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Thursday, May 13, 2010

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Chair

Mr. Paul Szabo

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•(1115)

[English]

The Chair (Mr. Paul Szabo (Mississauga South, Lib.)): Order.

This is meeting number 15 of the Standing Committee on Access to Information, Privacy and Ethics. Our orders of the day, pursuant to Standing Order 108(3)(h)(vi), are a study on allegations of interference in access to information requests.

We have two sets of witnesses today.

Our first witness is Mr. Ryan Sparrow, director of communications in the Office of the Minister of Human Resources and Skills Development. In the second part of the meeting we will hear, from the Department of Human Resources and Skills Development, Patricia Valladao, chief of media relations, and Mr. Peter Larose, Assistant Deputy Minister, public affairs and stakeholder relations.

As the members will notice, we are blessed to have been joined by the minister herself, the Honourable Diane Finley.

The orders of the day indicate that we are here to hear from Mr. Sparrow, and he has an opening statement for us. The minister is not here to make any statements, and I'm in the committee's hands with regard to whether or not she has other roles. Any member of Parliament has the right to sit at any committee table, but is not authorized to ask questions unless they are duly signed into the committee. Okay?

So let's not waste any more time.

Welcome, Mr. Sparrow. You have a statement. Please proceed.

Mr. Ryan Sparrow (Director of Communications, Office of the Minister, Human Resources and Skills Development, Department of Human Resources and Skills Development): Mr. Chair, thank you for inviting me to appear before this committee.

Before I take the committee's questions, it's important for me to outline my roles and responsibilities as director of communications for the Minister of Human Resources and Skills Development as outlined in "Policies and Guidelines for Ministers' Offices".

The director of communications for a cabinet minister is responsible for many things, including: providing strategic planning and communications advice to the minister; leading comprehensive communication plans on behalf of the minister; consulting regularly with the Prime Minister's Office in order to better coordinate government-wide communication; overseeing and coordinating with the department the development of communications initiatives to ensure that they are consistent with the minister's objectives and the

government's mandate; establishing and maintaining a professional relationship with the media; and being the leading official spokesperson for the minister.

The Chair: The translators are having a little trouble keeping up with you. Pace yourself a little more slowly, please.

Mr. Ryan Sparrow: The director of communications and departmental officials are also expected to follow all the rules under the guidelines of the Government of Canada's communications policy.

Under the policy, and I quote: "Institutions must consult their minister's office when planning media campaigns or strategies that could involve ministerial participation, or when preparing a response to a media enquiry that could have implications for the minister".

Ministers are the principal spokespersons of the Government of Canada. They are supported in this role by appointed aides, including executive assistants, communications directors, and press secretaries in the ministers' offices.

I take my roles and responsibilities very seriously, and I have always followed the communications policy, as I do in this instance being examined in front of the committee today.

Mr. Chair, I understand that the committee has invited me here today to discuss a newspaper article based on an inquiry into the cost of economic action plan advertising campaigns. The facts are as follows. A reporter contacted HRSDC requesting information on the economic action plan help for workers ad campaign that ran during the Olympics two days before the ad campaign was completed. He specifically asked for two things: the cost and the frequency of the ads.

It is impossible to respond to the question of frequency of ads before an ad campaign is over. There are several reasons why.

For instance, programming can change and the frequency of ads can differ from what was originally planned. Ad campaigns are unique in that they do not have fixed costs. The cost of an ad campaign depends on the frequency of the ads. Accordingly, until the frequency is known, it is impossible to know the accurate costs.

Again, this information was readily available once the campaign was complete. As soon as the ad campaign ended and the frequency was actually known, more accurate costs were available, and that information was provided to whoever requested it.

I would like to repeat: the information was released after the advertising campaign ended and more accurate information was available.

Our government was forthcoming in providing more accurate costs in a timely manner once the campaign was complete and final airtime was known. The approach taken was prudent and responsible.

Mr. Chair, it is important to inform the committee that the objective assessment of the advertising campaign shows that it was very successful in raising awareness for Canadian workers of the programs that our government is delivering in these tough economic times. There was a higher-than-average recall rate and a higher-than-average number of Canadians who said they would take action as a result of seeing the ads.

Canadians have a right to know what programs and services are available from the government to help them and their families. Canadian taxpayers also have a right to the most accurate information available regarding the use of their tax dollars.

Accordingly, waiting for the ad campaign to end and providing the most accurate costs in a timely manner was the prudent and responsible approach. I'd be pleased to take questions.

● (1120)

The Chair: Okay.

Before we proceed to questions, I simply want to remind you, honourable colleagues, that the motion was quite explicit about having the minister and then the others following. There must be a reason for that, so I think it's anticipated that we will do the answers from Mr. Sparrow. So the questions should be addressed to Mr. Sparrow who is, in fact, the witness.

We're going to start with Mr. Valeriote.

Mr. Francis Valeriote (Guelph, Lib.): Thank you, Mr. Sparrow.

Thank you, Minister Finley, for appearing today. Of course, my questions are going to be directed to Mr. Sparrow.

Mr. Sparrow, you've explained why you feel it was necessary to intervene in the request of Mr. Leblanc and his inquiry about the cost. Your explanation is basically stating that you were unable to give accurate figures. Why did you not say that in your e-mail—we are unable to give accurate figures?

Mr. Ryan Sparrow: I'll refer that question to the minister.

Mr. Francis Valeriote: Well, I would rather that you answer the question. You're the witness.

The Chair: Mr. Sparrow, questions directed to you should be answered by you. We have heard the minister. We know what she has testified before the committee. It is my view that you have the ability to answer this question, and I think the committee would like to hear your answer.

Hon. Diane Finley (Minister of Human Resources and Skills Development): Mr. Chair, may I intervene?

The Chair: No, I'm sorry, Minister.

Hon. Diane Finley: Mr. Chair, I'd like to—

The Chair: I've made a ruling.

Hon. Diane Finley: Mr. Chair, with all due respect, Mr. Sparrow operates under my delegated authority. Anything he does is under my authority, authority that I carry as minister. Therefore, I have that authority. I respectfully request that I be allowed to exercise that authority myself.

The Chair: Yes, well, Madam Minister, the committee has already addressed this issue. In fact, it is the reason why the motion we have specifically indicated that it wanted to have yourself and other witnesses at separate meetings so that this wouldn't happen. That is the motion adopted by the committee.

In this particular regard, the question is a question that Mr. Sparrow has every bit of knowledge to answer why he did what he did. I don't think you will be able to express it any more clearly than the person himself.

I've made a ruling. We're not going to have the minister speak on behalf of the witness because the minister has not been invited to this committee to in fact be asked or to answer on behalf of Mr. Sparrow. It is contrary to the motion adopted by this committee.

That's my ruling. I'd ask Mr. Sparrow to please proceed and respond to the question.

Hon. Diane Finley: Mr. Chair, I would actually refer you—

The Chair: Order. Order.

Hon. Diane Finley: —to the experts on the subject of ministerial accountability, O'Brien and Bosc, Marleau and Montpetit, the guide for ministers, and that is—

● (1125)

The Chair: Order, Madam Minister.

Hon. Diane Finley: —that the minister is accountable, and that's why I'm here today, because it is my authority. And I respectfully ask you to consider the long-standing parliamentary traditions of this country and of our mother Parliament, which are outlined in the writings of the people I've just mentioned. I believe that they are germane to this discussion.

I'd be quite happy to respond to the questions, exercising my authority that was only delegated during a period of time, but retaining that authority for myself as the minister, which is appropriate under our parliamentary tradition.

