or Ottawa, or Lord knows, maybe the next set will be in the Caymans... Let's just get on with this and let's get to the truth.

The Chair: Okay.

We'll go to Mr. Hiebert, please.

Mr. Russ Hiebert: Thank you, Mr. Chair.

Mr. Chair, since I moved that motion a number of minutes ago there seems to have been some misunderstanding of the motion. I want to be very clear.

The Chair: Shall I read it into the record?

Mr. Russ Hiebert: I will ask you to read it in just a moment.

I want to be very clear that I am not calling for the conclusion of this meeting right now. I'm not calling for adjournment. I am calling for this committee meeting to continue, giving members the opportunity, if they so choose, to ask the questions of Mr. Schreiber that they want. And at the conclusion of this committee, we'll reconvene, either tonight at 7 o'clock or tomorrow, after Mr. Schreiber's court of appeal application has been heard.

Could you please read the motion?

The Chair: Exactly as you've stated it, that is the written motion I have before me. I think the members understand your intent. It's to adjourn not at this moment but at the end of this meeting, when it has concluded. We understand that.

Thank you.

We'll have Mr. Asselin, *s'il vous plaît*.

[*Translation*]

Mr. Gérard Asselin: Mr. Chairman, I think Mr. Del Mastro will vote against his colleague's motion because he does, indeed, wish to continue. We all wish to continue. We wish to take advantage of the presence of the numerous journalists who will be reporting on today's evidence.

From the very outset, with the motion that has just been tabled, Mr. Chairman, the Conservative Party is wasting our time. It is wasting everyone's time, even that of the witness, whom it was very difficult for us to have come here.

I am asking that we proceed immediately, Mr. Chairman, even if that means holding the vote right away in order to be able to move forward. We are big girls and boys and we could always decide to prolong our discussions this afternoon and this evening.

The Conservatives' intent is perhaps to have us sit in the middle of the night, in the hope that no reporters would be in the room. That is what would suit them, Mr. Chairman. It is in the Conservatives' interest to have all of this affair swept under the carpet.

[*English*]

The Chair: Okay.

I have three more speakers on the list, and then I think we'll move to the question.

I have Mr. Thibault, Madame Lavallée, and finally Mr. Tilson. Then we will put the question.

● (1200)

Hon. Robert Thibault: Mr. Chair, just to reiterate, if it's acceptable that Mr. Schreiber needs some time to review his documents... I don't know what a couple of hours this afternoon would do. We've lost an hour now debating this motion.

I propose that we go to the vote—I understand that you'll hear two more speakers—and then that we come on Tuesday after Mr. Schreiber has had time to consider our questions and documents himself.

The Chair: Thank you.

Go ahead, Madame Lavallée.

[*Translation*]

You have the floor.

Mrs. Carole Lavallée: Might I ask for the vote, Mr. Chairman.

[*English*]

The Chair: We are moving to the vote. Thank you.

We'll have Mr. Tilson, finally, and then we will put the question.

Mr. David Tilson: Mr. Chairman, as I understand it, this witness has been served with a summons. And then he was served with a Speaker's warrant. I believe that he's had all the time in the world to prepare for this thing.

I cannot believe that his counsel hasn't been to see him when these documents were served on him. I cannot believe that.

We want to proceed with this matter. This committee has given him notice. This committee said to be here today to proceed, and he's saying, "Well, sorry, I'm not ready. I'm not ready to proceed today. I need more time. I need to get some papers from Switzerland, Toronto, and Ottawa."

I find that unacceptable. I am prepared to proceed now. However, I understand why.... I'm prepared to support the motion and not delay it until next week, which is what the opposition is suggesting, but start right today. And I understand if he needs some time this afternoon, considering the time he's already had. He's already had time to consult with his counsel, at least two counsel. He has a counsel here and he has Mr. Greenspan he's been talking to. He's been having all kinds of consultations. So he's ready.

And I propose that we meet tonight, as the motion says.

The Chair: Thank you.

I'm going to read the motion into the record now. This is Mr. Hiebert who says, "I move that at the conclusion of this committee meeting, this committee reconvenes at 7 p.m. and/or tomorrow after the Ontario Court of Appeal has heard Mr. Schreiber's application."

That's the motion before you.

(Motion negatived)

The Chair: We will now move to Mr. Thibault for his seven-minute round.

[*Translation*]

Hon. Robert Thibault: Thank you, Mr. Chairman.

Thank you for being here, Mr. Schreiber. Are you getting the interpretation?

[*English*]

The Chair: Let's take the time to make sure Mr. Schreiber can have the translation.

Hon. Robert Thibault: While Mr. Schreiber prepares, may I raise what I suppose is a point of order? It's just for clarification.

I want to say that we don't object to the ruling you made on signing in people while the regular members are still present, but we'd like to make sure we will be operating that way going forward, because my understanding is that it's different from the regular rules and from what's done by other committees.

The Chair: I'm advised that this practice has been acceptable in committees, and that yes, we will be able to sign in members.

Mr. Thibault, can you speak few words of French to see that Mr. Schreiber's getting the English?

[*Translation*]

Hon. Robert Thibault: Mr. Schreiber, did you reach an agreement with Mr. Mulroney in June 1993, when he was still Prime Minister, enjoining you to procure money for him, either directly or through a third party?

[*English*]

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question. I have nothing to say at this time.

The Chair: May I interject that whenever there is a question that you need your papers for, you say, "Defer", and that will take care of it. Okay?

Mr. Karlheinz Schreiber: Yes.

The Chair: Okay.

Mr. Thibault, please continue.

Hon. Robert Thibault: Did you, Mr. Schreiber, or anyone in association with you, give to Brian Mulroney a cash payment of \$100,000 in August of 1993 while he was still a member of Parliament?

• (1205)

Mr. Karlheinz Schreiber: Defer.

Hon. Robert Thibault: You defer; okay.

Did you attempt to make Prime Minister Harper aware of the fact that such transactions took place, and that some of them took place while Mr. Mulroney was still an elected official?

Mr. Karlheinz Schreiber: Defer.

Hon. Robert Thibault: How many letters have you written to Mr. Harper, and how many did you receive in response from him or from anyone in his office?

Mr. Karlheinz Schreiber: Defer.

Mr. Pat Martin: Point of order, Mr. Chairman.

The Chair: Go ahead, Mr. Martin, on a point of order.... I'm sorry, you're not signed in, Mr. Martin. Oh, you've re-signed in.

Mr. Martin, when you are the signed-in member, you may sit at the table. Mr. Mulcair should not be sitting at the position. You can sit at the table, but I want to know who the person is.

I understand that at this point in time Mr. Martin is the officially signed-in member, and he's asked for a point of order. Could you please indicate the nature of it first, before you get into full flight?

Mr. Pat Martin: Mr. Chairman, the nature of the point of order is the most recent ruling that you've made in this committee. It is otherwise a very well-chaired committee to date, I might say, Mr. Chairman, but the most recent ruling that you made—the ruling giving Mr. Schreiber the option to simply say "Defer"—has, I think, actually given the witness too much latitude and not taken into consideration his obligations as per a Speaker's warrant.

It's a point of order in that I believe the ruling should have been that if the nature of the question is such that it cannot be answered without the necessary documents, then the witness may say "I defer", but if the question is phrased in such a way that it's of a general nature—if I asked, for instance, "What year were you born, Mr. Schreiber?" or "When did you come to Canada, Mr. Schreiber?"—I don't think the witness can clam up and remain silent, given the nature of the authority of the Speaker's warrant.

I was hoping, Mr. Chairman, that you might want to consult the senior law clerk so that we can get some answers to some questions of a general nature and not give Mr. Schreiber a pass on every question we ask.

The Chair: Thank you, Mr. Martin.

I think that Mr. Schreiber understands that if it is clearly a question for which there is no justification to say “defer”, he would answer it, like his address or something like that.

If you have any reason to believe there is something in your papers—it might be just the precise date or something like that—we’ll accept “defer”, but I’m going to allow members to ask for a confirmation of the reason for the deferral to allow Mr. Schreiber to explain, as he was trying to do for each and every one.

Some are obvious, on their face, that they are detailed enough—I suspect most members will be detailed enough—so I will allow you to say “defer” unless the members ask the chair to instruct you to give more detail of why you are deferring.

Would that be all right?

Mr. Karlheinz Schreiber: Mr. Chairman, I rest on my statement. I will not answer these questions and I have nothing to say at this time.

The Chair: All right, I’m going to carry on with Mr. Thibault.

