



House of Commons
CANADA

Standing Committee on Access to Information, Privacy and Ethics

ETHI • NUMBER 005 • 3rd SESSION • 40th PARLIAMENT

EVIDENCE

Thursday, April 1, 2010

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Chair

Mr. Paul Szabo

Standing Committee on Access to Information, Privacy and Ethics

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• (1110)

[English]

The Chair (Mr. Paul Szabo (Mississauga South, Lib.)): Order. This is meeting number five of the Standing Committee on Access to Information, Privacy and Ethics. Our orders of the day are committee business. There are two items before us.

Based on the steering committee report and the acceptance of the full committee, we had scheduled that we would discuss the project of proactive disclosure under access to information, and as you know, we also have a motion from Mr. Easter that we will also consider at this meeting.

We are not in camera right now, and I'm open, but I can tell you we should all be aware that when our researchers work for us and present us with very excellent comprehensive documents to assist us in understanding the work we are proposing to do, they are not to be treated as witnesses. They cannot give opinions, etc. If you want to have those kinds of discussions, we must go in camera, because in their role they cannot be guiding the committee and suggesting various things. They will certainly take our requests for additional information, etc., so please keep that in mind as we move through this.

You have received two documents from them. One was "Recent Developments in Pro-Active Disclosure-Canada", and a second, "Recent Developments in Pro-Active Disclosure—the United States and Other Countries".

Having had an opportunity to review these, I think all the members will agree there's no question, this is the way governance is going. It's apparent we have activity in that regard in Canada, and certainly there are other countries that are ahead of us, but it is a very complicated area. There are a lot of dimensions, there are a lot of pieces to it, so I think at this point I would like to entertain from members their thoughts on the scope. We're trying to figure out where we go next. Let's put some parameters around the scope of the work we're doing, the kinds of witnesses members would like to see, the issues we would like to address. We certainly would like to consider what kind of interaction we would have with other jurisdictions, whether it be travel, conference, teleconferencing, or having witnesses come here. These are the kinds of things we should get members' input on so we start to define an approach for stage one, say, of our consideration of this subject matter. During the break week, our researchers can put some flesh to those bones and come back to us with the kinds of things we may be able to do, and assist in the scheduling based on availability or time required to put certain things in place.

So why don't we start with some members' input. We'll start with Madame Freeman, *s'il vous plaît*.

[Translation]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Chair, I would first like to commend our analysts, Dara and Alysia, for their wonderful work. They prepared for us very relevant and comprehensive documents on the issue of proactive disclosure in different Canadian provinces and cities as well as in different countries. This has helped us to get a better idea of what is happening elsewhere. After reading their material, which was quite relevant, I would like to suggest that we proceed as follows.

For starters, perhaps the committee could look at some concrete examples of what is done here, that is in Quebec and in the rest of Canada. We have some examples of what is being done in this area in Quebec. I suggest that we meet with Mr. Jacques Saint-Laurent, the Chair of the Commission d'accès à l'information. He could talk to us about the procedures that have been put in place, the problems that they have encountered, the challenges that they have faced and the adjustments that they have had to make. In short, he could talk to us about the whole process of introducing proactive disclosure in the 15 areas identified.

That said, I also think we need to look at Toronto and Vancouver. We could invite people who have done this type of work in these cities to come here and talk to us about proactive disclosure at the municipal level. Proactive disclosure is commonplace and is done directly. They could give us an idea of how things are done elsewhere in the country.

I also think that we should meet with Ms. Corinne Charette and with Mr. Peter Bruce of the Treasury Board Secretariat, along with Mr. Jacques Saint-Laurent, the Chair of the Commission d'accès à l'information, and with an expert who is now in Toronto, Mr. David Eaves. Mr. Eaves helped to develop the procedure now followed in Vancouver and—and this is something the researchers would need to verify—I believe he worked on the approach now used in Australia. He has worked in both Canada and Australia and is now based in Toronto.

I would also add to the suggested witness list Mr. David Wallace, Toronto's Chief Information Officer. We could invite him to appear before the committee, along with another important resource person, Mr. Mark Vale, Ontario's Privacy Officer. It would be just as quick if I were to give you my list of suggested witnesses.

Other possible witnesses include a CIO in Toronto and a CIO in the United States. If the committee was prepared to travel to the United States, it could meet with Mr. Vivek Kundra, the Federal Chief Information Officer, to discuss how things were done there. They are the persons best qualified to report on how things are done elsewhere.

I also understand that the Lac Carling Congress is scheduled to meet this year. The congress brings together information workers from all three levels of government, that is municipal, provincial and federal. The most important item on this year's agenda is the use of new technologies for public information purposes. I think we need to take a look at the work of the congress and at the outcomes of their session, since participants are experts on access to information issues at all three levels of government, namely municipal, provincial and federal. They are genuine experts and at this session, they will be looking at ways of making information accessible.

I have several more suggestions. I could give you my list and add a few more names to it, but I think I have all the information on these persons and on the work they have done, in Australia as well as in the United States.

● (1115)

These meetings and discussions will truly give us an opportunity to see how access to information can be facilitated so that Canada can be an open and transparent democracy that is accessible to all citizens.

[*English*]

The Chair: Madame, I want to compliment you on your careful consideration of the project. I think it would be very helpful to our researchers if we could get a copy of your list, if you have it, just to be absolutely sure of the names and the institutions or organizations they represent.

As we hear from others, we won't want to duplicate experts telling us the same thing, but we certainly want to know. Because of the availability of people, and so on, it's good to have a comprehensive list right now and we'll sort out the logistics of people and issues.

So thank you very much.

[*Translation*]

Mrs. Carole Freeman: Thank you for complimenting me on my work, Mr. Szabo. Easter is just around the corner and you must be in a good mood. Thank you.

Some voices: Oh, oh!

The Chair: That's very kind of you, Madam. Thank you.

Go ahead, Ms. Block.

[*English*]

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Thank you very much, Mr. Chair.

I want to follow up on what Madame Freeman was talking about in regard to what they are doing in Quebec.

I noted in the research that there is a province-wide regulation on proactive disclosure that came into force, I think it was in November of last year. So I think it would be useful for us to bring in some

experts from municipalities to share that information and to communicate what their experience has been to date.

I wonder what the committee thinks about comparing pieces of legislation from different provinces and how it might benefit us, because we're federal and they're provincial, and what the differences might be that we need to pay attention to when doing that comparison.

Those are my thoughts on where we should go with this, and I appreciate Madame Freeman's comments.

The Chair: That's very good. I certainly think the legislative question is going to be really important to look at, because we don't want to be led down a line that's not going to allow the fed to respond. But I think the principles with regard to open government and freedom of information are fairly consistent regardless of the jurisdiction. So as we go through this process, those kinds of things are coming up, but it's an excellent point that we should always keep in mind what's possible from a legislative perspective.

Mr. Easter.

● (1120)

Hon. Wayne Easter (Malpeque, Lib.): Thank you, Mr. Chair.