The Chair: Madam Minister, Parliament has the right to call for persons, papers, or records—all persons. Members of Parliament are exempt from that. They can refuse to appear.

We have called Mr. Sparrow, as an individual related to this matter, before us to respond to our questions. The ministerial relationship with staff is not going to supersede this committee's right to ask this person, whom we have duly called, to respond to the questions.

I will not entertain further debate on whether or not you can answer for Mr. Sparrow. My decision, based on the motion passed by this committee, is that Mr. Sparrow is going to answer the questions directed at him.

If you'd like to consult with him, as a lawyer might do, that's fine, but you are not able to address this committee directly. You can do it through Mr. Sparrow, if you wish.

But again, that's my ruling and I would like to have Mr. Sparrow answer that question now.

Hon. Diane Finley: Mr. Chair, I make one last appeal to you to respect the traditions of Parliament, that of ministerial accountability, and that also of the relationship that any employee has with his or her employer; and that is for accountability, and that the employer takes responsibility. Those are long-standing traditions.

The Chair: You, Minister—

Hon. Diane Finley: There's one other tradition, Mr. Chair—

The Chair: Thank you.

Hon. Diane Finley: —and it is that this Parliament has a long tradition of not calling on elected staffers—

The Chair: Order.

Hon. Diane Finley: —as we made sure we did when a previous immigration minister stood up and appeared before the committee—I believe this very committee—when her staff were accused of certain conduct. There is precedent, Mr. Chair.

The Chair: The chair has a responsibility to maintain order and decorum in the committee. I've made a ruling. I've indicated to you... You have made your argument twice—at least. I understand, but that can't supersede the motion adopted by this committee and our rights delegated under section 108 of the Standing Orders from the House to have this person appear and to ask questions and have them answer them.

We don't have an obligation to respect your departmental rules. We have the rules guiding this committee. So I've made my decision, and again, for the final time, I'm going to ask Mr. Sparrow to answer the question.

Mr. Ryan Sparrow: I'm sorry. Can the member repeat the question?

Mr. Francis Valeriote: And here I thought we would have an uneventful day of questioning.

Mr. Sparrow, you recited to us—

And I'd like my time back, Mr. Chair.

The Chair: You've used 10 seconds of your time.

Mr. Francis Valeriote: Okay.

Mr. Sparrow, you indicated the reasons why you thought it important to intervene and amend the response that was going to Mr. Leblanc. My question to you was, why did you, in your response, not tell them that you were waiting for final numbers?

Mr. Ryan Sparrow: Mr. Chair, as I said in my statement, my goal was to provide accurate information in a timely manner. That was

accomplished. I spoke to the ADM in response and I told him my decision, and he agreed.

The Chair: Thank you.

Mr. Valeriote.

Mr. Francis Valeriote: My question again to you is, why did you not indicate that in your response—that you were waiting for more accurate numbers?

Mr. Ryan Sparrow: Mr. Chair, in respect to the member's question, I've just indicated that I did speak to the ADM responsible for communications and I informed him of my decision and the reason why, and that was to provide accurate information in a timely manner.

The ad campaign was not finished at the time, and just to refer to my statement, the question was to provide costs and the frequency of the ads. It is impossible to provide the frequency of the ads until the TV ad campaign has been finalized and—

Mr. Francis Valeriote: Okay. Thank you, Mr. Sparrow.

Mr. Ryan Sparrow: —if I may, that's why accurate information was provided.

• (1130)

Mr. Francis Valeriote: I understand that.

Now, Mr. Sparrow, I have another question. Minister Finley said that on 51 occasions in the last month your office has altered responses to media requests for information. Were you involved in any of these?

Mr. Ryan Sparrow: Mr. Chair, with all due respect, the member's prelude is false; that information is not correct. That's not what the minister said.

Mr. Francis Valeriote: All right. Have you been involved in other interventions where the media has requested information?

Mr. Ryan Sparrow: If I could refer to my statement, I enter the "Communications Policy of the Government of Canada". "Ministers are the principal spokespersons of the Government of Canada—"

Mr. Francis Valeriote: Mr. Sparrow, I've asked you a simple question. Have you been involved in other interventions where the media has requested information, you have intercepted it, and changed it or altered it?

Mr. Ryan Sparrow: Mr. Chair, if I may finish...?

Mr. Francis Valeriote: I would just ask you to give me a yes or no answer.

Mr. Ryan Sparrow: Mr. Chair, may I finish my remarks?

The Chair: Mr. Sparrow, I would ask you not to return to the rationalization that the minister speaks on behalf of the department, okay? I think the member has asked a direct question. Just simply, have you been involved in any of these matters that he refers to? That's known to you. I think it requires a direct answer.

I don't want to lecture you on the rules or the powers of a committee. What I'd like to do is just get through the witnesses to get the information, and I hope that everybody will just cooperate. Let's be concise in our questions and in our answers. Okay? Please.

Mr. Ryan Sparrow: Mr. Chair, I was prepared to respond, but I think it's important to put into context, as I did my statement, my roles and responsibilities as a director of communications.

Mr. Francis Valeriote: We know what's in your statement. You made it.

I'm asking you a further question beyond what was said in your statement, Mr. Sparrow. Please answer the question.

Mr. Ryan Sparrow: "Ministers are the principal spokespersons of the Government of Canada. They are supported in this role by... executive assistants, communication directors and press secretaries ___"

Mr. Francis Valeriote: Mr. Sparrow, if you're not going to answer that question, perhaps you'll let me go on to the next.

I'm going to recite what the Honourable Diane Finley said on May 4, and I'm quoting from the blues: "Let me just check some numbers here. In the last six months, out of 235 calls that were received, only 51 general changes to the response". That was her answer. You said that I have misquoted her.

She has indicated 51 changes. I'm asking you again: were you involved in any of those 51 occasions where information was changed, yes or no?

Mr. Ryan Sparrow: Mr. Chair, if I may, in the previous question, the member said "in the last month". If you're quoting from the blues—

Mr. Francis Valeriote: Okay: "in the "last six months". Fine.

Mr. Ryan Sparrow: That's correct.

Mr. Francis Valeriote: All right. Now, were you involved in any of those 51 occasions?

Mr. Ryan Sparrow: Yes.

Mr. Francis Valeriote: What reasons would you require that a response prepared by the bureaucrats be changed? What would your reasons be to change it?

Mr. Ryan Sparrow: The minister is the principal spokesperson, so oftentimes there are specific reasons. Oftentimes if you're dealing with issues related to common government messaging such as the economic action plan, there are changes that are often minor, but changes sometimes are made.

Mr. Francis Valeriote: Are you given the latitude to make those decisions on your own, or do you report to the minister, as you're apparently trying to do now?

Mr. Ryan Sparrow: As I said in my statement, ministers are the official spokespersons of the Government of Canada, but they're supported in that role by people such as myself, directors of communications, and I was acting on behalf of the minister.

Mr. Francis Valeriote: So can I take it from that answer that you're telling me that you report each and every intervention to the minister herself and you only proceed with an intervention if you have her approval?

Mr. Ryan Sparrow: I do not instruct...I do not make the minister aware of every single media inquiry the department receives, no.

Mr. Francis Valeriote: Do you do so in some of the cases?

Mr. Ryan Sparrow: In some cases, yes.

Mr. Francis Valeriote: Directly to the minister. And who else might you discuss these matters with?

Mr. Ryan Sparrow: Other ministers' offices that... Ministers are often required to answer questions on a regular basis from media, members of the public, and constituents. So if there's an issue where ministers could potentially be asked, I could make other ministers' offices aware—

• (1135)

Mr. Francis Valeriote: Okay. And on this occasion with Mr. Leblanc, did you speak directly to the minister?