I think we have to show some latitude here. We understand, but I want some latitude. Your intent is that you’re not refusing to answer because you’re never going to answer; I am taking your statement to mean that you will not be answering right now because you really must consult your papers so that you can give a correct and fulsome answer. Is that correct, sir?

• (1210)

Mr. Karlheinz Schreiber: Mr. Chairman, this is exactly what you read in the Speaker’s warrant—

The Chair: Correct. You are absolutely correct.

Mr. Karlheinz Schreiber: —and I was not given this chance. On top of this, eight weeks in court, and I will tell you something. I don’t want to insult anybody here, but there is a great ignorance of what the dimension of the document is.

The Chair: Thank you kindly.

Mr. Thibault, you have four minutes remaining of your seven minutes, taking into account the interruption. Please continue.

[*Translation*]

Hon. Robert Thibault: What was the purpose of the payments to Mr. Mulroney and why were they made in cash?

[*English*]

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question.

Hon. Robert Thibault: Did you provide funds to any other Canadians at any time between 1980 and 2007, either directly or indirectly, in Canada or abroad, to them personally or to a company that they controlled?

Mr. Karlheinz Schreiber: I defer. I rest on my statement, and I will not answer this question at this time.

The Chair: Mr. Martin, on a point of order. Please state the nature of the point of order.

Mr. Pat Martin: Yes, Mr. Chairman. I believe that Mr. Karlheinz Schreiber is not being cooperative with this committee to the extent

that he has taken the fifth on every question we throw at him. He could simply have answered yes or no. Surely he has some personal memory of whether at some point from 1980 to now he bribed somebody, somewhere, some time. Surely he can remember that without checking all of his notes.

The Chair: Thank you for the debate. It’s not a point of order.

Mr. Martin, I do understand your point, and the chair shares some of that concern. But it would appear that in the opening statement Mr. Schreiber indicated he has not seen his documents at all. He has been advised. I take him at his word that he would feel more comfortable to answer the questions of this committee if he knew the nature of the questions.

I’m advised that even Mr. Auger is not even familiar with our proceedings here and probably would not be in a position to properly advise his client at this time. We’re going to spend some time with you, Mr. Auger, to make sure that this does not repeat.

I think the purpose of the exercise right now is for Mr. Schreiber to be apprised specifically of the questions that members are posing, and we take it that you will be coming back to the next meeting prepared to answer these questions as they are presented to you. We will provide you a transcript so that you will clearly know the area of the answer. It may help the next meeting to go much more quickly. But please take under advisement that if there is any question that is fairly benign, it would be nice to hear an answer of yes or no, if that’s applicable, if you can. We will take you at your word, if you need to withhold until you get your books. Okay?

Mr. Karlheinz Schreiber: One hundred percent, sir.

The Chair: Thank you, sir.

Mr. Thibault, we still have two and a half minutes left for you. I would appreciate no more interruptions by members. We’re putting questions on the table for Mr. Schreiber to be apprised of the nature of the matters that will come before him.

Please continue.

Hon. Robert Thibault: Merci, Monsieur le President. Two and a half minutes should be good for three other points of order.

This is from your affidavit in point 6: “My first official meeting with Mr. Mulroney was in..1983”—and that was when Mr. Mulroney had just become leader of the Conservative Party and was leader of the opposition—“when I introduced Mr. Max Strauss to Mr. Mulroney.”

Who is Max Strauss?

Mr. Karlheinz Schreiber: I really want to place you in certain... Max Strauss is the son of Premier Franz Josef Strauss, the chairman of Airbus Industries, and the chairman of the Christian Socialist Union and the Premier of Bavaria.

Hon. Robert Thibault: What was the purpose of the introduction of Mr. Mulroney to Mr. Strauss?

•(1215)

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question. I have nothing to say at this time.

Hon. Robert Thibault: Where did this meeting take place?

Mr. Karlheinz Schreiber: Here, in this building.

Hon. Robert Thibault: In this building. Who else was in attendance at this meeting?

Mr. Karlheinz Schreiber: Myself in part, otherwise nobody.

Hon. Robert Thibault: There would have been you, Mr. Strauss, and Mr. Mulroney alone.

Mr. Karlheinz Schreiber: Yes.

Hon. Robert Thibault: In the fall of 1983, you introduced Mr. Josef Strauss and his son Maxwell to Mr. Mulroney. At that time, was Mr. Mulroney aware that you represented the Strauss family business interests in Canada?

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question.

Hon. Robert Thibault: Would Mr. Mulroney have had any reason to believe you stopped representing the Strauss family's interests in Canada over the next decade?

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question.

Hon. Robert Thibault: In your February 1998 meeting with Mr. Mulroney in Zurich, did you and Mr. Mulroney meet alone?

Mr. Karlheinz Schreiber: Yes.

Hon. Robert Thibault: Did Mr. Thérien approach you to arrange this meeting?

Mr. Karlheinz Schreiber: No.

Hon. Robert Thibault: Did anybody else approach you to arrange this meeting?

Mr. Karlheinz Schreiber: I think at this moment I can't help myself. I think my lawyer will not be happy, but no, it was always Mr. Doucet who arranged...

Hon. Robert Thibault: Mr. Doucet organized this meeting. That would be Fred Doucet, who was on the staff with Mr. Mulroney and also worked as a lobbyist in Ottawa at some time?

Mr. Karlheinz Schreiber: It was before that time. Yes.

Hon. Robert Thibault: Mr. Elmer MacKay was a major supporter of the Thyssen Bear Head project. Did he help you arrange meetings with Mr. Mulroney, his cabinet ministers or officials?

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question.

Hon. Robert Thibault: We know that Peter MacKay got a job working for Thyssen in Germany in the fall of 1992....

Is that it? Can I finish the question?

Mr. Karlheinz Schreiber: I will not answer this question at the moment.

The Chair: Thank you.

I will now move to Madame Lavallée for seven minutes.

[*Translation*]

Mrs. Carole Lavallée: Mr. Schreiber, I believe it was quite predictable that you would come to the Committee without your documents and without the possibility...

Are you getting the interpretation?

[*English*]

Mr. Karlheinz Schreiber: Yes.

[*Translation*]

Mrs. Carole Lavallée: Perfect. The sound is now coming through clearly.

I imagine that we will start the clock up again, Mr. Chairman.

It was predictable that you would come here somewhat at the last minute, without your documents, and that you would not have all of the information needed to provide precise answers to each one of our questions. You do however know some of the answers and you are therefore able to respond to some of our questions.

If you will allow me, I will give you an overview of the questions the Bloc Québécois will be asking you during the course of your appearance on Tuesday, and perhaps on the following Thursday as well and in further meetings possibly. I would like you to prepare yourself properly.

Given that it will have been very kind of me to provide you with this overview, I would, at the end, appreciate your responding to one single question. I do not want your usual answer, but the real answer. Agreed?

The questions that the Bloc Québécois plans on putting to you can be classified under three headings. The first one is the matter of the \$300,000. What happened to these \$300,000? Where did the money come from? Why give the money in cash? What work did Mr. Mulroney do in order to deserve these \$300,000? Those questions are pretty much the ones Mr. Thibault asked. I want to know everything about this matter. That is our first series of questions. Obviously, that would also cover the political contributions you have made to various politicians, in the Conservative camp, for example.

The second part pertains to the management of the correspondence within the Prime Minister's office and Privy Council. This is a serious concern for the Bloc Québécois. We do not know if the ethical rules were respected. You have sent at least two letters to Mr. Steven Harper and he says that he has never even seen them. We find this quite troubling. I have questions for you concerning the letters you have sent and the types of answers you have received, if there have been any. I really want to get answers in this area.

Then, with regard to the handling of this whole affair by the Conservative government, how is it that the Conservative government receives letters and then does nothing? How is it that it hears the statements you make during English language televised broadcasts but that no one has lifted a finger? I would like to hear what you have to say in this regard. I have questions and sub-questions to ask in this area.

That gives you have an idea of the nature of the questions the Bloc Québécois will be asking you.

Now that I have so kindly given you advance warning, I would like to put one single question to you. I would like to get a real answer. Is that agreed? Following that, we will resume next week.

I would like to know precisely what work Mr. Mulroney did in order for you to hand him \$300,000.

• (1220)

[English]

Mr. Karlheinz Schreiber: Today I will rest on my statement and I will not answer this question. But when I am prepared, I'm happy to —

[Translation]

Mrs. Carole Lavallée: But you know why you gave him \$300,000.

[English]

Mr. Karlheinz Schreiber: I think this is one question I should answer.