I agree with Ms. Freeman's points and some of the witnesses she proposed. This is an extremely comprehensive issue.

It is interesting going through the documentation. I think the Library of Parliament today did a very good job. It is interesting especially when you look at New Zealand, which seems to me at first blush to break down into finer points such as agriculture, building, housing, construction, education, etc.

So I do think we would need a witness from that area. But also it would be useful in that, much as Ms. Block said, I think there is a difference between the federal level and provincial level in terms of where we might end up and how it might operate, because you are operating across jurisdictions. Sometimes joint agreements may even affect what you can release and what you can't.

I think it would be useful to really look closely at the U.S. system as well. We know under their system, on their stimulus program, they do release a lot more. When you go on their website, you can find out about jobs were created and projects, etc., which we're at least not able to do yet in Canada, and that seems to be a reasonable concept.

So I think it might be useful for the committee to travel, to look at least at their system. It's not that far for us to go, and I think it might be useful, rather than just having witnesses to look at the U.S. system in a somewhat comprehensive way. It's under a different system, I know, but you're dealing with agreements between the federal government and states, which would be...I wouldn't say exactly similar to, but something like our system.

Those are basically my comments. I agree that we have to move ahead fairly aggressively on this issue and find the witnesses and the programs that could give us some indication of how we should be moving forward.

The Chair: Mrs. Davidson, please.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Thanks very much, Mr. Chair.

I just want to echo the comments made thus far. I think they've all been good, and I want to thank Ms. Freeman for all the work she did. I must say she came prepared.

I think we have a tremendous amount of good information here from the different areas. I thank the analysts for providing us with that. It certainly was good reading, and provocative. It certainly brought up a lot of questions.

I think it'll be critical that we develop a fairly rigid, for lack of a better word, work plan so we can outline what parameters we want to study. There are a lot of different things in this information. We go from municipal to provincial to federal governments. I think the point Ms. Block made about the jurisdictions and the legislative powers, and so on, is going to be critical in where we go. Hopefully we're going to set up a work plan, so that we will be a little bit structured in the direction we're taking.

I think we'll find a lot of value in other studies. I agree we probably should try to visit a couple of these places, and for those we can't, make sure we have delegations in. In some cases, we may have to do a video conference or something. I think there would be some interesting points to learn from all of them.

The other thing I note in the information we got is that some very limited things are already being done by the federal government here. I think we need to pursue that, but we need to make sure we're all clear on what is happening and how that might be working or not working.

I think it's important that we recognize that some things are being done here already, although they're limited. So we need to incorporate that into it as well.

• (1125)

The Chair: Mr. Siksay, please.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Thank you, Chair.

I want to thank the analysts for their reports, which were very helpful, and Madam Freeman for her approaching exhaustive list. That was impressive as well.

I don't have specific proposals, but I think there are things mentioned in the reports the analysts did that merit our attention, and what people said who are specifically attached to those pieces of work.

I think the Australian report and the direction of the Australian government is important, partly for what's noted in the footnote, that Australia has similar copyright laws and a similar copyright framework to Canada. The Information Commissioner mentioned that the other day when she was here as well. We should look at the work the Australians are doing there, the task force report, and the survey that compared Australia to other countries. Maybe if they did a comparison with Canada, that might be instructive to us as well. So I do think that looking at Australia is important.

I'm glad that Madam Freeman talked about the U.S. officials we would visit. I would add the non-governmental organization, OMB Watch—it's mentioned in the report—for their critical look at what's

happening in the United States. Apparently there's good stuff happening there, but they also have a critique of that, which I think would be important for us to hear about.

The U.K. action plan that has come from the Chief Secretary to the Treasury also merits attention as a work in progress kind of thing. The report talked about the specific role of the Information Commissioner equivalent in Mexico, who actually runs the whole system for proactive disclosure, which I think is an interesting model. Certainly rather than having individual departments or agencies doing the work, they centralize it. It would be interesting to know how that's functioning and whether that's proving to be an important way to proceed. So I think someone from the commissioner's office in Mexico would be important to hear from.

I also note that the Australian government report talked about consulting with the World Wide Web Consortium on accessibility, to ensure that people with disabilities have access to information provided through proactive disclosure. That's a very specific piece, but it might be helpful to have someone from that consortium present it to us.

Mr. Rickford distributed the letter from Google and Jacob Glick on their interest in open government, open data. I think it would be important to hear from an organization like Google to see how they fit into all of this.

It generally strikes me that there's the sort of policy side dealing with the scope, intent, and goals of proactive disclosure, which I think are really important. We should get clarity on how that would apply to Canada. Maybe we need to hear from Treasury Board again about what they're currently doing around that.

I think there's also the technological side: what technology makes available, what is and isn't possible with the technology, and where technology is going in the future. We need to have some specific representations around technology. I don't know who would do that, but I think that would be an important aspect of what we need to look at.

Thank you, Chair.

The Chair: Very good.

Mr. Rickford.

[*Translation*]

Mr. Greg Rickford (Kenora, CPC): Thank you, Mr. Chair.

First of all, like my colleagues, I too would like to thank our researchers for putting together a comprehensive, relevant and important information package to get us started. Thank you very much.

My associates have also examined the approaches taken by various governments. Everyone seems to have found case studies and analyses that will enable us to carry out a fairly exhaustive study of proactive disclosure.

• (1130)

[*English*]

I don't want to repeat some of the discussion that's taken place, and I appreciate it very much.

At the last meeting I highlighted a couple of observations I had made about a preliminary, and indeed cursory, review of the information at the time. I was struck, in looking at all the countries, that they appeared to be at different stages—that might be one way of framing it—but that they may have taken different approaches. Indeed, in the United States we saw guidelines. For the purposes of this discussion, they had four components that dealt with publishing information, including creating a culture of openness, improving data quality, and updating policies to allow greater openness. To that extent, I share the thoughts of my colleague, Mr. Easter, on the value of looking at the United States. That may be more where we're at.

Having said that, there have been some comments made here today about hearing from witnesses from other parts of the world or perhaps from folks here who have expertise on other countries. I noted that in Mexico there is a legislated positive duty of proactive disclosure. There was a report and a subsequent action plan in the United Kingdom. Perhaps, anecdotally, if the United Kingdom carries out their action plan like our government does, we would know that there's a firm commitment to get things done and indeed to deliver. That would be something to look at.

Australia has some great reforms, and there was some implementation in New Zealand that we may benefit from hearing about. And of course there is a proactive system of disclosure in Finland.

Those are some things to consider when we're talking about where we're at, and in terms of a possible visit somewhere, from whom and where we might benefit the most. For the purposes of the discussion, I would think that we're more in line with the United States, which has sort of a guidelines approach.

Having said that, I have just a couple of comments. The document called "Recent Developments in Proactive Disclosure—Canada" points out that in April 2010, the Chief Information and Privacy Officer of Ontario is co-hosting a conference, with the City of Toronto and several other groups, called Managing Information in the Public Sector: Shaping the New Information Space. We've confirmed that it is on April 26 and 27. That might be something for us to think about.