Mr. Ryan Sparrow: No.

Mr. Francis Valeriote: Who did you speak to?

Mr. Ryan Sparrow: I made the decision myself as the director of communications. I made the decision and that decision was made.

Mr. Francis Valeriote: Are media requests ever flagged for the PMO and do you ever speak to anyone in the PMO about this, or anyone on the issues management team about media inquiries? Without going to your notes... I know what's in your notes. I've heard you make that statement. I just want you to answer my question.

Mr. Ryan Sparrow: In my statement, I refer that I do consult regularly with the Prime Minister's Office on issues regarding government-wide communications.

Mr. Francis Valeriote: Do you see all media requests?

Mr. Ryan Sparrow: Yes.

Mr. Francis Valeriote: Have you been advised by anyone as to the parameters? Have you been given instructions or parameters within which you must make your decisions, or do you just have kind of a full and free rein over these decisions?

Mr. Ryan Sparrow: In the last six months, I believe it was 22% of media inquiries that were altered. I think that's the number you previously quoted. I would suggest that's actually quite a low figure.

The Chair: Thank you.

Madame Freeman, *vous avez la parole.*

[Translation]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): You said that in the past six months, 22% of inquiries were altered. You also said you were the person who receives all inquiries from the media. Is that right?

[English]

Mr. Ryan Sparrow: I'm involved with overseeing the final approval of all media inquiries, yes.

[Translation]

Mrs. Carole Freeman: You oversee the final approval of the inquiries. Who receives media inquiries in the minister's office?

[English]

Mr. Ryan Sparrow: If they go to the minister's office, it will be myself or the press secretary. If they go to the department, there's a departmental media line.

[Translation]

Mrs. Carole Freeman: Do you see them all?

[English]

Mr. Ryan Sparrow: Correct.

[Translation]

Mrs. Carole Freeman: So, in the 51 cases where changes were made... The minister appeared before us. Furthermore, you confirmed the fact that there were 235 calls and that 51 of them required changes. That means that 22% of them needed changes. Is that right?

[English]

Mr. Ryan Sparrow: Yes.

[Translation]

Mrs. Carole Freeman: Would it be possible to submit those media inquiries, as well as the 22% that were changed?

[English]

Mr. Ryan Sparrow: I don't have those with me at this time.

[Translation]

Mrs. Carole Freeman: Is it possible to submit them to the committee so we can examine them and see the procedure you follow?

[English]

Mr. Ryan Sparrow: I believe they're available through access to information.

The Chair: Mr. Sparrow, the member has politely asked if you could table them. I suspect the next thing is to ask the chair to order you to produce them.

Yes, they are available, and I realize that, and I think it's the request of the member that in fact you are ordered to provide them to the committee. Will you do that?

Mr. Ryan Sparrow: I'm unaware of the rules pertaining to that, so I'll have to...

The Chair: You can check the rules, but the committee has asked you to do that and in fact ordered you to do it under our right to call for persons, papers, and records, okay?

An hon. member: A point of order.

The Chair: Now to the extent...or unless there is a reason why they are not... But this is a request for information.

An hon. member: From one committee member—

The Chair: Sorry?

Mr. Pierre Poilievre (Nepean—Carleton, CPC): I have a point of order, Mr. Chair.

The Chair: Just a moment.

Mr. Pierre Poilievre: Point of order, Mr. Chair.

The Chair: Okay. Mr. Poilievre, on a point of order.

Mr. Pierre Poilievre: You do not have the power to determine that the committee has asked for something. You have no motion to support your last statement.

If you wish to seek a motion—maybe you wish to move a motion—then perhaps the committee will pass that motion. But there is no

such motion right now and therefore you are acting on a non-existent authority.

The Chair: Okay. Just a moment...

Just a moment. I'm trying to facilitate the...because we have lost an awful lot of time in this meeting.

First of all, the chair is not permitted to make motions. I was trying to facilitate...because the member will obviously make the request, the motion.

Madame Freeman, do you have something to add?

• (1140)

[Translation]

Mrs. Carole Freeman: Yes. When the minister appeared last week, Judy Foote asked her whether 51 inquiries had been altered. Ms. Finley answered yes. Ms. Foote asked her whether we could see those documents. Ms. Finley answered—and I am paraphrasing loosely here—that she did not have them with her but that she was sure they were available, and that she would be quite happy to provide them to the committee.

Therefore, in her testimony, which is available, Ms. Finley agreed to the request. As Ms. Finley so clearly stated before, she has superintending authority in her department. In addition, she offered to provide the documents to the committee. I do not understand why we would not be able to obtain them.

It is in your testimony, Ms. Finley.

[English]

The Chair: The transcript speaks for itself. The minister has already undertaken to provide these.

But the question was put to Mr. Sparrow and I wanted to let him answer to see whether or not he concurred with the minister. But it would appear that an access to information request is not going to be required. We will wait for the receipt of that information undertaken by the minister.

Carry on, Madame Freeman.

[Translation]

Mrs. Carole Freeman: So we will be provided with the documents. That is our understanding. Is that right? How long will it take, Mr. Chair?

[English]

The Chair: The committee didn't specify that, but the minister did say they were available.

[Translation]

Mrs. Carole Freeman: Can I put the question to Mr. Sparrow?

When will we receive all the media inquiries that were altered? When will you provide those documents to the committee?

[English]

Mr. Ryan Sparrow: That would be speculation on my part. We'll certainly look at it when we get back to the office. I'm unaware of how long that would take.

[Translation]

Mrs. Carole Freeman: I think we need to set a deadline. We have a week off and then we come back in early June. Could we have them by the time we get back, so we can examine the reasons that you tampered with, changed or altered 51 access to information requests from the media? We want to learn what your reasons were and examine those requests.

[English]

Mr. Ryan Sparrow: It's not possible for me to give the committee a timeline at this point. I'm sorry.

The Chair: Let's put it this way. The minister has made that undertaking, and I'm going to respect the minister's concurrence that they're available and that she would provide them within the normal reasonable time that's necessary.

But I would like to ask if you could inquire of whoever has the ability to inform the committee, as soon as possible, how long it might take, and then the committee will determine what further action would be necessary. Okay?

Mr. Ryan Sparrow: Sure.

The Chair: Madame Freeman, you have four minutes left.

[Translation]

Mrs. Carole Freeman: Thank you, Mr. Chair.

Could you describe the procedure you normally follow when you receive access to information inquiries from the media? I know that the assistant deputy minister, Mr. Larose, is involved, as well as Ms. Valladao. What is the usual procedure? Are media inquiries dealt with based on the identity of the requester, in other words, the reporter? How do you handle them? Does it depend on the nature of the inquiry?

[English]

Mr. Ryan Sparrow: Media inquiries are often determined... whether the minister's office or the department responds is often based on whether they're deemed political, whether they're deemed as pertaining to the minister, for instance. Oftentimes that is... whether I would respond on the minister's behalf, or the minister responds, or a departmental official would respond.

But in my roles and responsibilities, I work with the department and we develop communications initiatives to ensure that we have a cohesive message.

•(1145)

[Translation]

Mrs. Carole Freeman: If I understand correctly, you handle requests of a political nature.

[English]

Mr. Ryan Sparrow: Yes.

[Translation]

Mrs. Carole Freeman: You do not usually deal with administrative or factual requests. Those go directly to public servants or the deputy minister, is that right?