Because Fred Doucet told me that he is in desperate shape and needed money so badly that I should help him. There was a great mess because he and his wife had sold some furniture from 24 Sussex, which everybody knows, and the furniture belonged to the government and they had to undo the deal, though it was very obvious somebody was spurning there. And, yes, there was more than one reason. One was a bad project, and the other one was that he was helpful in the unification of Germany.

Those were the two reasons, when I went to Harrington Lake. Later on, all this nonsense with the pasta was five years later.

[Translation]

Mrs. Carole Lavallée: I am waiting for the translation.

The interpreter tells me that she did not hear your last sentence, and she is asking that you repeat it. Would that be possible?

The Chair: Could you please repeat what you said, for the interpreter.

[English]

Mr. Karlheinz Schreiber: At the end, I said all this had nothing to do with any pasta business. It had nothing to do with any pasta business; it simply didn't exist.

[Translation]

Mrs. Carole Lavallée: Did that have anything to do with other services that he provided to you when he was Prime Minister?

[English]

Mr. Karlheinz Schreiber: Services when he was Prime Minister?

[Translation]

Mrs. Carole Lavallée: If I ask you for \$300,000 to balance my budget, are you going to give me the money?

[English]

Mr. Karlheinz Schreiber: Under the circumstances, yes.

[Laughter]

Mr. Karlheinz Schreiber: On top of this, you get a laugh.

I'll give you another laugh. It was not \$300,000 that we discussed, it was \$500,000. But he received only \$300,000 because he did nothing, simple like that. That's it.

[Translation]

Mrs. Carole Lavallée: I see. He was therefore supposed to do something for \$500,000?

You stated that he was to receive \$500,000. He was therefore supposed to do something for the \$500,000. What was he supposed to do?

[English]

The Chair: Excuse me.

Mr. Schreiber, could you please lean a little closer to the mike when you respond, so that the translator can quickly give the information to Madame Lavallée?

I'm not going to take that off your time, Madame.

Carry on, please, with your answer.

[Translation]

Mrs. Carole Lavallée: Thank you.

I will repeat my question, which might be easier. Mr. Mulroney was supposed to receive \$500,000. He only received \$300,000 because, if I understood correctly, he did not do the work that you had asked him to do. What was that work?

[English]

Mr. Karlheinz Schreiber: Madam, this is what we have right now in front of the court in Toronto where I sue him for the repayment. So I don't know whether I should even speak about it, as long as it's in front of the court. But you'll find out pretty soon what it is.

By the way, all these things—I have to say this, to give you an idea—this is about 80 files, only lately we received in my case about 35,000 pages. I think some members have no idea what we are talking about. Twenty-five years in business and I'm prepared to tell you all what it is, but based on proper documents, as I was told I could do. I was unable to look it up, and I want really to provide you with the truth. Everybody is speaking about the truth. Keep in mind, I asked for the inquiry. Allow me to do it my way. Otherwise, I'm not prepared to do it.

• (1225)

[Translation]

Mrs. Carole Lavallée: I would inform you that this parliamentary committee is not a commission of inquiry and that it has a very different role to play. You could answer 90 percent of the questions we are putting to you here without even consulting your files. I am convinced that you have a good memory.

[English]

Mr. Karlheinz Schreiber: I know I have a good memory, but I also told you I am a judge, and I have to make sure that when I give evidence here under oath, Ma'am, it fits. Justice Bélanger wrote in one decision where the crown tried to make me a hostile witness, and I said that I have to be careful not to commit perjury even by chance, and he added that Mr. Schreiber said he was born ugly, not stupid.

The Chair: Thank you very much.

We now move to Mr. Martin for seven minutes.

Mr. Pat Martin: Thank you, Mr. Chairman, and thank you, Mr. Schreiber.

Mr. Schreiber, it's our goal to follow the money and also follow the paper trail in the coming days and weeks that I hope that we have together.

I have a simple question about the money, first of all. Did the cash payments that you gave to Mr. Mulroney come from the account of the secret commissions on the Airbus sale?

Mr. Karlheinz Schreiber: I rest on my statement—

Mr. Pat Martin: Surely, that's a very straightforward question. You must remember where the money came from, Mr. Schreiber. Which bank account did it come from? It went into the "Britan" account—is that correct?

Mr. Karlheinz Schreiber: You know all this from *The Fifth Estate*. It's shown where the money goes—

Mr. Pat Martin: Where did it come from? Did it come from the account of secret Airbus commissions?

Mr. Karlheinz Schreiber: No. It came from the account where all the money went in.

Mr. Chairman, we come exactly to this point where this is so broad because all the projects went somewhere else and it was government participation. It was a fight for the surviving of an Airbus industry in Europe.

This thing is so complex, I want to give you one idea to understand. Eddie Greenspan is for sure not a dumb person, and he needed five and a half months to understand my case, and the same in Germany. So how can anybody here understand in two minutes or half an hour what the case is?

The Chair: Order.

I thank you for that, but it is Mr. Martin's time, so I'll ask—

Mr. Pat Martin: We've been following this case for twenty years, Mr. Schreiber. I think we'll catch on. We'll be a quick study.

I would ask you, Mr. Schreiber, to table and produce for this committee all your personal calendars and notebooks from that period. I believe it's within the authority and powers under the Speaker's warrant for the production of papers as requested at committee. I'll serve notice of that today. I expect them in a timely fashion.

Now I'm going to pass over to my colleague for his questioning.

The Chair: No, he's not signed in, unfortunately. So carry on. There's only one and a half minutes left in the NDP slot. Carry on, if you may.

[*Translation*]

Mr. Thomas Mulcair: I will use up the rest of the time, Mr. Chairman.

[*English*]

The Chair: Order.

Okay. Mr. Martin has now moved away from the table, and Mr. Mulcair has the floor.

There is less than two minutes left, Mr. Mulcair.

[*Translation*]

Mr. Thomas Mulcair: Mr. Schreiber, we want to know if, during the 1993 election campaign, you made a \$500,000 payment to Mr. Marc Lalonde. If such is the case, what were the reasons for this payment? We would like to know when and where you met Mr. Lalonde.

We want to know why you made a \$10,000 donation to the Liberal Party of Canada in 1993.

We especially want to know what you mean in the letter you sent. You state that Brian Mulroney is an excellent advocate. The Act respecting the Barreau du Québec sets out, in its regulations, very strict rules for lawyers charging fees to clients. The term "advocate", in the English version of the *Loi sur le Barreau*, is reserved for members of the Bar.

In using the term "advocate" to describe Mr. Mulroney's work, are you inferring that he did the work of a lawyer? If so, that might imply all sorts of things, because there are provisions of the Code of ethics of advocates that prohibit one from giving false evidence. There are rules that very clearly prescribe the way one must maintain one's bookkeeping and invoicing.

We will have to know if Mr. Mulroney had the slightest pretence of acting as an advocate, within the meaning given to the term in the Act respecting the Barreau du Québec.

• (1230)

[*English*]

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer this question.

The Chair: Thank you very kindly.

We will now move on to Mr. Hiebert for seven minutes.

Mr. David Tilson: Mr. Chairman, I have one question, and then Mr. Hiebert will follow.

The Chair: You're splitting your time, as it were? Fine, carry on.

Mr. David Tilson: Yes.

Just to confirm the question Mr. Martin asked Mr. Schreiber, the committee requires all your papers. So when you appear the next time, we will require all those papers at that time. We don't want you to leave them somewhere. We expect you to bring them here, so we can look at them the next time. Do you understand that?

Mr. Karlheinz Schreiber: Yes, but it will never work.

Mr. David Tilson: We require those papers. You've been subpoenaed—

Mr. Karlheinz Schreiber: Okay, but you need a truck here—

Mr. David Tilson: —you have a Speaker's warrant—

The Chair: Order, order.

I don't want an argument going back and forth here. Mr. Tilson, pose your point; Mr. Schreiber, if you would wait until the member has posed his question, then make the appropriate response you would care to make.

Mr. Karlheinz Schreiber: I rest on my statement. I will not answer this question.

Mr. David Tilson: Okay.

The Chair: Mr. Hiebert, we're carrying on with that time slot.

Mr. Russ Hiebert: Mr. Schreiber, I have a couple of simple questions I'd like to ask you. They only require a yes or no answer. They're not complicated, and I hope you'll be willing to provide me with the answers.