I think that would be the extent of my contributions today, at least at this point in the discussion.

Thank you.

The Chair: Early bird registration is \$334 per person. I noticed it as well. Again, it's another source of information, and we may want to consider sending someone. I don't think we all have to go, because I don't think there'll be much participation from the people who are attending. It would be more for education. But that's a very good point. Thank you for picking that up.

We'll go to Madame Freeman again.

[*Translation*]

Mrs. Carole Freeman: Obviously, it's clear that we want to study how things are done here. However, we can also travel, as Ms. Davidson was suggesting. There are, after all, limits on the amount of information that we can glean from documents or from other sources.

It would truly be of some benefit to us to travel to the United States or to another country to see how things are done there and to gain a better understanding of procedures and their ramifications, in addition to hearing testimony and consulting written material. Therefore, I concur with Ms. Davidson's recommendation.

New Zealand is a lovely country, Mr. Szabo, or so Bill has told me.

Some hon. members: Oh, oh!

[*English*]

The Chair: There will be no motions to go to New Zealand at this time. Thank you. That is out of order.

[*Translation*]

Mrs. Carole Freeman: It was a suggestion.

[*English*]

The Chair: Okay.

Are there any more? Do we have a sense from the committee?

Mr. Poilievre, do you want to...?

● (1135)

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Yes. On the proactive disclosure and the American experience, I want to make sure that we hear from the people who have also been critical of the way that principle has been implemented in Washington. There are detractors amongst the access to information community who point out their view that there is a gap between the rhetorical and the practical importance of the announcement of proactive disclosure in the American capital.

The Chair: Thank you. We have to hear both sides of the story and everything in between.

Mr. Siksay.

Mr. Bill Siksay: Mr. Chair, on Mr. Poilievre's point, could we ask the analysts if they came across any of that critical commentary? I don't see it in the report, but I wonder if that is out there. It's not something that I'm aware of. I'm wondering if there was something.

The Chair: I agree. There isn't anything available for us right now, the reason being that in some of the jurisdictions, things are so new that a lot of the points have not been fully identified and commented upon. In those international jurisdictions where they've had extensive experience and I'm sure some feedback, none of their documents are in either official language, so it's been a little difficult to encapsulate that information. We certainly will have to keep that in mind, because we obviously have to draw on the experience of other jurisdictions to the greatest extent possible. It will help us to do our work.

I suggest that we not do any travelling anywhere to talk to anybody about this until we can talk intelligently about the issues. A learning process has to go on, and I think we need to hear from the Access to Information Commissioner, the Privacy Commissioner, and the Conflict of Interest and Ethics Commissioner to assist us and give us dimensions of the concerns there.

We certainly want to hear from Treasury Board. We had some work on documents management; some areas in some departments within the Government of Canada are already doing work on this. I think we should be aware of their thinking and link ourselves to them. We don't want to duplicate any work that's going on. I think we can educate ourselves there.

I was personally very impressed with the work done by the Quebec government on this issue. I think that is one we would certainly want to hear from.

Madame Freeman has given us a range of possible witnesses. I'd like to ask the researchers if they could prepare that full list and provide some preliminary information by finding out a little bit of background on the people, such as what their disciplines are, how they would group, and the areas they would fit into. Then at some point we will make contact to find out whether they would be available and then work out the timeframe, etc. This takes some work, and it's something they can be doing in the background.

One of the notes I made.... Well, there are many notes; I am a little concerned that we could very easily get buried in this project. I think we have to assume that we are starting from scratch. To me, the documents represented a significant body of work that's already been done on the subject matter, and a lot of progress in jurisdictions.

I think it's really important for us not to be too aggressive on the deliverable we're after. I don't think we've identified the deliverable. If we are going to do a report to Parliament on this first phase, what will that report try to say? I think we haven't defined that.

I certainly think one of the things we should consider in our discussions is whether we're trying to address a problem or whether we are trying to get involved in moving Canada further down the road of proactive disclosure and open government.

I think one of the reasons we identified the project in the first place was that the access to information system has problems. The bottlenecks are there. The timeliness of response isn't there. I think we have to answer this: is there anything we could do that would help to address that problem, and is proactive disclosure one of the tools we could use? I hope we're going to be able to answer that question.

Maybe we should think about that a little more, but I think I would like to hear from the Access to Information Commissioner. I think there was one...was it Citizenship and Immigration that represented a very large percentage of the requests?

• (1140)

If there was a system in place for information related to citizenship and immigration matters, would it significantly reduce the workload? Keeping in mind that not everyone is computer literate and we're going to have to continue to operate within the existing system, where are the efficiencies and what are we going to be able to deliver? I hope we can keep that in mind. I don't think we have defined the objective yet.

I think we can start very quickly in terms of educating ourselves and hearing internally as well as from the Information Commissioner, Treasury Board, and others. I think we should then proceed to find a timeframe in which they would be available. I think the first

one we have is the Information Commissioner. The other two commissioners have been invited to give us ideas and concerns from their perspective and to help us with the dimensions. We're going to be doing that.

All right. I've said enough. I want to go back.

We have Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: I would just like to say one thing, Mr. Chair. I have given you a comprehensive list of suggested witnesses, along with their accomplishments, their responsibilities and the role they played in bringing about change. You already have some information about each of these individuals and groups that I have suggested we hear from.

A considerable amount of work has already been done.

[*English*]

The Chair: Yes, I have no doubt that we will achieve significant efficiencies by calling on the experience and expertise of those who've already been down the path. I know the researchers are available. We don't want to reinvent the wheel.

There's a lot of information out there. We're going to try to build on our knowledge base. When we meet with people, whether they'll be our American counterparts or from B.C., New Zealand, or wherever, we'll then be in a position to ask the very best questions to be able to have those communications.

In my history, I must admit that I've been involved in committees where they have dealt with other jurisdictions and we looked like amateurs compared to them. I don't want that to happen. I want us to be knowledgeable before we have those conversations in order to make it worthwhile.

Mr. Rickford.

Mr. Greg Rickford: Thank you, Mr. Chair.

First of all, I could not agree with you more. I think preparation is the key to identifying what can actually be delivered as soon as possible. We are going on a little expedition here to narrow the field, if you will. But importantly, as a whole, we need to be in the best position possible, with some parameters.

Having said that, I think part of the journey in getting there is not to review reports from groups and provinces that have been down this path before. There are some mentioned in this report.

I want to go back to your idea about sending a member or two to Toronto. Might I propose this? I think it would be strategic in capacity building for the committee to consider sending one member of the government and one of the opposition, from the other side of the table, and perhaps an analyst. A smaller group could attend the conference. It meets the demands and challenges that are of course relevant to our affairs in the chamber. It may in fact benefit us as we get the knowledge base that you were talking about. It's out there for your consideration.

• (1145)

The Chair: Is this something that members would like to do? The House is sitting that week. It's a Monday and a Tuesday.

In the absence of members, I would simply offer it to our researchers, if there is any interest in having one or both of you attend, if you wish, as part of the research process. If any members are interested in going, we could probably accommodate them. I suspect there are not going to be many, but let's bring it forward.