[English]

Mr. Ryan Sparrow: That's not entirely correct, no. Oftentimes, the department will get... In our department, for instance, there are many questions that are program oriented, that are simply asking a question; for instance, how many bricks are there in the Peace Tower? That would generally go to the department; they often deal with more program-oriented questions.

[Translation]

Mrs. Carole Freeman: I have a comment to make, if I may. When Mr. Leblanc asked to know the costs, money was still being spent, because there were still two days left in the advertising campaign.

Why did you not tell Mr. Leblanc that? At the very least, you could have given him some information, in an effort to be transparent. You could have at least said that a budget had been set out and that the numbers would be available when the campaign was over. You could have released the estimated costs and indicated that there were still two days left in the campaign.

Why did you not provide an explanation, at the very least? You simply withheld the information completely.

[English]

Mr. Ryan Sparrow: Mr. Chair, the reporter was provided with the accurate cost as soon as the ad campaign was finished and was provided it in a more than timely manner.

[Translation]

Mrs. Carole Freeman: It took 18 days to get the information.

[English]

Mr. Ryan Sparrow: That's when the reporter came back and asked for the information. Yes.

[Translation]

Mrs. Carole Freeman: But you already had the information. It was already in the memos, in the email, and it was withheld.

[English]

Mr. Ryan Sparrow: Mr. Chair, the reporter asked for costs. There were no costs available at the time. And that's why there was an accurate cost provided following the ad campaign.

The Chair: We're going to move on.

Mr. Sparrow, the amount that you confirmed to the *Globe*, was that identical to the amount that you got on the invoice through Public Works?

Mr. Ryan Sparrow: With advertising campaigns, the actual final, final cost is available 90 days later, when it's posted on the website. That's why, in fact, we took this measure: because we wanted to provide the most accurate costs we could at the time. Then, we actually, in fact, instead of telling the reporter to wait for it to be posted online...we took the step to provide him with the information in a very timely manner, a great deal of time before it was actually going to be going up on the website.

The Chair: Okay.

Mr. Siksay, please.

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

Thank you for being here, Mr. Sparrow.

I have to say that I am impressed that the boss came with you today. I think that does say something important and I know that you were raising important issues.

Mr. Sparrow, who's your immediate supervisor?

Mr. Ryan Sparrow: The minister.

Mr. Bill Siksay: The minister? Do you have any supervisory relationship with the Prime Minister's Office?

Mr. Ryan Sparrow: No.

Mr. Bill Siksay: Does the Prime Minister's Office issue reminders or directives to you as a director of communications about how to do your job or ways in which you might improve your job function?

Mr. Ryan Sparrow: Well, the rules, the guidelines for ministerial staff, are disclosed in the "Policies and Guidelines for Ministers' Offices", which is available online. Other than that... And those guidelines are pretty clear on your rules and responsibilities as a ministerial staffer.

Mr. Bill Siksay: Do you ever receive updates or elucidations of those rules from the Prime Minister's Office?

Mr. Ryan Sparrow: I believe the latest version of the guidelines available is from 2008, so it's relatively recent.

Mr. Bill Siksay: So memos never come around saying here's an issue and "we want you guys to pay attention to this"?

• (1150)

Mr. Ryan Sparrow: In relation to my job description? No.

Mr. Bill Siksay: Okay.

Do directors of communication from other ministries across government ever meet as a group or on the telephone? Are there regular conference calls or anything like that?

Mr. Ryan Sparrow: Yes, we have meetings.

Mr. Bill Siksay: How often does that happen?

Mr. Ryan Sparrow: Recently those meetings are now weekly.

Mr. Bill Siksay: What's your relationship with the issues management team at the Prime Minister's Office?

Mr. Ryan Sparrow: Sorry, could you clarify?

Mr. Bill Siksay: Do you meet with them regularly? Do you hear from them regularly? Do you report to somebody there regularly?

Mr. Ryan Sparrow: No, I don't meet with them at all.

Mr. Bill Siksay: So you never meet or never hear from people at the issues management office?

Mr. Ryan Sparrow: I never meet with them. I speak with people in the Prime Minister's Office on issues that may come up on a very wide range of topics, but I don't report to anyone there or meet with them.

Mr. Bill Siksay: When you directed officials at HRSDC to change the recommendation about the release of this information, were you acting on behalf of the PMO or the PMO issues management branch?

Mr. Ryan Sparrow: No.

Mr. Bill Siksay: Was the PMO or the PMO issues management branch aware that you had given the direction to change the information to be released?

Mr. Ryan Sparrow: I made the decision, I informed the department of the decision, and I informed the Prime Minister's Office following the decision being made of the ultimate outcome.

Mr. Bill Siksay: So you do report to the PMO when you make those kinds of decisions or was it just with this particular case?

Mr. Ryan Sparrow: Since this was quite a prominent advertising campaign and other ministers, including the Prime Minister, could have been asked questions in relation to the advertising campaign, I felt it was prudent to inform them of possible media questions coming forward.

Mr. Bill Siksay: Does that not indicate that you have some kind of reporting relationship with the Prime Minister's Office?

Mr. Ryan Sparrow: I report to the minister.

Mr. Bill Siksay: But in this case you reported to the Prime Minister's Office.

Mr. Ryan Sparrow: I didn't report to them. I simply informed them of my decision.

Mr. Bill Siksay: You notified them rather than reporting to them?

Mr. Ryan Sparrow: Yes.

Mr. Bill Siksay: Did the Prime Minister's Office issues management branch approve of your decision to request that the information be changed before you communicated that back to the departmental officials?

Mr. Ryan Sparrow: It was my decision; I was the final approval on behalf of the minister.

Mr. Bill Siksay: So there was no approval process with the Prime Minister's Office or the issues management branch?

Mr. Ryan Sparrow: No, I was acting on behalf of the minister.

Mr. Bill Siksay: Did you consult the PMO issues management branch about this decision before you made it?

Mr. Ryan Sparrow: I made the decision and I informed them of my decision.

Mr. Bill Siksay: Okay.

Did you discuss or report your suggested response or your suggested changes to the departmental recommendation to anyone at the PMO or the issues management branch?

Mr. Ryan Sparrow: I made my decision and I simply told them of my decision.

Mr. Bill Siksay: Okay. Now we've heard that of the 235 requests from the media that the department received in the last six months, in 51 there were suggested changes. Of those 51, how many were reported to the PMO?

Mr. Ryan Sparrow: I have no idea.

Mr. Bill Siksay: Is it many? Is it few? Is it all of them? Is it almost all of them?

Mr. Ryan Sparrow: It would be impossible to speculate. I would suggest that the figure would probably be low.

Mr. Bill Siksay: Would you be the person who would do that?

Mr. Ryan Sparrow: Generally, yes.

Mr. Bill Siksay: There would be no one else who would do that in the office?

Mr. Ryan Sparrow: I'm the director of communications, so yes, the responsibility lies with me.

Mr. Bill Siksay: So you would be the one who would report those. You don't have any sense of how many times you've done that or...?

Mr. Ryan Sparrow: I don't make the Prime Minister's Office aware of every media inquiry that comes through the department, no.

Mr. Bill Siksay: These 51, were they all considered to be political in nature, given the definitions that you were mentioning earlier—

Mr. Ryan Sparrow: No. Some of them—

Mr. Bill Siksay: —about how you make that decision?

Mr. Ryan Sparrow: Some of them have to do with the budget, for instance. Some of them have to do with overall government messaging. In my role, I'm there to complement what the department does, and I believe I accomplish that.

Mr. Bill Siksay: With regard to the ones that are reported to the PMO, are they the ones that are considered political? How do make the determination of which ones get reported to the PMO?