Have you ever spoken directly with, or met, Prime Minister Stephen Harper?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Has a lawyer, while acting on your behalf, ever met with or spoken with Prime Minister Harper?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Have you or a lawyer acting on your behalf ever met with or spoken with a member of the staff of Prime Minister Harper's office?

Mr. Karlheinz Schreiber: Not to my knowledge.

Mr. Russ Hiebert: We understand from media reports that you've attempted to correspond with the Prime Minister. Has the Prime Minister ever replied to your correspondence?

Mr. Karlheinz Schreiber: Yes, once.

Mr. Russ Hiebert: You're saying the Prime Minister's Office replied to your correspondence. Can you give me the date of that correspondence, or the nature of that correspondence?

Mr. Karlheinz Schreiber: Here we're now exactly where I said: without evidence, we can't do this, and I cannot answer this question.

Mr. Russ Hiebert: Okay.

Mr. Schreiber, are you aware of the letter submitted by the Privy Council Office that was published in the *National Post* on November 19? It states, and I quote:

...the Privy Council Office processes all incoming correspondence to the Prime Minister. In the case of correspondence from Karlheinz Schreiber, it was decided that replying would be inappropriate as a result of the author being the subject of an extradition hearing, as well as his involvement in other litigation.

Finally, I want to reconfirm here for your readers the accuracy of statements made by the Prime Minister's Office, that the Privy Council Office did not forward the March 29, 2007 letter to the Prime Minister's correspondence unit.

Are you aware of that letter?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Mr. Schreiber, have you ever held a membership in or donated funds to the Conservative Party of Canada since its creation in 2003?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Mr. Schreiber, did you have an agreement with Mr. Mulroney? Yes or no.

Mr. Karlheinz Schreiber: Yes.

Mr. Russ Hiebert: You had an agreement. Okay. Can you tell us when you established that agreement?

• (1235)

Mr. Karlheinz Schreiber: It was at Harrington Lake.

Mr. Russ Hiebert: Do you know the date of that meeting?

Mr. Karlheinz Schreiber: Everybody knows. It was June 23.

Mr. Russ Hiebert: Did you offer—

Mr. Karlheinz Schreiber: Or was it July? I'm not too sure any more. It was July, I think.

But here, it's exactly these questions.... You see, I don't have my documents. I'm sorry; I am not going to answer any further questions.

Mr. Russ Hiebert: Mr. Schreiber, did you ever offer Mr. Mulroney employment—yes or no?

Mr. Karlheinz Schreiber: I rest on my statement and I will not answer the questioning any more.

Mr. Russ Hiebert: Clearly, Mr. Chair, the witness is being uncooperative. There's no point in my asking any further questions if he is not prepared to even consider answering them.

The Chair: Mr. Hiebert, you still have about three minutes remaining.

Mr. Schreiber, under the proceedings of Parliament, you must respond to the questions of the members unless you can justify to us that you cannot answer because you need papers, papers that we accept you did not have access to. I do understand your fine point that a slight error might have damages, and we will give you the benefit of the doubt, but I want you to affirm back to us that you understand you are not permitted to refuse to answer any questions, although you may say to us that you are not prepared to answer questions.

If we understand each other clearly, then I think Mr. Hiebert can carry on. You may say that you are not prepared to answer but not that you refuse to answer, please.

If that's clear, I'm going to give Mr. Hiebert an extra minute or two to go back to a couple of questions and receive your official answer, so that we are all very clear. Would that be all right?

Mr. Karlheinz Schreiber: Yes.

The Chair: Thank you.

Mr. Hiebert, you have about four and a half minutes remaining.

Mr. Russ Hiebert: Thank you, Mr. Chair.

Again, Mr. Schreiber, a yes or a no answer is sufficient. Did you offer Mr. Mulroney employment?

Mr. Karlheinz Schreiber: I am not prepared to answer that.

Mr. Russ Hiebert: Mr. Schreiber, after Mr. Mulroney resigned as Prime Minister, did you ever have an agreement with him to act in connection with any specific ongoing proceeding, transaction, negotiation, or case to which the government of the day was a party—yes or no?

Mr. Karlheinz Schreiber: I am not prepared to answer that.

Mr. Russ Hiebert: Mr. Chair, if this proceeds, there is no point in my asking these questions.

The Chair: Maybe we can facilitate. Would you like Mr. Schreiber to amplify on his answer that he's not prepared to answer that last question?

Mr. Russ Hiebert: If he could explain to the committee, it would be very helpful .

The Chair: Could you repeat the last question to which he gave that answer?

Mr. Schreiber, I would ask you to give a fuller response if there is any specific item that would lead you to believe that you are not prepared.

I will ask Mr. Hiebert to repeat his question, and then I would like you to amplify a little bit more than saying you are not prepared. Would that be okay?

Mr. Karlheinz Schreiber: Okay.

The Chair: Thank you.

Mr. Russ Hiebert: Mr. Schreiber, did you offer Mr. Mulroney employment?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Thank you.

Mr. Karlheinz Schreiber: Hang on. What do you mean by "employment"?

Mr. Russ Hiebert: Did you offer him a job?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: After he resigned as Prime Minister, did you ever have an agreement with Mr. Mulroney to act for you in connection with any specific ongoing proceeding, transaction, negotiation, or case before the government of the day? Please answer yes or no.

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Thank you.

After Mr. Mulroney resigned as Prime Minister, did you ask Mr. Mulroney to contact any federal government department on your behalf?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Thank you.

After he resigned as Prime Minister, did Mr. Mulroney ever advise you on how your business could benefit from the programs or policies of any department of the federal government?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: On what dates and at what locations did you give the money to Mr. Mulroney?

Mr. Karlheinz Schreiber: I am not prepared to answer.

Mr. Russ Hiebert: Okay.

Can you answer the question of what the money was for?

Mr. Karlheinz Schreiber: For future services.

• (1240)

Mr. Russ Hiebert: All right.

Who did the money come from? Was it your money? Was it somebody else's money?

Mr. Karlheinz Schreiber: I am not prepared to answer this question.

Mr. Russ Hiebert: Okay.

Why did you hand over the money in cash, as opposed to using a cheque?

Mr. Karlheinz Schreiber: The cash was available, and I am not prepared to say anything further on this.

Mr. Russ Hiebert: Okay.

Did Mr. Mulroney ever ask you for a statement suggesting that he never sought or received money from you? Did he ever ask you to make a statement indicating that he never asked for money from you?

Mr. Karlheinz Schreiber: When you say "Did he ask you", do you mean him, in person, or somebody else for him?

Mr. Russ Hiebert: Well, let's start with whether he asked you directly.

The Chair: You have one more minute, Mr. Hiebert.

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Did somebody else ask you on his behalf?

Mr. Karlheinz Schreiber: Yes.

Mr. Russ Hiebert: Can you tell us who it was?

Mr. Karlheinz Schreiber: No.

Mr. Russ Hiebert: Okay. Why can't you tell us?

Mr. Karlheinz Schreiber: Please...?

Mr. Russ Hiebert: Why can you not tell us who asked you to prepare a statement indicating that Mr. Mulroney never received money from you?

Mr. Karlheinz Schreiber: This is correspondence with lawyers he had, or his lawyers had, so I am not prepared to answer that.

The Chair: Mr. Hiebert, I regret your time has expired.

There is a point of order.

Could you please state the nature of your point of order before you get into your description?

Hon. Robert Thibault: Yes; it's on the production of documents, and I will be quite quick.

Mr. Schreiber, when he made his opening statement, quoted from a document. He was reading from a document. I would respectfully request that the document be tabled at the end of the meeting to form part of the record.

The Chair: Okay.

Can you refresh Mr. Schreiber on the nature of the...?

Hon. Robert Thibault: It was his opening statement.

The Chair: Mr. Schreiber, in your opening statement you were quoting and reading from letters you had before you, and from a statement. The members have asked if we could have a copy of that for circulation to them so that they would be able to be sure they understood what you said. Would that be all right?

Most of it's read into the record anyway. Members have been scribbling down. I think—

Mr. Karlheinz Schreiber: But this is a letter from Mr. Greenspan. I think we should adjourn, then, and I have to speak to him about it.

The Chair: Normal practice in Parliament is that when a party quotes from a document, there can be a request—and sometimes it's mandatory—that they table that document so that the context in which it is made is understood.

The member has formally asked, and I am asking on behalf of all members, that the document you read from as part of your opening statement be provided to the committee now. Is that all right?

Mr. Karlheinz Schreiber: I'm not quite clear, Mr. Chairman, whether I have to speak to Mr. Greenspan about it. It is his note to me.