To do that, Mr. Clerk, we would have to authorize it.

The Clerk of the Committee (Mr. Jacques Maziade): To authorize it we need a budget, yes.

The Chair: We need a budget, and we can't do that right now; the time is gone.

Let's put it this way. Mr. Rickford has proposed a motion that we make the necessary arrangements for researchers and members who can attend the April 26 to 27 conference in Toronto, and that the appropriate budget requirements and other necessary steps be put in place to facilitate that.

Is that acceptable to the committee?

Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: I didn't catch that. You said that a conference was scheduled to be held in Toronto on April 26 and 27. Did you suggest that three members of the committee attend? What exactly did you suggest?

[*English*]

The Chair: No. It's if there are members who would like to attend—just any members. I sense we're not going to have many members, but there may be one or two who want to go. I don't think it matters what party. What matters is it's always important for members to be able to participate, if possible, at these kinds of things and to bring back that information and the handouts or the presentations, etc.

It's a very formal conference and there will be an awful lot of information. For anybody who would be attending, we certainly would expect them to report back to this committee.

Hon. Wayne Easter: Is there a registration fee, etc.?

The Chair: Yes, it's about \$400 per person for the two days.

Bill.

Mr. Bill Siksay: Mr. Chair, I can't remember what's on our work plan for that Tuesday meeting on April 27. The more we talk about it, it strikes me that maybe it's a committee trip to the conference instead of what's on the agenda that day.

The Chair: We don't think we have anything.

Mr. Bill Siksay: It sounds like they're gathering experts in the area. It might be a good "Proactive Disclosure 101" meeting for us all.

The Chair: On the 27th we have the Privacy Commissioner coming on main estimates and camera surveillance.

But it doesn't mean that a member can't have a substitute come to the committee for that, if they feel it's important for them to be there. I think the opportunity for members who want to really dig into this should be available.

Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: Unless I'm mistaken, Mr. Szabo, a number of experts will be meeting in Toronto on April 26 and 27 to discuss proactive disclosure. Is that correct?

We will be here in Ottawa to hear testimony from the Privacy Commissioner while experts will be discussing this issue. Perhaps we will be looking at the same issues and I do not believe that the committee, given its mandate, can simply take it upon itself to send one or two members to report back on the conference.

I propose that all committee members attend the conference. As I see it, this meeting is relevant to the work that we are doing in the area of proactive disclosure. The information is there. Why sit for hours and hours just to listen to one witness while we could hear from these experts who have already gathered for the conference?

Besides, collecting information and hearing from pertinent witnesses on the issue of proactive disclosure is part of our mandate and mission. Therefore, I propose that all committee members attend this conference.

• (1150)

[*English*]

The Chair: We already have a motion on the floor, but that's okay. I hear you.

Mr. Rickford.

Mr. Greg Rickford: Thank you, Mr. Chair.

I just have a technical point here. I actually had put my hand up some time ago and I think I was in the queue long before other people, even though their contributions were excellent. I would just encourage some interaction with the clerk to note that.

That said, the idea of just a couple of members going I think is still a great idea you had. But given the way that certainly our whip works, in the circumstances and the potential for votes, one person from the government side would have to be matched from the opposition as a matter of course. I think that's a given.

I certainly share Mr. Siksay's thoughts that we may be looking at a "Proactive Disclosure 101" opportunity here. I like that, Bill.

That's what I'd like to say.

The Chair: I'm looking at the agenda of this. It is provincially based. This whole conference has to do with managing information in the public sector. This is not exclusively proactive disclosure, but certainly the principles they're going to be talking about are quite relevant.

I took from your comments and I accept as a motion that we should have somebody go simply to help us get a sense of the velocity of work that's going on, the areas of interest, and the experts. We may even find potential witnesses for us there. A couple of days sitting at a conference is not going to give you everything, but, boy, it sure does open up some channels that might be beneficial down the road.

I certainly would like to see somebody, at least one person from the Library of Parliament, our research staff, attend. As I said, in my view, if it could be accommodated with the pairing, I don't think the committee would have much difficulty authorizing those members to attend. I want to leave it as a global opportunity that can be picked up. We do have some paperwork and so on that we have to do.

Ms. Davidson, Mr. Easter, and Mr. Siksay.

Mrs. Patricia Davidson: We're still on the same topic?

The Chair: Yes.

Mrs. Patricia Davidson: I was just going to question the agenda. You said you were just looking at it. There are a full two days on proactive disclosure, are there? Or is it—

The Chair: It starts Monday, April 26. The first session is at 8:40 a.m. It deals with the Office of the Chief Information and Privacy Officer of Ontario, who will be making a brief presentation. Implementing electronic report management systems is the next session.

There's networking. They have breakout sessions. "Making it possible for citizens to find it", is the subject matter. Then there is the future of information and digital media. That's another session. Metadata and data quality—I'm not sure if I can properly explain to you what that is. There are sessions on retention of job knowledge, record scheduling—and that's all in one morning. That's the first morning.

Mrs. Patricia Davidson: It sounds like a pretty jam-packed conference.

The Chair: There is quite a bit going on. I'm not going to go through the rest of it.

• (1155)

Mrs. Patricia Davidson: No, that's fine.

The Chair: A lot of work has gone into this. One person would probably have some difficulty covering the bases, but it looks as though you have some choices. There are concurrent sessions going on.

Mrs. Patricia Davidson: Thank you.

The Chair: Mr. Easter.

Hon. Wayne Easter: Mr. Chair, I don't know that you can exactly leave it open-ended, say, if everyone wants to go. Even if we cancelled that committee meeting and there was a delegation of one from each party, or two from the government and one from each of the opposition parties, I wouldn't have a problem with that. I don't have a problem with the pairing. But if there's information there and each of the parties can get a reasonable backgrounder on proactive disclosure, there's nothing like being there and participating instead of reading a paper.

That would be my suggestion. I don't think the government would have a problem with that in terms of the pairing. We would have to put it to the House so we could get the finances to do it, but we need to pin it down.

The Chair: Mr. Siksay.

Mr. Bill Siksay: Mr. Chair, I'm just looking at the website for the conference on my BlackBerry as well. The agenda does look interesting. I think there are certain workshops and presentations that

would be appropriate for us. I think we should find a way of making it some kind of an official committee visit rather than just being a matter of whoever wants to go, or can go, gets there. I would prefer to reschedule what we have on the 27th to accomplish that.

The Chair: Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: It's only just come to my attention. Thank you, Bill, for lending me your BlackBerry.

I've just read the agenda on Bill's BlackBerry, but I would like to get more information about this meeting. However, from what I have just seen, it could be of interest to us. I think we should seriously consider attending the meeting all together as a committee instead of sending only one or two members who would then report back to us.

If we want to do a proper job, everyone should have access to the same information and to the same data, so they we can move forward. Either we attend the conference, or we do not attend.

So then, I would like to have more information about this gathering on April 26 and 27. We could then decide whether or not it is in our interest to attend. Sending one or two persons does not represent the work that a committee should be doing.