Mr. Ryan Sparrow: Well, the decision is often made if... The Prime Minister and other ministers are often asked questions from the media on a wide range of topics, not simply topics that just pertain to their portfolios. If I believe that the media inquiry could be asked of another minister, I make the other minister aware.

Mr. Bill Siksay: Does the PMO ever ask you to change the responses or call back from the department information that you may have approved in your role as director of communications?

Mr. Ryan Sparrow: No.

Mr. Bill Siksay: Once you've reported to the PMO, you've never been asked to go back and make changes or alter the information that was to be released.

• (1155)

Mr. Ryan Sparrow: Sorry, could you clarify...?

Mr. Bill Siksay: You said that you report some of these decisions to the PMO. Does the PMO ever come back to you and say “we think you should change that” and have you ever acted on that?

Mr. Ryan Sparrow: Not to my recollection. Ultimately I generally make the decision and inform them of the decision. Sometimes there is conversation back and forth, but ultimately the decision and the responsibility lie with me—

Mr. Bill Siksay: So you may have changed it in light of advice you've received from the PMO after reporting on an impending release.

Mr. Ryan Sparrow: I can't remember offhand, but it may have happened.

Mr. Bill Siksay: Okay—

The Chair: Sorry. I apologize. I have to move on.

Mr. Bill Siksay: Thank you, Chair.

The Chair: Mr. Poilievre, *s'il vous plaît*.

Mr. Pierre Poilievre: Minister, the information sought in this particular media request, was it ultimately withheld from the public?

Hon. Diane Finley: No, it was not.

Mr. Pierre Poilievre: It was not. The—

The Chair: Order.

Mr. Pierre Poilievre: I was happy with the answer.

The Chair: Order, please.

Mr. Pierre Poilievre: Thank you. The next question I have is—

The Chair: For the third time, order, please.

Mr. Pierre Poilievre: —did you miss—

The Chair: Order.

Mr. Pierre Poilievre: —the deadline for the release of that information?

The Chair: Could you shut his mike off, please?

Colleagues—

Mr. Pierre Poilievre: Sorry, Mr. Chair, the minister—

The Chair: Just a moment, Mr. Poilievre.

Colleagues, first of all, it's always a challenge at this committee, but the chair has to do the best they can to maintain order and decorum and to follow the will of the committee in its work.

It's very clear from the motion that the committee members wanted to hear from this witness, separate and apart from the minister, who was called separately, has already appeared, and had an opportunity to respond to all the members' questions. The minister is not a witness here. The members have not had an opportunity to prepare to ask questions of the minister and it is improper, therefore, to engage the minister with questions.

So I'm asking the committee members... And it's my decision that it is improper, under the orders of the day and the witnesses called by the committee for today, and that questions to the minister are out of order. Okay?

Carry on, sir.

Mr. Pierre Poilievre: Thank you for your advice, Chair.

Minister, the timeframe in which a piece of information on, for example, a costing—

The Chair: Order.

Mr. Pierre Poilievre: —of an advertising campaign, is how long?

Hon. Diane Finley: I—

The Chair: Order. Order.

Mr. Pierre Poilievre: Sorry—again?

The Chair: Order.

Hon. Diane Finley: I—

The Chair: Order.

Could you turn his mike off?

Okay. When I came to this place, Gibby Parent was the Speaker. He was a very wise man and he never pushed. He implored members, when he had to make tough decisions, to respect them, and I think it's the way that we should proceed in this.

We have to show good faith and we have to stay together, because if we start breaking the rules or saying oh, it's okay, the rules and the order start to fall apart. I have to follow the rules. I have to follow the will of the committee. I have to make decisions.

And the decision was that we've called a witness to be examined. I understand that the minister is here, but just to repeat, I've ruled that it is improper for members to address questions to the minister.

If the committee wants to ask further questions to the minister, we have...as Speaker Parent always used to say, you have other means to do that. The other means to do that in this case would be for the committee to request that the minister reappear on such-and-such a date, if she's available, and that members would be given notice of that and have an opportunity to prepare to ask questions to that particular witness.

That's the principle we're trying to protect here. I don't want to stray from that, so I'm going to again just remind members that it is improper to ask questions of anyone other than the witness who was called for today, as required and requested by the committee.

So, Mr. Poilievre, do you accept that, sir? Are you going to respect that? I mean, if we're going to have this game... I've made a decision and I've asked twice. I will ask a third time if it happens again, but at that point, the only recourse that a member would have is to challenge the authority of the chair. I'm prepared to take that, but it's not in the best interests of this committee, and it's certainly not in the public interest, to spend our time doing that.

So I'm going to turn the floor back to you, Mr. Poilievre, to ask your questions. You have used only one minute of your time. You have six minutes remaining and I'd ask you to proceed.

● (1200)

Mr. Pierre Poilievre: Thank you.

I think this is the first time in the history of Parliament where a minister has shown up and begged to be questioned, pleaded to be held accountable, and an opposition member who also happens to be the chair has denied the minister that opportunity.

I would further point out that the matter in question on which the controversy is based is that a member of the media sought information which was scheduled to be released within 90 days and it was released within 21. So you have standards not only met but exceeded, and you have a minister who has gone beyond the demands of Parliament and asked for the chance to be accountable for the conduct of her office, and you have the ironic situation where the opposition is denying her the ability to be held accountable.

Mr. Chair, perhaps we could have the analysts look through the hundreds of years of parliamentary experience to determine if this sort of event has ever occurred in the history of the British system of Parliament. I think you might be turning to direct your analysts to do just that...

I will ask Mr. Sparrow a question, and I'm sure that the minister would be delighted to answer it but for the fact that she has been silenced.

Mr. Sparrow, what is the timeframe during which the cost of an advertising campaign must be released?

Mr. Ryan Sparrow: Ninety days.

Mr. Pierre Poilievre: And in what timeframe was it actually released in this case?

Mr. Ryan Sparrow: It would have been 21 days.

Mr. Pierre Poilievre: Ninety days being the rough equivalent of three months...?

Mr. Ryan Sparrow: Yes.

Mr. Pierre Poilievre: Twenty-one days... You said how many days?

Mr. Ryan Sparrow: Twenty-one.

Mr. Pierre Poilievre: Twenty-one days being the precise equivalent of three weeks.

Mr. Ryan Sparrow: Correct.

Mr. Pierre Poilievre: What do you have to say for yourself?

Voices: Oh, oh!

Mr. Ryan Sparrow: Well, I think we've proven to provide accurate information in a very timely manner.

Mr. Pierre Poilievre: And you think it's all right that you provided it 70% ahead of schedule?

Mr. Ryan Sparrow: I think that was the prudent thing to do. Yes.

Mr. Pierre Poilievre: Mr. Chair, I'm not sure what we're going to do with this witness.

I'm sorry, I just have nothing further to ask—

The Chair: Thank you.

Mr. Andrews, for—

Mr. Pierre Poilievre: —but Ms. Davidson does.

The Chair: Mr. Andrews for five minutes.

Mr. Pierre Poilievre: But Ms. Davidson does.

The Chair: Oh, I'm sorry.

Mr. Pierre Poilievre: She'll be taking the remainder of my time.

The Chair: Okay. There are two and a half minutes.

Madam Davidson, please.

● (1205)

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

Again, thanks to the Minister for being here this morning, and Mr. Sparrow as well.

I want to take this opportunity to refer to O'Brien and Bosc, page 32. When talking about "Responsible Government and Ministerial Responsibility", it specifically says:

The principle of individual ministerial responsibility holds that Ministers are accountable not only for their own actions as department heads, but also for the actions of their subordinates; individual ministerial responsibility provides the basis for accountability throughout the system. Virtually all departmental activity is carried out in the name of a Minister who, in turn, is responsible to Parliament for those acts.