The Chair: In your opening statement, are you telling me that the quotations you referred to are in your document and they are extracts from a letter? Or do you have in front of you the letter from Mr. Greenspan and you were just reading parts of it into the record? Which is it?

Mr. Karlheinz Schreiber: No, it was done with Mr. Greenspan and myself to make sure that I get it out right.

The Chair: So you read the whole thing into the record, all of what's in front of you?

Mr. Karlheinz Schreiber: Yes.

The Chair: So it's not a secret. It's already out. Will you table that document with the committee? Yes or no. We'd like to have a copy of it.

Mr. Karlheinz Schreiber: As I said, I would like to speak to Mr. Greenspan about it, but I have no problems with it.

The Chair: Well, Mr. Schreiber, you can't win all the battles. In this regard, it appears that you have read a document fully into the public record, on television, etc. It's before you, and I think it's a little late to consult with Mr. Greenspan whether or not you have his permission to let people see it. So I'm not going to ask, I'm going to order you to surrender that document for copy.

We will move on. Our next round is a five-minute round.

Mr. Dhaliwal, please.

•(1245)

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

Welcome, Mr. Schreiber.

Mr. Schreiber, so far we were aware of the \$300,000, but today we had a bombshell when you said that it was \$500,000. You said that the original agreement with Mr. Mulroney was for \$500,000. Why did he not get the two final payments? When did you decide to shut him out?

Mr. Karlheinz Schreiber: We have a problem here. It's not exactly what I meant. I said \$500,000 was available for this project, and since he didn't perform, he didn't get the \$500,000, simple like that.

Let me make this simple. There was \$500,000 left in the account for the Bear Head project, and his job would have been to deal with the Bear Head project, and since nothing happened....

Mr. Sukh Dhaliwal: I'm going to ask you this, because Mr. Hiebert asked you a question about the donation. Did you ever donate funds personally—personally means you, as Karlheinz Schreiber—to the Conservative Party since 1980?

Mr. Karlheinz Schreiber: The answer is yes.

Mr. Sukh Dhaliwal: Mr. Schreiber, did you personally donate any money to any other party? Personally means you, Karlheinz Schreiber, not your company.

Mr. Karlheinz Schreiber: I cannot answer this question. I'm not prepared for that.

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

Mr. Schreiber, Canadians want to know what Mr. Harper knew and when he knew it and why he distanced himself so quickly from Mr. Mulroney. So Mr. Schreiber, I'm going to ask you questions about your correspondence with Mr. Harper. To assist the committee, I'm happy to table the copies of the letters that you sent to Mr. Dion earlier this month.

Mr. Chair, I'm going to table these copies here for your convenience.

I should let you know, Mr. Schreiber, that upon viewing this package, Mr. Dion asked that a copy of this be sent to the RCMP. Can you confirm that in your March 29, 2007 letter to Prime Minister Harper, you included the information that Mr. Mulroney was looking for financial help in the summer of 1993, and you met him at Harrington Lake on June 23, 1993?

Mr. Karlheinz Schreiber: Sir, I would appreciate it if I could see this letter, because I understand that my lawyer has sent it out and I might not even have seen it.

Mr. Sukh Dhaliwal: Mr. Chair, can we hand this copy to Mr. Schreiber?

The Chair: Is it in both official languages?

A voice: It's for the witness.

The Chair: Oh, it's for the witness.

Mr. Sukh Dhaliwal: It's a copy of the letter that he wrote.

The Chair: Just a moment. Let me consult.

Mr. Sukh Dhaliwal: Don't take any of my time off then, please.

The Chair: You still have one and a half minutes.

Before Mr. Schreiber leaves we will take care of that, unless it's determined that there's a reason it shouldn't be. My first inclination was whether it is available in both official languages, etc., but I don't want to take any more of the committee's time on those details.

Mr. David Tilson: I will, Mr. Chairman, on a point of order.

The Chair: Yes.

He wants to give a document to Mr. Schreiber but not to everybody else.

Mr. David Tilson: I'm sorry, I have a point of order.

As you know, Mr. Chairman, the rules of this place are that documents are not produced at any committee hearing unless they are in both official languages. I understand that this one is not, so I think you'll have to wait for when it becomes translated into both official languages.

The Chair: Mr. Tilson, you are absolutely correct. However, nothing precludes a member from transmitting any document to another party outside of the meeting. So that would be another way in which—

•(1250)

Mr. David Tilson: What he jolly well does outside the committee is his business, but in this committee hearing, Mr. Chairman, this document being produced is out of order.

The Chair: Yes, I agree with you, if it's not in both official languages.

On the same point of order, I'll now go to Mr. Thibault.

Hon. Robert Thibault: I seek clarification, Mr. Chair.

I understand the rule. It's a reasonable rule, that any document circulated to a House committee be circulated in both official languages.

In this instance, it's not the exact same thing. The member is putting a question to a witness. In the question to the witness, he refers to a letter that was originally the witness's letter. This is a letter that the witness wrote. The witness says that letter may refresh his memory. The member offers to give him a copy of the witness's own letter, put it in his possession, not the committee's, so that he may be prepared to answer the question put before him. I think this would be quite different from evidence that's put to all members of the committee.

The Chair: On the same point of order, Madame Lavallée.

[Translation]

Mrs. Carole Lavallée: Mr. Chairman, we need unanimous consent for this document to be tabled.

At the beginning of the week, I provided a motion that we will, I hope, be able to discuss before we leave. By virtue of this motion, the documents pertaining to the Mulroney-Schreiber affair would be distributed as they arrive, and the translation would be provided to us as quickly as possible.

I will be consistent and immediately give my consent in order for this document to be distributed and for us to be provided with the translation as quickly as possible.

[English]

The Chair: I have no more speakers. I'm going to rule on this.

The initial group of documents provided to the committee are only in English. To be distributed to the members, the normal practice is that they would have to be translated before distribution.

Mr. Dhaliwal has another copy, of the same document I understand, and it's also only in English. He would like Mr. Schreiber to have a copy of that now so he may respond to the question that Mr. Dhaliwal has asked. The only way we can do that is to get the unanimous consent of the committee to distribute the

documents and to undertake to translate and distribute them in French as soon as possible.

Mr. Thibault.

Hon. Robert Thibault: Mr. Chair, I seek unanimous consent that the documents be distributed now, in English, and that they be translated at a later date.

The Chair: I have a motion before us.

Is it the pleasure of the committee to adopt that motion?

(Motion agreed to)

The Chair: Please circulate the documents and provide that to Mr. Schreiber.

Mr. Dhaliwal, you have one and a half minutes to go.

Mr. Sukh Dhaliwal: Mr. Schreiber, in the March 29, 2007 letter you suggest that Mr. Harper's government appears to be involved in a cover-up and is targeting you. And you say on page two, "Delay the Schreiber lawsuit...put him in jail or extradite him to Germany. Shut him up."

Can you confirm that?

Mr. Karlheinz Schreiber: Sir, excuse me, do you refer to a letter in this package?

Mr. Sukh Dhaliwal: Yes.

Mr. Karlheinz Schreiber: Because I didn't know what it is, I just wanted to see it. Which letter?

Mr. Sukh Dhaliwal: It's a March 29, 2007 letter.

•(1255)

The Chair: Mr. Dhaliwal, he's on the correct page; just direct him to the paragraph he should look at.

Mr. Sukh Dhaliwal: It's on page two.

Mr. Karlheinz Schreiber: Here we come to something very simple, sir. This letter was sent out by my lawyer on my behalf to several people, and whatever you see here is correct.

Mr. Sukh Dhaliwal: It's correct? Okay.

Mr. Schreiber, can you confirm that your September 26, 2007 letter to the Prime Minister, Mr. Harper, also included the information about a June 23, 1993 meeting, and at page 5 says, "My suspicion is that for personal and political reasons you became part of the illegal activities against me and the cover-up...?"

Mr. Karlheinz Schreiber: Absolutely.

The Chair: Thank you.

Mr. Tilson, you may have five minutes.

Mr. David Tilson: Mr. Chairman, because of the way the questions have been going and because the answers that have been given are non-answers, the government will not be asking any further questions at this time. We will wait until the next session, so that Mr. Schreiber can properly inform himself, so that we can have proper answers to our questions.

The Chair: Thank you kindly.

Mr. Asselin, you have five minutes.

[Translation]

Mr. Gérard Asselin: My question is for you, Mr. Schreiber. Is it true that you are a great friend of Mr. Mulroney?

[English]

Mr. Karlheinz Schreiber: No.