[*English*]

The Chair: A committee is the master of its own work. Quite honestly, I didn't anticipate that there would be such a strong interest in going to this convention on such short notice. I thought we would at least have our Library of Parliament staff attend and assist them in networking a bit, getting documentation to help us coordinate this fully.

But if the members want to reschedule the Privacy Commissioner estimates to a later date so that the committee can attend a two-day conference in Toronto, I'm open to that.

Hon. Wayne Easter: Mr. Chair, are you saying the whole committee?

The Chair: Well, that's what—

Hon. Wayne Easter: I know I can't go, but whether somebody else can.... I would think that representatives of each party would be adequate rather than the whole committee.

• (1200)

Mr. Greg Rickford: Mr. Chair, is there a concern about resources in the event that farther down the road the whole committee looks at taking a trip?

I think Mr. Easter has proposed the most legitimate way to do this.

I'd like to know, and perhaps you want to get back to us, whether your concern is that once we have that sufficient capacity from the other important exercises, such as being at committee, listening to witnesses, and sticking to the schedule—which I know is your primary concern—it becomes a question of resources.

The Chair: I'm not concerned about resources. This was included in the documents. It was raised as something going on that was relevant, but in terms of the benefit of going to something like this, in my own view, we may have overstated the importance of this convention to what we're doing.

With these conventions, if you look at the number of workshops, the concurrent workshops, and these kinds of things, to be able to cover it, people will go there and they'll pick and choose. The committee certainly wouldn't be able to be together. I'm not even sure whether they'll be offering simultaneous translation, etc., and whether members will get the okay.

I don't see this as a major item. It would be useful to have someone there simply to get a sense of who the key people are, what the key issues are, and to be there would be better than just trying to assume it off the web.

Right now, Mr. Easter can't attend. I can't attend. Madam Foote might—I'm not sure. But I don't want to try to make those decisions now, and I'm certainly not going to start playing with how to pair up properly, because it's not going to work. That's why I said, if there were somebody who wanted to go on behalf of the committee, that would certainly be acceptable. If we're going to be concerned about balancing parties and all this other stuff, I would suggest that we just leave it to see if we can have our researchers or a representative from the Library of Parliament be there to garner whatever information is available.

The committee is going to have to make a decision. I'm pretty sure there aren't more than two people in this room right now who really can go, to be quite honest.

We'll go to Mr. Siksay, Mr. Rickford, and then Madame Freeman.

Mr. Bill Siksay: Thank you, Chair.

It strikes me that if we are going to do this anyway, we'd have to bring a budget recommendation to the first meeting when we come back after the constituency week. So what I'd suggest is that we all go away and look in more detail at this conference agenda and come back prepared to make a decision at that first meeting. That would give the clerk time to put together a budget based on what we've discussed so far, and we can make a decision at that time. Even then, that puts it tight to get it through the other various parts of the process to get the travel approved, but we're facing that in any case. I think we are all flying by the seat of our pants, not having really looked at the conference agenda and who's going to be there, and that kind of thing.

I don't know that we're going to solve it today. I suggest that we put it over until that first meeting after the break week.

The Chair: Mr. Rickford.

Mr. Greg Rickford: Sorry. While I was waiting, I forgot what I was going to say.

The Chair: We'll come back to you.

Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: Bill has taken the words right out of my mouth. That is exactly what I meant to say. We're discussing having members eventually attend a conference when no one here has seen the agenda. If we want to do our work properly, we need to see the agenda. I don't think that having Mr. Szabo consult his BlackBerry to read us the agenda qualifies. Other committee members do not have access to that information. I think we need to have some background information in order to make an enlightened decision as to whether

we should or should not attend. All committee members are capable of exercising their good judgment and deciding whether the committee needs to attend. We are discussing the possibility of attending a meeting at some point in the future when we do not even know what the ramifications are. If you could get that information to all committee members, we could then bring the issue back on the table and see whether it would be appropriate to send someone or to have all members attend. That will become clear to us in due time.

• (1205)

[*English*]

The Chair: If all members would please refer to page 6 in the English document of “Recent Developments in Proactive Disclosure—Canada”, footnote 36 has a web address of this conference which is www.mips2010.ca, and you can print it out. It has the agenda, who should attend and why, conference facilities, accommodations, payment procedures, presentations, sponsors, support organizations, and the steering committee and registration material.

So the information for the members is there, and it was included in the report. I think members can inform themselves as to whether or not they think this is going to be useful, but I don't think we can say or tell anybody any more than what is on this website.

Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: I appreciate your giving us an Internet address, but I would still like to have that information forwarded to our offices.

Thank you.

[*English*]

The Chair: You want us to print out the website.

[*Translation*]

Mrs. Carole Freeman: No, I would like some information about the agenda. I think I made myself quite clear. All I want is for you to send us some information about the conference agenda. We're talking about sending people to attend. That's all. My request was clear, succinct and specific. I believe anyone who was listening understood.

[*English*]

The Chair: You don't want the web address to read it yourself. You want us to print it out.

[*Translation*]

Mrs. Carole Freeman: I'm not interested in checking out a website. I want the formal agenda to be sent to all committee members. That is the proper way to impart information.

[*English*]

The Chair: Okay.

I would therefore ask our clerk to go to the mips2010.ca website. Please print out all of the information under their agenda link and circulate it in both official languages to all the members.

Now that we've had input from the members on this, and I think Madame Freeman led us off very well, I'm going to ask the researchers to give us a preliminary starting point, a work plan on the issues related to the Information Commissioner. We're going to start off there.

April 29 is the kickoff for the meeting on the proactive disclosure, so we'll have lots of time to get some information.

So starting basically in May.... That's our time horizon to see about the availability of the other witnesses. As a starting point, the principal witnesses are Treasury Board, Quebec, and the Information Commissioner.

The idea is that we want to have at least a week of meetings scheduled and keep ahead of the curve. We will deal with the conference in Toronto at our next meeting and see how that goes.

I would just ask for the committee's direction. If no one else can attend, does the committee want to make sure that we have at least one representative, or maybe two, from the Library of Parliament to attend, to help us with our project? Is that a good idea?

Some hon. members: Agreed.

The Chair: All right.

Mr. Rickford.

• (1210)

Mr. Greg Rickford: You had mentioned earlier that you and Mr. Easter couldn't go. Are you saying that nobody from the Liberal Party would be able to go to that?

The Chair: Mr. Easter can't attend. I can't attend. We can't speak for Madam Foote. She's not here. She's out of town.

Mr. Greg Rickford: Okay, I'm just clarifying that.

You mentioned there is an early bird registration, so the decision for the analysts and/or any member who might go would be something I think we should probably look at in this time of fiscal restraint.

I'm sensitive as well to the Easter break and the week after and to getting this information out to committee members, as Ms. Freeman had mentioned, so we have a real understanding of what benefit, if any, this would actually have for members, or, as you seem to be recommending strongly, that the analysts just attend. If they're there, where does that leave us at the committee?