It is the minister who is responsible to Parliament.

I would just like to make the comment as well that when we had the minister here at a previous meeting, the minister was so good as to indicate that she actually had a very good handle on what happened in her department. It was not always held in high esteem by every member around this table that knowing what was going on in the department was good for that department, but it certainly is in my estimation.

I would like to repeat that comment again and congratulate the minister on her ability to know what is happening within her department, since she is the one who is responsible to Parliament, not her staff members.

But, Mr. Ryan Sparrow, that said, do you think it's part of your role as a ministerial staff person to support the minister by ensuring that accurate information is given to the media since it's then transferred to the public?

Mr. Ryan Sparrow: Yes.

Mrs. Patricia Davidson: Do you strive to do that in every instance?

Mr. Ryan Sparrow: Yes.

Mrs. Patricia Davidson: Okay.

Do I still have more time?

The Chair: Thirty seconds.

Mrs. Patricia Davidson: Thank you.

How would you describe your relationship directly with the media, Mr. Sparrow?

Mr. Ryan Sparrow: Professional.

Mrs. Patricia Davidson: Okay. Thank you.

That ends my questioning. Thank you.

The Chair: Mr. Andrews, for five minutes, please.

Mr. Scott Andrews (Avalon, Lib.): Thank you, Mr. Chair.

As a former political staffer myself, I'm well aware of working in a minister's office and the special relationship between a director of communications and the minister. Obviously we find today that the minister is here by your side; you do have a special relationship with your minister, and I commend you for having that relationship with her.

I'd like to ask a couple of questions, getting back to the 51 occasions that your office has altered responses. How many times did you alter a response, Mr. Sparrow, where you did not tell the minister that you altered the response?

Mr. Ryan Sparrow: I'm unaware of that figure.

Mr. Scott Andrews: Pardon me?

Mr. Ryan Sparrow: I'm unaware of that figure.

Mr. Scott Andrews: Okay. Could you tell me in general terms how often you would alter a response—51 times in the last six months—without telling the minister?

Mr. Ryan Sparrow: The department receives hundreds of media inquiries...in the last six months, for instance. The minister is very busy. I act on her behalf as her director of communications. I do not inform her of every single media inquiry the department receives.

Mr. Scott Andrews: But the question was, when you alter a response, how many times do you tell the minister that "I have altered a response that came from a bureaucrat"?

Mr. Ryan Sparrow: I act on the minister's behalf. I don't inform her every single time I make a decision.

Mr. Scott Andrews: Okay. On February 26, the day in question, did you speak to the minister that day?

Mr. Ryan Sparrow: I assume so. I don't recall, though.

Mr. Scott Andrews: Okay. So on the day that an important media request came in to your department and you were dealing with it, you didn't see fit to discuss with your minister that a response had come from a bureaucrat and that you were changing the response and giving it to the media? You did not brief your minister on February 26?

Mr. Ryan Sparrow: I think every media inquiry the department receives is important; we treat every one as such. And I act on behalf of the minister in my roles and responsibilities as her director of communications to make decisions on media inquiries.

Mr. Scott Andrews: But on that particular day in question, you said you spoke with your minister, but you did not advise her of this particular—

• (1210)

Mr. Ryan Sparrow: I did not. No.

Mr. Scott Andrews: I would like to ask another question. You said in your response: "...we have provided you with all the information available at this" time. And that was your official response: all the information available at that time. Do you feel that is not actually accurate in what it was, because you did have other information available?

Mr. Ryan Sparrow: We did not have actual costs or the frequency of the ads. That was the media inquiry and we did not have that information at the time. No.

Mr. Scott Andrews: But you said you provided "all the information...", and the previous e-mail says, "...I want used no figures". For a communications director, that's not grammatically correct, but we know exactly what you wanted. You didn't want to use any figures. Is that correct?

Mr. Ryan Sparrow: I wanted to provide accurate figures, and there were no accurate figures available at the time.

Mr. Scott Andrews: No, you didn't say "I want to use accurate figures". You said, "...I want used no figures".

Mr. Ryan Sparrow: As I previously stated, I spoke to the assistant deputy minister responsible for communications. I informed him of my decision and the rationale, and it was agreed upon that that was what we were going to, that was his decision going forward.

Mr. Scott Andrews: Don't you feel that wasn't a fair and accurate response in being open and accountable?

Mr. Ryan Sparrow: I disagree. We provided an accurate response with accurate figures in a timely manner.

Mr. Scott Andrews: You say you've had dealings with the issues management team at the PMO?

Mr. Ryan Sparrow: That's correct.

Mr. Scott Andrews: Who?

Mr. Ryan Sparrow: Mr. Chair, with all due respect, I don't think the issue is who I've spoken to in issues management, but rather that I am the minister's director of communications, and I ultimately take responsibility on behalf of the minister for communications in the department of HRSDC.

Mr. Scott Andrews: I'd like to know who you spoke with on the issues management team with the PMO, because if there's another freedom of information request, I would like to see that you have been open and honest with this committee on who you spoke with in the PMO.

Mr. Ryan Sparrow: Mr. Chair, the issue is that it was my decision.

Mr. Scott Andrews: That's not my—

Mr. Ryan Sparrow: I made the decision—

Mr. Scott Andrews: Mr. Sparrow, I asked you who you spoke with in the PMO—

Mr. Pierre Poilievre: Point of order, Mr. Chair.

The Chair: Mr. Poilievre.

Mr. Pierre Poilievre: We have here a member of a political staff who's being asked to identify who he has spoken with in the Prime Minister's Office. He could probably provide a list that would include 80% or 90% of the members of the Prime Minister's Office.

To demand that he provide an entire list of every person that he's ever spoken to in the office of the Prime Minister is a ridiculous question, and to badger him as though he is trying to evade the question when the question is an impossible one to answer off the top of his head...

I mean, how many people have you spoken to in the office of the leader of the opposition? Probably all of them—and there's nothing wrong with you doing that.

The Chair: Thank you.

Mr. Scott Andrews: Mr. Chair, to that point of order—

The Chair: No, no. Just a moment.

That's debate, not a point of order.

Your time is up.

Madame Freeman, five minutes.

Oh, sorry. We're back to Mr. Poilievre. Sorry. And then it's Madame Freeman or whoever...

Mr. Pierre Poilievre: I will be pleased to start, Mr. Chair.

The Chair: You have five minutes.

Mr. Pierre Poilievre: I want to talk about the relationship between accountability and responsibility.

Mr. Sparrow, do you agree that those two things go hand in hand?

Mr. Ryan Sparrow: Yes.

Mr. Pierre Poilievre: And if a department, any department, were to release false information, who would be responsible to the public for that? If a department were to release false information to the public, who would be responsible for that failure?

Mr. Ryan Sparrow: Well, since the minister is responsible for the department, the minister would be responsible.

Mr. Pierre Poilievre: So the minister is responsible for the information that comes out of the department. Do you agree that the minister's delegate—in this case, you—would have some role in ensuring that the information that goes out is accurate?

Mr. Ryan Sparrow: Yes.

Mr. Pierre Poilievre: That is essentially your role in this instance, is it not?

Mr. Ryan Sparrow: Yes.

Mr. Pierre Poilievre: It seems to me that some who are attacking ministerial accountability, both in this issue and in today's hearings, want to separate the minister from her ability to be responsible for the information that comes out of her department. If, therefore... I can tell you something: if that department had released information that was false, possibly unintentionally, we'd be having hearings right now as to why the minister allowed false information to come out of her office, out of her department, wouldn't we?