[Translation]

Mr. Gérard Asselin: You are not a friend of Mr. Mulroney?

[English]

Mr. Karlheinz Schreiber: No.

[Translation]

Mr. Gérard Asselin: You did however help Mr. Mulroney get elected during the 1984 election campaign.

[English]

Mr. Karlheinz Schreiber: Yes.

[Translation]

Mr. Gérard Asselin: You are aware that in order to get Mr. Mulroney elected during the 1984 election campaign, you had to bring to the leadership convention delegates who were against Joe Clark and who were Mulroney supporters. You are aware that there had to be a lot of pro-Mulroney delegates.

[English]

Mr. Karlheinz Schreiber: Yes.

[Translation]

Mr. Gérard Asselin: You showed yourself to be generous in paying for the transportation to the convention of delegates who supported Mulroney.

[English]

Mr. Karlheinz Schreiber: No.

[Translation]

Mr. Gérard Asselin: In your view, was it easier to advance specific interests or personal interests under Mr. Mulroney's reign rather than under Joe Clark's?

[English]

Mr. Karlheinz Schreiber: You see, this is exactly why I said to you the thing is so complex. I am really prepared to explain all this to you, but when you have questions where you jump from one that was in 1980-1981 and the next question is from 2007, it would be a miracle if I were able to answer all of them. When I have something like this in front of me, it's simple.

What I did was donate money to the president of the Conservative Party. This was Mr. Frank Moores at the time. There was a group—especially Mr. Walter Wolf, who claimed to be a very close friend to Mr. Mulroney.... He was the one, by the way, who introduced me to Mr. Moores and to Mr. Mulroney.

[Translation]

Mr. Gérard Asselin: Have you or your company contributed financially to the Canadian Alliance or the Reform Party?

[English]

Mr. Karlheinz Schreiber: Not that I recall.

[Translation]

Mr. Gérard Asselin: This might help you remember. Since 1993, with the appearance on the scene of the Reform Party, with the decline of the Conservative Party, with the possibility that the Reform Party or the Canadian Alliance take power, before the merger with the Conservatives, did you not find that there was a certain interest...

[English]

Mr. Karlheinz Schreiber: Now I understand.

[Translation]

Mr. Gérard Asselin: ... in contributing financially to the Canadian Alliance or the Reform Party?

• (1300)

[English]

Mr. Karlheinz Schreiber: No.

I understand now what you mean. The answer is no.

[Translation]

Mr. Gérard Asselin: The money that was paid out to Mr. Mulroney was for two initiatives: first an initiative relating to the pasta factory and, secondly, an initiative concerning the purchase of armoured vehicles.

Is that the case?

[English]

Mr. Karlheinz Schreiber: I repeat myself: pasta had nothing to do with it.

It was the light armoured vehicle.

[Translation]

Mr. Gérard Asselin: Which means that, if you are rejecting outright any involvement in the pasta factory, you are not rejecting any involvement in the lobbying for and the purchase of armoured vehicles.

[English]

Mr. Karlheinz Schreiber: No, it was about the Bear Head project that I was supposed to realize on behalf of the Thyssen company in Cape Breton; that's what it was all about. I spoke with Mr. Mulroney about this from 1983, 1984, or 1985, constantly, because I was the chairman of the company.

The Chair: Thank you, Mr. Asselin.

Colleagues, it is the normal time of adjournment. We are near the end of the second round. To be equitable to all members, I would like to hear from the NDP and the Liberals, which will complete the second round, and then we'll go on.

An hon. member: We voted against extending the meeting.

The Chair: This will just be for ten minutes, so that all parties will have equal time. I think it's fair. It's in good faith.

Mr. David Tilson: They've had their time. We voted against extension.

The Chair: No, we are in the second round of questioning here. We had a full round of seven minutes. We've had most of the second round of five minutes, except for the NDP and the Liberals. I would like to complete that, and then we will adjourn, if that's all right with the members.

Some hon. members: No.

The Chair: Is there a motion someone would like to make that we hear the last two speakers? Is someone prepared to move that we hear the last two people of the second round?

Mr. Sukh Dhaliwal: I so move.

The Chair: Mr. Dhaliwal moved that. I think it's all understood.

(Motion agreed to)

The Chair: Mr. Mulcair, you have the floor.

[*Translation*]

Mr. Thomas Mulcair: Thank you, Mr. Chairman.

Mr. Schreiber, John Crosbie did an inquiry into the Airbus affair. Did he ask you questions at the time and, if so, what was the nature of these questions?

[*English*]

Mr. Karlheinz Schreiber: Could you please repeat that question?

Mr. Thomas Mulcair: John Crosbie investigated the Airbus controversy at the time. Did he ask you questions, and can you recall the nature of those questions?

Mr. Karlheinz Schreiber: Is that John Crosbie, the former minister from Newfoundland?

Mr. Thomas Mulcair: Yes.

Mr. Karlheinz Schreiber: No.

Mr. Thomas Mulcair: He did not ask you any questions?

Mr. Karlheinz Schreiber: No.

Mr. Thomas Mulcair: When the RCMP investigation became public, did you inform Mr. Mulroney about it once you learned of it?

Mr. Karlheinz Schreiber: I think you refer to the letter of request that was sent to Switzerland.

Mr. Thomas Mulcair: Yes.

Mr. Karlheinz Schreiber: Yes, I informed him, because I was in the office of the lawyers in Switzerland.

Mr. Thomas Mulcair: Was there any discussion at that time between you and Mr. Mulroney about the \$300,000 in cash payments and how to explain them to the RCMP in light of the investigation?

Mr. Karlheinz Schreiber: No.

Mr. Thomas Mulcair: How did you meet Mr. Fred Doucet and Mr. Gerry Doucet?

Mr. Karlheinz Schreiber: They were shareholders of Government Consultants International. I think I met Fred Doucet earlier, once in Montreal.

Mr. Thomas Mulcair: What was your relationship with Government Consultants International?

Mr. Karlheinz Schreiber: They were a lobbying company for the Thyssen company. They worked also for MBB, Messerschmitt-Bölkow-Blohm.

Mr. Thomas Mulcair: When did you hire that firm?

Mr. Karlheinz Schreiber: I have to correct something here. This is a complete misunderstanding, and I'm happy to explain this to you. All this nonsense you read quite often in the papers doesn't mean it is true. All the agreements were between the industrial companies and Government Consultants International. I was in the middle to organize the things and to watch the funds flow, because we had somebody who stole the money.

● (1305)

Mr. Thomas Mulcair: During the 1993 election campaign, did you make a payment to Mr. Marc Lalonde?

Mr. Karlheinz Schreiber: In the 1993 election campaign? No.

Mr. Thomas Mulcair: Did you ever make a payment to Mr. Marc Lalonde at any time?

Mr. Karlheinz Schreiber: Sure, he's my lawyer.

Mr. Thomas Mulcair: Did you make a payment to him for \$500,000?

Mr. Karlheinz Schreiber: No.

Mr. Thomas Mulcair: What was the amount of the payment?

Mr. Karlheinz Schreiber: I have no idea.

Mr. Thomas Mulcair: You have no idea, but you know it wasn't \$500,000.

Mr. Karlheinz Schreiber: Yes.

Mr. Thomas Mulcair: How did you meet Mr. Lalonde?

Mr. Karlheinz Schreiber: Mr. Lalonde became a lawyer for me for certain business actions I had privately. He was recommended to me, if I recall this right, I think through Mr. Moores.

Mr. Thomas Mulcair: Why did you make a \$10,000 donation to the Liberals in 1993?

Mr. Karlheinz Schreiber: In 1993.... I cannot answer this question. I have no recollection.

Mr. Thomas Mulcair: It's on the record that you made such a payment. Do you know why?

Mr. Karlheinz Schreiber: In 1993?

Mr. Thomas Mulcair: Yes. The Liberals were about to take power; that was public knowledge. Would that have been one of your reasons?

Mr. Karlheinz Schreiber: I have not the smallest clue how that happened.

Mr. Thomas Mulcair: One of the questions to which we will be seeking an answer in the coming days, Mr. Schreiber, and to help you better prepare as you go through your notes, pursuant to the warrant, is what financial dealings you might have had with other politicians, current or former, and/or senior public office holders. We want to make sure you know that so that you can guide yourself and inform your choices as you go through the thousands of pages of documents you say you have to consult.

Mr. Karlheinz Schreiber: Well, we have to make one thing very clear. In the Thyssen company and the companies I represented, of which I was the chairman, we had employees, and they went and made donations on our behalf to fundraising dinners and whatsoever. I, myself, was earlier a member of the 500 of the Conservatives. So how do I know whatever I paid for them? I didn't care.