The Chair: We have support from the Library of Parliament at all meetings, no question.

Mr. Greg Rickford: Okay.

The Chair: I hear you about the early bird thing. I'm sure the clerk will work all this out and advise us when we get back. Even if we decide to do it on the Tuesday we come back, we have to approve a budget and then we have to go before the liaison committee to plead our case of why we should be able to go. It's going to be a tight line, I'm sorry, but that's our process.

We will get a preliminary work plan on the basis of the input of members, which will be available on the Tuesday when we get back. It will be circulated to members in advance, so we can discuss it on the Tuesday when we get back.

It's helpful. I sense that there is a commitment of the committee to deal with this, but with caution not to let it get out of hand. We'll keep a tight rein, and I think the committee is always in a position to be able to change our focus or direction as appropriate. We're not going to lock ourselves into a rigid framework for dealing with this. Once we get through the first two or three meetings on educating ourselves, I think a lot of this discussion will be a little more fruitful.

I thank members for taking the time to provide their input and to be prepared.

That was item number one. Our item number two is this. Mr. Easter has a motion for which he gave notice to the committee. It is in order. The appropriate timeline has been given.

Mr. Easter, are you prepared to move your motion?

Hon. Wayne Easter: Yes. I will move my motion and speak to the reasons why, if that's appropriate, Mr. Chair. Do you want the motion read?

• (1215)

The Chair: Why don't you read the motion, please?

Hon. Wayne Easter: Okay. It reads:

That the committee conduct a study regarding allegations of systematic political interference by the Minister's offices to block, delay or obstruct the release of information to the public regarding the operations of government departments and that the committee call before it: Honourable Diane Finley, Minister of Human Resources and Skills Development. At a separate meeting or meetings: Dimitri Soudas, Associate Director, Communications/Press Secretary, Prime Minister's Office; Guy Giorno, Chief of Staff, Prime Minister's Office; Ryan Sparrow, Director of Communications, Office of the Minister, Human Resources and Skills Development Canada; Sebastien Togneri, former Parliamentary Affairs Director, Public Works Canada; Patricia Valladao, Chief, Media Relations, Human Resources and Skills Development Canada; and That the committee submit a report to the House of Commons on its findings.

Mr. Chair, the reasons for putting this motion are pretty straightforward. There appears to be a systematic and ongoing intent of this government to permit tampering with information requests. If news accounts are correct—and I'll go through some of these media accounts in a moment—one has to ask the question, why has this government failed to take any action with respect to the serious allegations of tampering with, or interfering with, an access to information request, which on the surface, at least to me, appears to be a direct violation of subsection 67(1) of the Access to Information Act?

The next question, Mr. Chair, would be, why this specific list of witnesses?

The reason for calling the Minister of Human Resources and Skills Development is that the incident most recently reported involved her office and her communications director, Ryan Sparrow. According to an article in the *Globe and Mail* by Daniel Leblanc on March 29—and I have these articles here—on February 25 an e-mail exchange between Mr. Sparrow and bureaucrats in the department took place in which Mr. Sparrow attempted to block the revelation of the price tag of the ads to promote Conservative budget measures related to the Vancouver Olympics. Ms. Valladao, also identified in the news story, could provide some additional information on the exchange with Mr. Sparrow over this issue.

The minister should be called to explain why a senior member of her political staff intentionally attempted to prevent legitimate information from being released specifically following the issuance of instructions by Guy Giorno, the Prime Minister's chief of staff, on February 19 reminding Conservative political staff to "respect the access to information process". That almost in itself implies some guilt.

One would have thought respect for the law would be something that senior Conservative staff would not need reminding of, but apparently they do, which brings me to why we must hear from Ryan Sparrow and Sebastien Togneri. Both are, or were, senior political staff to Conservative cabinet ministers, the former with Human Resources and Skills Development and the latter with the Minister of Public Works' office. Both have been identified by the media as having directly intervened in trying to stop the release of information requested legitimately from their departments. There arises, therefore, a serious question with respect to why it is that incidents months apart in separate departments by different individuals have all had the same outcome, mainly the attempt to interfere with the legitimate release of public information.

It's incomprehensible that this is a coincidence. The only possible conclusion, in my view, is that there is and has been an expectation of senior political staff to intervene in the accessing and release of information from the department their minister is responsible for.

• (1220)

This is a serious breach, which brings us to Mr. Giorno and Mr. Soudas, both of whom occupy the most senior political staff positions and should be able to enlighten the committee on their knowledge of and role, if any, in either sanctioning this kind of behaviour and/or what measures they took to deal with those matters.

As a final point, I have to raise the more general issue that has been emerging about this government and the offices of ministers directly involving themselves in the access to information issue.

Lawrence Martin, in a February 24, 2010, *Globe and Mail* article, raised what must be of concern to this committee. I quote:

Harper spokesman Dmitri Soudas issued a warning that due diligence on access requests "should be done by public servants and not political staff." If it was an isolated incident, it's unlikely the alert would have been necessary.

This leads me to believe that it was not an isolated incident.

To look at how things were handled on the Afghan detainee file—the attempts to block documents, the blacking out of so much of what was released—is to see all kinds of evidence of mischief.

The bottom line is that there potentially seems to be a serious breach of subsection 67(1) of the Access to Information Act. There are serious concerns here that this may be a systematic and ongoing attempt by the government, using staff, to permit the tampering with information requests. I believe the only way to get to the bottom of this issue and clear the record is to have—as I mentioned in my motion—the various witnesses come forward.

Thank you.

The Chair: Mr. Siksay, please.

Mr. Bill Siksay: Thank you, Chair.

I just want to say that I do support the motion that's been put forward by Mr. Easter, and I share all of the concerns he has mentioned.

I think this is a very serious issue and it is one that this committee, in particular because of our responsibilities around access to information, can't ignore.

I myself have taken some personal initiative in writing to the Information Commissioner to ask her to investigate under section 67.1 of the Access to Information Act the incident regarding the release of the real estate portfolio documentation, but also the more recent one from the office of the Minister of Human Resources and Skills Development.

So I believe they are very serious issues, and it seems to me, although I'm no legal expert, that they do pertain to the application of section 6.71 of the act.

Chair, it strikes me that we have seen some excellent media reporting, and in-depth media reporting, on this issue. Certainly the stories in *The Hill Times* are particularly well done and helpful on this issue, but also I think rather shocking.

When you hear political staff in ministers' offices saying that the PMO yelled at them.... I think that was actually the term they used, that people get yelled at when information that is considered unfavourable to the government is somehow released, even though the public servants who are responsible for gathering that information have cleared its release.

I think too that some of the testimony that was included in those news stories is also particularly shocking and goes to the whole question of whether there is a culture that has developed in ministers' offices and among political staff and is perpetrated or encouraged by others in certainly the PMO and other places that suggest that this kind of interference would be appropriate.