• (1215)

Mr. Ryan Sparrow: It would be inappropriate to provide inaccurate figures, absolutely.

Mr. Pierre Poilievre: I know you can't speculate on what opposition members would put forward in the way of motions, but I'm sure we can all surmise that in the event that false information had come out, in the event that you had not done your job on behalf of the minister and that information had gone out inaccurately, you can be sure that one member of this committee would have said, "Let's now have a study on why the minister has allowed false information to come out of the department".

Mr. Ryan Sparrow: Since the minister is responsible—and obviously I support her in her roles as minister—my concern was absolutely to provide the accurate information in a timely manner.

Mr. Pierre Poilievre: And if that study were to occur and the minister were to arrive here and say she's not responsible for the information that comes out of her department because that is done on a completely separate basis from her, then I'm sure they would open up the rule book, which finds that ministers are in fact accountable for their departments, right?

Mr. Ryan Sparrow: It would be difficult for me to speculate on what the opposition members would do at committee, but since the minister is responsible, I can only infer that there could possibly be something of that nature, yes.

Mr. Pierre Poilievre: I think that in the exchange we've just completed we have drawn the line between responsibility and accountability. You must be responsible for the information as it goes out if you're going to be accountable for its accuracy after it has gone out, correct?

Mr. Ryan Sparrow: Yes.

Mr. Pierre Poilievre: And that is the role that you played?

Mr. Ryan Sparrow: Correct.

Mr. Pierre Poilievre: And the minister has come here to be accountable for the way in which you played it?

Mr. Ryan Sparrow: Yes.

Mr. Pierre Poilievre: Thank you.

I think Mr. Warkentin has questions.

The Chair: Okay. There's less than a minute.

Mr. Chris Warkentin (Peace River, CPC): How much time do I have?

The Chair: Less than a minute.

Mr. Chris Warkentin: Thank you, Mr. Chair.

Further to this, you referenced earlier that if an ATIP request came to your department or any department asking about the total number of bricks in the Peace Tower construction... Let's just say that came across your desk and the answer that was provided was 100 bricks. That might set off alarm bells in your mind.

You've walked by the Peace Tower and you recognize that this possibly isn't the correct number. You inquire as to why that was the number being provided and you're told that it was because the person counting the bricks wasn't finished yet and that was the information available at that time. Obviously, that paints a picture of why it would be important for you to flag that for the benefit of the minister, like you did in the question that is before us today.

Mr. Sparrow, is that the type of thing you would do...to say, does this look reasonable, does this look appropriate, should we send it back?

Mr. Ryan Sparrow: Mr. Chair, if I may, I'd make a slight correction.

In respect to access to information, the minister has delegated an official within her department so no one in the minister's office is responsible for access to information inquiries.

Mr. Chris Warkentin: Okay. Pardon me. But in this case, this is a media inquiry.

Mr. Ryan Sparrow: In respect to media inquiries, I would certainly coordinate and complement what the department would be doing, absolutely.

Mr. Chris Warkentin: Thank you, Mr. Sparrow.

The Chair: Okay. Thank you very much.

Madame Freeman, please.

[Translation]

Mrs. Carole Freeman: I want to know who Mylène Dupéré is; she sent you an email on February 26. The email was addressed to you by your first name, "Ryan". So Ms. Dupéré must know you fairly well. According to her email, Daniel Leblanc had sent an email and was insisting on being given the figures. She recommended going back to the original version, which had figures in it. Mylène Dupéré sent you that email at 1:04 p.m., and at 1:36 p.m., you replied that the original response—the one where information on the figures had been removed—was correct.

I am trying to understand something. Daniel Leblanc came back insisting on obtaining the amounts. The request was clear. You may say that the numbers were not accurate at that point, but why did you not at least give him some answer having to do with the financial status of the advertising campaign at that time? Who is Mylène Dupéré?

• (1220)

[English]

Mr. Ryan Sparrow: She is the manager of media relations in the department of HRSDC. As I stated earlier, I spoke to her boss, the ADM of communications, and I informed him of my rationale. He agreed. And I made a decision to provide accurate costs in a timely manner. That's what the reporter was asking for.

[Translation]

Mrs. Carole Freeman: In your opinion, does failing to provide information go against an access to information request from the media? The information was available, there was information on the figures, and you deliberately withheld it.

[English]

Mr. Ryan Sparrow: Mr. Chair, if I may correct the member slightly, this was a media inquiry, not an access to information inquiry. They're two very different things, but—

[Translation]

Mrs. Carole Freeman: We understand. It came from the media, but you deliberately withheld information that was available, did you not?

[English]

Mr. Ryan Sparrow: I insisted on providing accurate details when they were available.

[Translation]

Mrs. Carole Freeman: That is all, Mr. Chair.

[English]

The Chair: *Merci.*

Finally, Mr. Siksay.

Mr. Bill Siksay: Thank you, Chair.

First of all, I just wanted to say that accusations were made that the committee was trying to silence the minister. I have to say on the record that I disagree with that completely. We've heard from the minister, we appreciated that the minister came to committee, and we could recall the minister. There's no attempt today to silence the minister.

Mr. Sparrow, when you've reported to the PMO that you've approved a sensitive or what you have identified as a political request for information from the media, do you notify your minister that you've reported that to the PMO?

Mr. Ryan Sparrow: I didn't report it to them; I informed them. But I don't tell the minister about every conversation I've had with the Prime Minister's Office, no.

Mr. Bill Siksay: Did you do that in this specific case?

Mr. Ryan Sparrow: No.

Mr. Bill Siksay: Do you report to the minister when the Prime Minister's Office has raised concerns about information that you've approved to be released? You said that there were sometimes consultations about information that was being released. Do you report to the minister that the Prime Minister's Office has raised concerns about that information?

Mr. Ryan Sparrow: I don't inform the minister of every conversation I've had with fellow political staff, no.

Mr. Bill Siksay: Even if it was the Prime Minister's Office that was requesting, not other political staff, but specifically somebody from the Prime Minister's Office, whom you would have notified about an impending release of information you had approved?

Mr. Ryan Sparrow: I don't inform the minister of every conversation I've had with other political staff.

Mr. Bill Siksay: Okay.

In your work world, who has the ultimate decision-making power? Is it the minister or is it the Prime Minister's Office around these requests...?

Mr. Ryan Sparrow: In my world, the minister would have the ultimate decision-making—

Mr. Bill Siksay: But you have said there are often consultations after you've made that decision on behalf of the minister. So in that situation, if the Prime Minister's Office raised concerns about it, would they be making the decision or would you or the minister be making the decision?

Mr. Ryan Sparrow: To clarify, I think what I said was that when I inform the Prime Minister's Office on my decisions, there are instances where we have conversations surrounding particular cases, but I ultimately act on behalf of the minister and make the final decision on media inquiries.

Mr. Bill Siksay: So you might revisit your decision and change it on advice from the Prime Minister's Office after that kind of conversation.

Mr. Ryan Sparrow: I don't recall instances where I've made a decision and I have subsequently changed that decision. There are situations where I work with my colleagues to develop a comprehensive response.

Mr. Bill Siksay: Thank you, Mr. Chair.

The Chair: Mr. Sparrow, thank you kindly for your appearance. The committee has two other witnesses that we do have to hear from for as long as we can. I appreciate your appearance.

It was nice to see you again, Minister.

You're excused.

I invite the other witnesses to come to the table.