The Chair: You have less than one minute, Mr. Mulcair.

Mr. Thomas Mulcair: Were there any discussions between you and Mr. Mulroney about these payments, this \$300,000 payment in particular, being made as a gift with no services expected in return?

Mr. Karlheinz Schreiber: No.

Mr. Thomas Mulcair: It was always clear that there were services expected in return?

Mr. Karlheinz Schreiber: Yes. And as I said earlier, this is the question of the lawsuit, and I'm not prepared to answer anything more on that.

Mr. Thomas Mulcair: Well, you just did, Mr. Schreiber, and I thank you for your answer.

The Chair: Thank you kindly.

The final five minutes left go to Mr. Hubbard, please.

Hon. Charles Hubbard (Miramichi, Lib.): Thank you, Mr. Chair.

Mr. Schreiber, I know it's very difficult for you. Yesterday you were somewhere else. You probably didn't have a good night's sleep, and you're before up to 20 people, I guess, when you look around the table, who are looking to ask you all kinds of questions from over the last 25 years.

I'd like to just go to one particular affidavit dealing with correspondence between you and.... You say he's no longer your friend, but he was your friend, apparently, back in July 2006. Apparently you wrote a letter to Mr. Mulroney at that time and indicated you had some problems that needed to be addressed. You were led to believe, in that letter, that a meeting was to be held at Harrington Lake and that Mr. Mulroney at that point would be able to help you with some of your legal problems, in terms of your Canadian citizenship and staying in this country.

Do you recall that letter?

Mr. Karlheinz Schreiber: Yes.

Hon. Charles Hubbard: What did the Honourable Brian Mulroney promise to do with that letter?

Mr. Karlheinz Schreiber: Take it to Mr. Harper.

Hon. Charles Hubbard: Was any information brought back to you in terms of a discussion between Mr. Harper and Mr. Mulroney?

Mr. Karlheinz Schreiber: Yes.

Hon. Charles Hubbard: Could you briefly tell us what the outcome of that meeting between Mr. Harper and Mr. Mulroney was?

Mr. Karlheinz Schreiber: The outcome was that the message was very well received. This is why I could explain this much better with a letter; otherwise you miss the kicking point in it. It was that I should just be calm, that there would be, of course, no guarantee, but since there was a leave application pending in front of the Supreme

Court this decision would have to be made first by the court, and then the minister would look into it and do the right thing. This was at the time from Vic Toews. The truth was that pretty soon after all these discussions, Minister Toews made the decision before the Supreme Court made the decision. So it was very clear that the whole thing was a set-up.

• (1310)

Hon. Charles Hubbard: Regarding this letter, was Mr. Elmer MacKay involved in any way with the preparation or drafting of this letter?

Mr. Karlheinz Schreiber: I hate to say this, because he is one of the nicest people I know and a hell of a good friend. He had nothing more in mind than to help me, and he believed what Brian Mulroney told him when he asked him to do that letter. He needed it so badly to prove to Mr. Harper that we were in good standing after this horrible broadcast of *The Fifth Estate* called "Money, truth and spin", and he would never be able to help me if that were not resolved. So I was very reluctant to give this letter, to be quite frank with you. But in my situation, and since I still wasn't sure how far Mr. Mulroney goes in all these lies, I agreed. And it was a shock for me when Prime Minister Harper said publicly on television that Mr. Mulroney never spoke with him about me or my letter.

Hon. Charles Hubbard: And Elmer MacKay was involved with the preparation, drafting, or delivery of that letter?

Mr. Karlheinz Schreiber: I got an e-mail from him with a draft, yes.

Hon. Charles Hubbard: His son, I believe, now is the Minister of National Defence. He is a former employee of your company?

Mr. Karlheinz Schreiber: No, not of my company. The Thyssen company had him for a while. There was an exchange between German young people coming to Canada to work here and we sent some over.

Hon. Charles Hubbard: Mr. Schreiber, the final question is when did the Honourable Brian Mulroney cease to become a friend of yours?

Mr. Karlheinz Schreiber: I would say in the early eighties.

Hon. Charles Hubbard: Ceased to become....

Mr. Karlheinz Schreiber: What do you mean ceased?

Hon. Charles Hubbard: Stopped becoming a friend of yours, and at what date, approximately? The spring, the summer, the fall...?

Mr. Karlheinz Schreiber: When the letter of request came to Switzerland, I saw a paragraph there referring to information from Mr. Norman Spector, who once used to be a chief of staff in the PMO, that Mr. Mulroney had cancelled the project for Thyssen. When I saw this first in the letter of request I thought that he sent this to protect himself, but I didn't understand properly what the reason was. But when I learned later on that all of this was true, through statements from Norman Spector, and I looked at the timetable of when that happened, I got so mad I cannot even tell you how mad I became. Each and every one of us felt like crooks towards Thyssen, because Mr. Mulroney made all the statements and commitments to the Thyssen representatives. Even today, when I think about it I have a problem not to bring up in front of you.

The Chair: Okay.

Thank you very much, colleagues.

I have some instructions, please. The gavel has not gone yet. Order, please.

Mr. Schreiber, at the beginning of your statement this morning, you gave us a number of dates of court appearances, either for you to be present or for your counsel to be present. I'm not sure that those were all the details you wanted to give us. I would like to have the details of the commitments and the full reasons why you or your counsel cannot be available on certain dates.

However, our next scheduled meeting is on next Tuesday coming up, which is Tuesday, December 4. Again, it's from 11 a.m. to 1 p.m., and the committee requires you to be here prepared to answer the questions, which will be re-put to you, for those you did not have an opportunity or were not prepared to answer.

We are going to be sending out to all those who are required to be given notice, pursuant to the Speaker's warrant...

Order, please. There is far too much.... Just give me a moment.

Formal notice will go to all who are covered by the Speaker's warrant that we require your presence here on Tuesday, December 4, from 11 a.m. to 1 p.m.; and in the interim, that you, as pursuant to the Speaker's warrant, will have full access, appropriate access, to your documents to prepare yourself, and that you should, I would imagine, bring those documents with you when you appear before us on Tuesday, December 4, so you can make further reference, if necessary.

Those are the instructions of the committee at this time. Are they understood?

• (1315)

Mr. Karlheinz Schreiber: Well, it depends very much on where you ask me to be in the meantime.

The Chair: I understand that the custody protocol is well known to your legal counsel. However, if there is any obstruction to your having access to your papers or to your having them present with you wherever you are required to be detained, this committee will support and enforce the Speaker's warrant that you will have full access to your documents and that you are authorized to have them fully to be prepared.

I believe that this is the spirit and the intent of the warrant. I don't want to have you come back here again to say "I was here, but they wouldn't let me have my papers". That will not be acceptable.

If that is the case and you have been prohibited in some way or have been precluded from having your records and doing what you have been asked to be able to do, you will have justification. But others will have to be accountable to this committee for interfering with the instructions given to you by this committee.

I give you that assurance, and I ask for your commitment that you will come back to this committee with your documents and will be prepared to give responses to the questions the members pose.

Is that acceptable to you, sir, and understood?

Mr. Karlheinz Schreiber: Yes, as long as I have the proper questions you want and as long as I have access to my home. Otherwise, it simply cannot happen. I am telling you.

The Chair: Well, we need to understand this fully.

You all have a copy of the warrant, and it says that for all the people to whom it has been circulated—it's a very large list of policing authorities,

That you allow Karlheinz Schreiber access to any place to retrieve any necessary document as may be needed as papers before the Standing Committee on Access to Information, Privacy and Ethics

That is very clear to us. We are going to enforce that fully. And if that is not the case, the clerk of the committee is to advise immediately if there is any obstruction to your having access to your papers that are necessary and having continued custody of them so long as you need them to prepare to appear before this committee.

Is that acceptable to you, sir?

Mr. Karlheinz Schreiber: Yes, but allow me to tell you how this is in practice. This is out of an unbelievable amount of files. You take documents out and you file them and you bring them, otherwise I would have to come with a truck here and it would be a never-ending story, looking at documents.

The Chair: Okay. I think we can get into a little debate here.

Mr. Schreiber—

Mr. Karlheinz Schreiber: I'm prepared to do it.