A quote from one of the news stories states, "Any push back or staff who dared cross [PMO issues management staff]", which is who they're talking about in this quote, "...or tried to say that they could not stop it was insulted on the phone before all their colleagues and mocked". It continues with: "Ministers' staff feel that if they don't do as they are told that the PMO can order them to be fired or that if they do not carry out orders, or implied orders, that their might be ramifications for their boss."

I think that's a very serious allegation made by political staff in a minister's office. I think it's hard for us to ignore that kind of revelation, and I think we do need to try to get to the bottom of it.

Chair, I have to say that I am a little concerned about us engaging the study while the Information Commissioner is also working on it as a priority investigation. I believe we've established a system where the Information Commissioner has responsibility for this kind of investigation, and I think it's an appropriate system that we've established.

Although in the situation where the Information Commissioner is unable to give us a clear idea of when a report might be forthcoming on this issue, I do believe that it is of such a serious nature that we can't put off our look at it for very long either. So in that light, I am prepared to go ahead, although I do want to say that for my part, this doesn't indicate any lack of confidence in the Information Commissioner or her office and the folks who work there and their ability to appropriately investigate this situation, and I do look forward to their ultimate report on it. But I also think this is of such a serious nature that this committee does need to pay some attention to it as well.

Thank you, Chair.

• (1225)

The Chair: Mr. Poilievre, please.

Mr. Pierre Poilievre: Along that line, I would like to propose an amendment to the motion, by adding, after the word “That”:

After the Information Commissioner complete her study on the matter,

The Chair: Okay.

Mr. Pierre Poilievre: Should I introduce that?

The Chair: You have.

Mr. Pierre Poilievre: Can I make a comment on my amendment?

The Chair: If you wish, please go ahead.

Mr. Pierre Poilievre: Thank you.

Mr. Chair, we have a process in place that allows the Information Commissioner to carry out these sorts of investigations. All of us on this committee have expressed faith in the existing commissioner by adopting her estimates. It would make sense that we would continue to show that faith by allowing her to complete her investigation. She'll obviously report her findings to this committee.

I would think we'd want to amend the motion either now or later, or bring in a different motion, to add her to the list of witnesses so she could also testify. It would seem to make more sense to do that after she's completed her good work.

We have no reason to distrust her or believe that she would do her work improperly. No member of any party, on the government or opposition side, has suggested that she cannot be trusted to do this work. We should just allow her to complete the study.

This issue will still be here when she's done. It's not as though the end of the world is coming—though I'm not in the business of making those kinds of predictions—and therefore a study will not be permitted.

We do know there will be a day when she will complete her study. At that point this committee could simply carry out a supplementary study, which includes her as a witness, and examine the findings she brings forward.

The Chair: Mr. Easter.

Hon. Wayne Easter: Thank you, Mr. Chair.

I will be opposing the amendment, and I'll outline the reasons.

As I indicated, and as Bill did as well, this is an extremely serious issue of rather urgent importance. As I alleged, there seems to be

almost systematic behaviour across a number of departments. The investigation being carried out at the moment is more narrow than what we're proposing here.

I did ask the commissioner when she was before us the other day how long her process is going to take before it's completed. She said the last time they conducted an investigation such as that, it took three years. She said she was hoping to have that...so 18 months is her goal.

Mr. Chair, at best, it's 18 months on a much narrower focused investigation. Given the lack of transparency by the Government of Canada on so many fronts, the interconnections between several staffers in departments now, and an order from the Prime Minister's chief of staff, which in itself seems to imply there had to be something going on, I see this as an urgent matter.

I agree with what Bill said earlier. I have full faith in the commissioner. I think she does good work. We passed her estimates. But this is of a more urgent basis. She admitted that her timeframe is 18 months down the road.

The government must provide access to information as we see fit. We need to investigate whether there are violations of the act and staff interference in terms of proper information being made available.

For all those reasons, I oppose the amendment and I support the original motion.

• (1230)

The Chair: I think the members have made their positions clear.

On a motion by Mr. Easter, an amendment has been proposed by Mr. Poilievre that after the word “That”, we include the words “After the Information Commissioner has completed her study on the matter”.

Sorry, I guess that would be the first phrase, actually, not after the word “That”—right?

It should read, “After the Information Commissioner has completed her study on the matter, that the committee conduct a study”, and so on, as it is there.

Do the members understand the amendment from Mr. Poilievre? Are we ready to vote on it?

Did you want a recorded division?

Mr. Pierre Poilievre: Sure.

(Amendment negated: nays 6; yeas 5)

The Chair: Okay.

On Mr. Easter's motion as originally presented, unamended—

Mr. Pierre Poilievre: I'd like to speak to it.

The Chair: Absolutely, Mr. Poilievre.

Mr. Pierre Poilievre: Given the committee's decision to vote against the amendment earlier on, I will have to vote against the motion itself. At the same time, I'm prepared to clarify the way the government would be prepared to respond to this committee, based on 300-plus years of parliamentary history, during which time the principle of ministerial responsibility has developed.

The staff members in question here will not be attending but will be represented by their ministers. Of course, ministers are responsible for the actions of their offices and they take responsibility for what happens in their bureau. That is a core principle of parliamentary democracy. As such, ministers will appear if this motion is passed.

So I would advise the committee that they could expect to hear from the Minister of Public Works, Ms. Rona Ambrose, and from the Minister of Human Resources, Ms. Diane Finley. At this time, I think those are the only ministries that are singled out. As such, they would be the ministers who would attend and participate in the hearings and take responsibility for the actions of their staff and their offices.

There are one or two ways we could approach that. We could either amend the motion to reflect it, or the opposition parties can pass the motion as it is and nevertheless have the same result.

In order to align the motion with the reality, I would propose that we amend it to remove the mention of staff members and replace those staff members with the ministers responsible for the offices in which those staff members work.

My proposed amendment would be that after the sentence, "Honourable Diane Finley, Minister of Human Resources and Skills Development", you would delete everything and you would replace it with, "and the Minister of Public Works, Honourable Rona Ambrose."

• (1235)

The Chair: That's clear.

Okay, that's the amendment.

Hon. Wayne Easter: Mr. Chair, I really have a question to—

The Chair: Hold on for a second. The proposed amendment is in order. Now we have debate on the amendment.

Hon. Wayne Easter: I really have a question to the parliamentary secretary to the Prime Minister. He's certainly talking about parliamentary tradition, but would he be stating before this committee that ministers had knowledge of these acts? Seeing as we are talking about staffers in the Prime Minister's Office as well, why is he not offering up the Prime Minister to come up before the committee? The implications in the Prime Minister's Office are pretty serious here as well.

Could he answer those two questions? Then I'll give you what at least my position is on the amendment.

The Chair: I'm not sure if this is a question-and-answer...but it just so happens Mr. Poilievre is the next speaker on this amendment.

Mr. Pierre Poilievre: Sure. The first question was about cognizance of ministers about the daily activities in their—

Hon. Wayne Easter: No, it was, did they have knowledge of these acts?

Mr. Pierre Poilievre: I have the floor, I believe, Mr. Chair.

The Chair: Yes.