The Chair: —the committee, through all the tools available to it, will make absolutely sure and assist you to have whatever boxes you need, when you need them, and to return them and to bring other boxes. We're going to facilitate you as much as we possibly can, so that you have access to whatever you need. You will have a transcript of the questions, of this full meeting—every word that has been spoken—within a couple of hours, so that you will be able to call. But the order is specific: you, personally, will have access to the place where these records are so that you can apprise yourself of what's there and what's not there.

If there is something that is in another location, for instance Toronto, or Switzerland, you will take all necessary steps to have those forwarded to you, to the same location, if you need them for the purposes of this committee.

We are going to be flexible on this. But it is not going to be acceptable to say.... There's no justification at this point. All parties know that you will have full access and the time to properly prepare and return and appear before this committee on Tuesday, December 4, at 11 a.m.

Is that understood?

• (1320)

Mr. Karlheinz Schreiber: I will do my best to satisfy you.

The Chair: Thank you very kindly, sir.

Mr. Martin.

Mr. Pat Martin: Yes, patiently. I would like to move that this committee report to the Speaker that Mr. Schreiber should be held in supervised house arrest for the period of time he is required to be available to appear as a witness before the committee.

Perhaps I could speak to the motion briefly.

The Chair: Mr. Martin, maybe you could facilitate this. I was advised that house arrest as opposed to at the detention centre is the issue. I understand that you have consulted with the other parties, not with me but with the other parties, and apprised the Speaker of the views of the four parties. I'm not sure, but it would appear to me that I've seen in the media or the press or in a statement that the Speaker at this time is not prepared to entertain that.

Now, I will let you speak—

Mr. Pat Martin: That was not my motion, sir.

The Chair: Okay, please carry on.

Mr. Pat Martin: Mr. Chair, yesterday we did go to the Speaker in an informal way, after a consultation with at least three of the four parties. The Bloc, the NDP and the Conservatives all agreed that for a number of reasons that were in the newspaper, it would be beneficial if Mr. Schreiber were well rested, in a cooperative and friendly mood, and had full access to his papers, so we could make the most of this time, that it would be a beneficial hearing and our time would not be wasted.

We thought we had the support of the Liberal Party, but apparently that consultation was not in any way formal and my colleagues with the Liberals were not ready to say at that time that they could fully support the idea.

On that basis, the Speaker said no, he would stay where he was, for that night. He did not preclude the idea that perhaps, with proper consultation at a debate of the committee, we could reconsider it and recommend it to him again. So that's all I would like to do, sir.

The Chair: Thank you. Thank you for the clarification.

Mr. Thibault.

Hon. Robert Thibault: For clarification, our government House leader yesterday, when Mr. Martin was making that suggestion, indicated to the Speaker that we had raised no objection and were fully supportive of any decision the Speaker would make.

The Chair: So what I understand is that Mr. Martin is now raising the issue that all parties were consulted on yesterday with regard to last night. Mr. Martin is now basically....

Mr. Asselin, did you want to make an intervention, please?

[*Translation*]

Mr. Gérard Asselin: I was not consulted. I can ask questions, I was not consulted. This will instil a bit of order for the coming meetings.

Mr. Chairman, that the political parties were consulted is a good thing, but if you consulted the whip, then I would like him to tell us about it. Consultation with the parties might help establish some kind of unanimity around the table. What worries me is Mr. Schreiber's safety and the safety issue overall in this affair. We are asking Mr. Schreiber to be under house arrest in his own environment.

Can Mr. Schreiber's safety be compromised? Has the security of monitoring and surveillance been verified? I would like us to be provided with information on security.

[*English*]

The Chair: Thank you.

Mr. Thibault.

Hon. Robert Thibault: I'm a little concerned about the impression that's being put out there. I don't want to start getting a thousand calls to our members suggesting that we start bringing people out of prison on a motion of the House. If Mr. Martin put the sense out there that we had the authority, on a four-party agreement, to decide a mode of detention of any individual in Canada, that's absolutely false.

The detention is, as I understand it, federal custody, currently under the management of the Speaker, to facilitate the witness's presence here at the committee, and certainly not the decision of the four political parties in consultation on the disposition of any person in detention in Canada. I certainly wouldn't hope that the impression is put out there that we have that authority, that it's dealt with like that.

The authority is, I understand—and we have legal counsel here who may be able to clarify this—with the Department of Justice in consultation with the Speaker, as it exists now.

Am I correct?

• (1325)

The Chair: Thank you.

Mr. Martin, would you please repeat your motion? I am going to put the question.

A voice: He's asking for....

The Chair: Oh, you're asking for a reaffirmation, to confirm what you.... That's fine. Okay.

Mr. Tardi, please.

Mr. Gregory Tardi (Senior Parliamentary Counsel (Legal), House of Commons): Mr. Chairman, my understanding is that Mr. Schreiber is formally in the custody of Corrections Ontario. He was transferred here on the basis not of release from custody, but simply removal within custody from one part of the province to another. Arrangements were made among Corrections Ontario, the Ottawa city police, and the Sergeant at Arms. My understanding was that when the committee proceedings are terminated for the day, he should backtrack in the same fashion as he was brought here.

Our summons and our warrant for witness did not include anything about residence at his private home, but rather residence at the Ottawa-Carleton Detention Centre for the time that he was in this city. Obviously the paragraph that you read out a few minutes ago about retrieval of documents has pertinence in this matter. Some sort of arrangement would have to be made among all the authorities involved either to bring those documents from Mr. Schreiber's home to the Ottawa-Carleton Detention Centre or to bring Mr. Schreiber from the detention centre to his home for a time, to recover those documents and to put them in his possession.

That's my understanding, sir.

The Chair: Okay.

Mr. Martin, please.

Mr. Pat Martin: Let me briefly, Mr. Chairman....

I think we're not giving enough weight to the Speaker's warrant. I understand Mr. Tardi's point, that the current arrangements are tripartite in a way: the custody of the Province of Ontario, and then escort by other police, and then once he got into the precincts the Sergeant at Arms took over.

But in fact it's a Speaker's warrant. He's in the custody of the Speaker, and it's within the power of the Speaker to dictate the terms and conditions of the custody. That's the legal advice that we have.

My motion is simply a recommendation as well, Mr. Chairman, to the Speaker: that if this committee agrees Mr. Schreiber would be better off in his own home under supervised house arrest, if you will, we would recommend strongly to the Speaker to make it so. And I argue it is within the power of the Speaker to make it so.

The last thing I would add is that you can't possibly believe this guy is a serious flight risk, if that's the reasoning behind it. I don't believe it.

The Chair: It's Mr. Schreiber you're referring to?

Mr. Pat Martin: Yes—that Mr. Schreiber is a flight risk.

The Chair: Thank you.

I was aware of this. I briefly discussed it last night with the Speaker, and I think the understanding is that the Speaker and, in his consultation with them, all of the parties who have some link in the chain of custody have to concur, and that will be done.

I'd ask the clerk, at this point, for the final item of this meeting to read into the record the motion on which we are going to call the question.

Please, Mr. Clerk.

The Clerk of the Committee (Mr. Richard Rumas): Thank you, Mr. Chair.

Mr. Martin has moved that this committee report to the Speaker that Mr. Schreiber should be held in supervised house arrest for the

period of time he is required to be available to appear as a witness before the committee.

The Chair: Thank you.

Mr. Wallace, if you would like to debate this, carry on.

Mr. Mike Wallace: This is very short.

Have we found out that...? He was talking about getting his records. I'm not very concerned about how well he sleeps at night, but he has concern about his records, which I think we all share, so he has the opportunity to look at his records. Are we saying we have heard directly that he is not eligible to have those records? Are we not able to get them to the place where he's being held at present? Does he have to be at home to be able to get access to them?

If the motion is to deal with making sure he gets his records, I'm fully in favour of that, but I'm with Mr. Thibault on this. We should make sure the law is obeyed, and if he's in jail for a certain reason, we don't look as if we're springing him for the weekend so he can go home under house arrest and look at his records. We should try to get his records to him where he is located.

That is my view.

• (1330)

The Chair: Thank you.

Mr. Thibault.

Hon. Robert Thibault: I can support the motion if the motion doesn't pretend we have the power to do anything. All we do, as I understand from this motion, is recommend to the Speaker that he consider house arrest in this instance and show no objection. I think that is what we all did yesterday and said to the Speaker. I have no objection to that.

The Chair: Everyone understands the spirit of the motion, that it is a recommendation but that the decision-making authority is not this committee but rather the Speaker and the other policing authorities, who have a protocol to follow.

Does everybody understand the motion?

(Motion agreed to)

The Chair: We are adjourned until Tuesday, December 4.

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.