Mr. Pierre Poilievre: It was about the cognizance of ministers about the daily activities in their offices and their departments. Of course, officials who work under a minister make literally thousands of decisions a day, and the ministers are not knowledgeable about them all. However, ministers do take responsibility for what does occur within their departments and within their offices, even if they were not aware at the time of those decisions. That's the basic system we have.

The one connection Parliament has to the ministries and to the departments is through the minister. That goes back to the time of King George at the end of the 17th century and beyond. So we have to honour the convention that has worked to create successful parliamentary government over the course of centuries.

The second question was about the Prime Minister's attendance at this committee. I think Mr. Easter understands that the convention has been that the Prime Minister does not appear before parliamentary committees. That was the case under the previous Liberal government; it is the case now.

The controversies the member has raised are particular to several ministries. The ministers in charge of those offices are being offered up to take responsibility, so I would encourage him to work to allow that responsibility to be executed properly.

Thank you.

• (1240)

The Chair: Okay. Mr. Poilievre has proposed an amendment to the motion, which deletes everything after "the Minister of Human Resources and Skills Development" and adds "and the Minister of Public Works, The Honourable Rona Ambrose".

That is the amendment. Does everyone understand the question that's being posed now on the amendment proposed by Mr. Poilievre? Are you ready for the vote?

An hon. member: A recorded vote, please.

(Amendment negatived: nays 6; yeas 5)

The Chair: Mr. Poilievre.

Mr. Pierre Poilievre: I'd like to be on the speakers' list on the main motion.

The Chair: Absolutely. You're the only person I have on the list, so please....

Mr. Pierre Poilievre: I appreciate the decision that individual members of the opposition rendered in casting their vote on my previous amendment. I detected from Mr. Easter's intervention that the sticking point is one that we can resolve. Our concern on this side is that we uphold the ancient traditions of ministerial responsibility.

Mr. Easter, who brought forward the original motion, has indicated that he would like someone to respond on behalf of the Prime Minister. I indicated earlier that the convention going back beyond this government to previous governments of a different stripe is that prime ministers do not appear in parliamentary committees.

However, if Mr. Easter and his opposition colleagues are insistent on having someone represent the Prime Minister's Office directly, and explain the protocols that staff members follow, there's someone who is ideally suited to do both of those things, and that would be the chief of staff to the Prime Minister.

I would be prepared to put forward the following compromise amendment. It reads as follows. After "the Honourable Diane Finley, Minister of Human Resources and Skills Development", we would delete all of what's below, except for "Mr. Guy Giorno, Chief of Staff, Prime Minister's Office". That's the first amendment—again eliminating everything after the word "Development", except for "Mr. Guy Giorno, Chief of Staff, Prime Minister's Office".

The second part to my amendment would be to add "Minister of Public Works Canada, Rona Ambrose".

So you would have the ministers responsible for the sections in which the incidences in question have been raised, and you would have from the Prime Minister's Office the head of the exempt staff, Mr. Guy Giorno.

• (1245)

The Chair: In brief, and I think members probably understand, but just for clarity, the witness list would be the Minister of Human Resources and the Minister of Public Works, as well as the Chief of Staff of the Prime Minister.

That's what is being proposed. We'll get the wording clarified, but I think for purposes of consideration, it is to eliminate the staff in those various departments.

Mr. Easter is on the list to speak to the proposed amendment of Mr. Poilievre.

Hon. Wayne Easter: I will be opposing this amendment as well, because there's a very good reason for asking for the people who are on the list.

I appreciate the fact that the parliamentary secretary has offered up the chief of staff to the Prime Minister, but I think we have a duty as a committee looking into this issue to question the people who have the knowledge of what happened here.

It seems to me that this denying or tampering or interfering with access to information happened in such a way that it could accommodate a minister's deniability. The way this happened over a period of time and across several departments leads me to believe that it's been structured in a way to allow ministerial deniability, and therefore we have to go beyond the ministers.

I guess the other point I would make is that the Prime Minister's spokesman, Dimitri Soudas, kind of alleged that himself when he issued a warning that due diligence and access requests "should be done by public servants, not political staff".

This is an extremely serious and urgent issue. The only way we can really get to the bottom of it is if we go with the list as established in the original motion.

The Chair: I'll put the question on Mr. Poilievre's third amendment, which is basically to have as witnesses the Hon. Diane Finley, the Hon. Rona Ambrose, and Mr. Guy Giorno, chief of staff of the Prime Minister's Office.

Does everyone understand the amendment proposed by Mr. Poilievre?

Are you ready for the question?

(Amendment negated)

• (1250)

The Chair: We are back to the motion as presented. Is there any further debate on that?

Hon. Wayne Easter: Mr. Chair, I call the question on the main motion.

The Chair: The motion is as originally presented. Is there any further debate on the motion?

Mr. Pierre Poilievre: On a point of order, Mr. Chair.

The Chair: Please state your point of order.

Mr. Pierre Poilievre: Just to clarify—

The Chair: That's not a point of order.

Mr. Pierre Poilievre: It is actually a point of order.

Have the rules been altered to empower specific members of the committee to call a vote, or does that happen after the speakers' list has expired?

The Chair: I recognized Mr. Easter as I had called for speakers on the motion, but in his speech he expressed the view that he would like to call the question.

That is not a motion before us. When the debate collapses, I will ask the committee whether or not they are ready to take the vote. I am not in any hurry to do anything, as long as members have something to contribute.

But, Mr. Poilievre, you are correct.

Mr. Pierre Poilievre: Thank you.

The Chair: I think at this point there is a very clear disagreement among members of the committee as to whether or not staff personnel are relevant to this work. I don't think there's going to be a resolution to it. I'm in the members' hands on how we proceed.

Right now we have the motion by Mr. Easter, unamended. Is there any further debate on the motion by Mr. Easter?

Mr. Poilievre.

Mr. Pierre Poilievre: Yes, I'd like to call for a vote.

Thank you.

The Chair: Should we put it to a vote? Are the members ready for the vote on the motion as presented by Mr. Easter?

Some hon. members: Agreed.

(Motion agreed to)

The Chair: There being no direction right now, I will ask the clerk to make contact with all of the parties named in the motion to determine availability and to advise what possible dates we would have available to schedule hearings with these witnesses. The motion does indicate that the Minister of Human Resources would appear by herself. I think we will try to combine that with another scheduled meeting.

The motion also mentions a separate meeting or meetings. Since there are five people, that may be a little difficult to do in one meeting. It is not going to be possible to extend hours, but I suggest that we could find a venue where we could have a meeting that would perhaps start an hour earlier. We would go from 10 a.m. until 1 p.m. to have enough time for those five, if possible. Otherwise it may take two meetings. We will do our best to arrange that.

Colleagues, there being no further business, I wish you a happy Easter.

Go ahead, Madame Freeman.

•(1255)

[*Translation*]

Mrs. Carole Freeman: I want to wish everyone a Happy Easter! Enjoy the time off!

The Chair: Thank you.

[*English*]

You started off well and you finished very well.

Merci bien. The committee is adjourned.

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