But in the meantime, as they're transitioning and the staff is putting out the nameplates, Madame Freeman has circulated to the committee a motion to call for five additional witnesses for us to consider.

Madame Freeman, do you want to move this motion as circulated to the members? Are you prepared to move your motion right now?

•(1225)

[Translation]

Mrs. Carole Freeman: Yes, I am prepared to move it.

[English]

The Chair: So as circulated, we don't have to read it into the record...? We could—

[Translation]

Mrs. Carole Freeman: No, that is okay.

[English]

The Chair: Okay.

Is there any explanation that you'd care to give for this motion or is it straightforward?

[Translation]

Mrs. Carole Freeman: Yes, Mr. Chair. I would very much like to explain why I am moving this motion today.

We have heard from many political staff members on the issue of allegations of political interference by ministers' offices. In this motion, I am asking that the committee hear from individuals who are mandated by the minister, the access to information coordinators, so they can explain the procedure they follow in the case of an access to information request, and whether there is political interference or not. The names of the five witnesses I want to invite are indicated in my motion.

[English]

The Chair: Are there any further comments from the committee on the request for these additional witnesses? Are we okay? All right. I'll put the question, then. All those in—

Voices: No.

Mr. Chris Warkentin: In terms... I'm just a little bit confused, and I do ask your indulgence, as I'm not a regular committee member here. Today we were discussing the issue as it relates to media requests. I would just ask for some clarification in terms of how this relates to the current study. I know that we're speaking now to ATI requests.

I'm wondering if Madame Freeman could just enlighten me in terms of how this ties into the current study: who these people are specifically and what their roles are, as well as how their testimony is pertinent to the particular study we are undertaking right now.

The Chair: Okay. Mr. Warkentin, do you have a copy of the motion?

Mr. Chris Warkentin: I haven't received it, Mr. Chair, and I'm wondering if I could get somebody to hand it over. That would be helpful. Now, in terms—

The Chair: All of the persons being asked for are access to information officers—

Mr. Chris Warkentin: Right. Now—

The Chair: —which relates directly to the Easter motion about the...and it deals specifically with the delay. Anyway—

Mr. Chris Warkentin: Mr. Chair, that's precisely my question, I guess. I apologize, Mr. Chair. I'm not a regular attendee at this committee. This isn't a committee that I sit on. I am here to replace, but I do think it's important that I understand it because I'm going to be asked to vote on it.

I'm asking how these witnesses apply to the particular motion that this entire study is based on. So maybe some clarity in terms of what the original motion was would be helpful for me, Mr. Chair. I'm just seeking clarity on that.

The Chair: Mr. Warkentin, if you're not familiar with the actual motion we're studying and you haven't seen this, I appreciate that it puts you in an awkward situation. I wonder if you could consult with one of your colleagues to see whether they have reviewed the motion—they have both—and to see if they share those concerns or if they may be able to respond to you. So maybe we'll come back to you—

Mr. Chris Warkentin: Sure.

The Chair: —and maybe you'll hear from someone who has actually seen the principal motion before us and Madame Freeman's motion.

Is there any...?

Mrs. Davidson, please.

Mrs. Patricia Davidson: Thank you very much, Mr. Chair. My only question is whether it's in order with the 48-hour rule. Do we need to follow the 48-hour rule in this instance?

The Chair: No. Motions are in order with respect to the order of the day before you. If it were a motion for other business, such as looking into Google search, that would require 48 hours' notice. This is the matter before us now. Okay?

Mrs. Patricia Davidson: Thank you, Mr. Chair. You've answered my question.

The Chair: Thank you.

• (1230)

Mr. Pierre Poilievre: On a point of order, Mr. Chair, I believe that we do have a study open on Google right now, so it would not be forbidden for us to introduce a motion on that subject.

The Chair: It's only with regard to what the committee is currently working on. We are dealing right now with the Easter motion. Any motions from committee members with regard to the work currently being done are not subject to the 48-hour rule. If it's about changing our calendar, for example, to move an item to another time, that's something that would require notice. Okay?

Mr. Pierre Poilievre: Right.

The Chair: So the members could prepare.

But because we're dealing with the Easter motion, everybody is engaged in what that is all about and this is to supplement the witness list that we agreed upon. So we are working on the Easter motion. These are represented as people who will be able to assist the committee—

Mr. Pierre Poilievre: But you do agree there's an ongoing study on the issue of Google?

The Chair: Absolutely.

Mr. Pierre Poilievre: Okay. I just wanted to make sure because that was an important component of the committee's work.

The Chair: Okay. Are we all done?

All right. All those in favour of the motion? Opposed?

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

The Chair: Carried. Thank you.

I have to apologize.

First of all, Mr. Larose, I am very sorry to hear about the passing of your father. I know that it's a very difficult time and I hope that you and your family will find peace soon.

Welcome to our witnesses, Patricia Valladao, chief, media relations, and Peter Larose, assistant deputy minister, public affairs and stakeholder relations, from the Department of Human Resources and Skills Development Canada.

We have half an hour left. We had hoped to have one hour, but we hit a road bump or two, so I'm going to simply ask you to... It's important for you to make your statements, and then we'll see where we are. If the committee really has a lot of questions, we have two possibilities. One is that the committee could concur to extend the meeting for the 15 minutes that we lost by preliminaries, or we could request that you come back at a future date to finish off your appearance, if that's all right. Okay.

If you have statements to make, please proceed.

Mr. Peter Larose (Assistant Deputy Minister, Public Affairs and Stakeholder Relations, Department of Human Resources and Skills Development): We actually don't have any statements. We were simply going to introduce ourselves.

Ms. Patricia Valladao (Chief, Media Relations, Department of Human Resources and Skills Development): I'm Patricia Valladao, chief of media relations for HRSDC.

Mr. Peter Larose: I'm Peter Larose, the assistant deputy minister.

Because Patricia was copied on the e-mails to Mr. Leblanc, she will answer those questions. If there are any general questions about how we do business at the department, I'll answer those, if that's okay with the chair.

The Chair: That's fine.

We're going to Mr. Valeriotte.

Mr. Francis Valeriotte: Thanks to both of you appearing today. I appreciate it.

May I call you Patricia?

Patricia, how long have you held your position?

Ms. Patricia Valladao: At HRSDC, I started on January 11 of this year.

Mr. Francis Valeriotte: This year? Okay.

Has anyone at HRSDC or the PMO or the issues management team spoken to you about your appearance before this committee today?

Ms. Patricia Valladao: No.

Mr. Francis Valeriote: No one. Okay.

Now let me ask you about the following. You're familiar with all the e-mails that went back and forth on the issue of the cost of the advertising at the Olympics and the responses that were given by you after having been subject to the intervention by Mr. Sparrow.

Was it your understanding that the cost of this ad campaign was going to be substantially different from that which your office originally prepared for release? Because it seems you were confident, by your e-mails, in the accuracy of these numbers, based on your initial response.

Ms. Patricia Valladao: Well, my role as chief of media relations is really to act as the broker between the department and the minister's office to prepare a response and get that response approved and delivered to the media. So no, we are not the experts on all of the issues. That's why we rely heavily on the program officers to provide us the information.

So, no, at no point... I did not know. I pass the information that's given to me by a program to the minister's office to be approved. We have procedures that are given to us that we have to follow and those are the directives I had. So I did not know at which point we were and therefore I had to get them approved.

Mr. Francis Valeriote: But you did have numbers in one of your responses, which were removed by Mr. Sparrow, did you not?

Ms. Patricia Valladao: Yes.

Mr. Francis Valeriote: On what did you rely in preparing those numbers, then?

Ms. Patricia Valladao: On my program officers.

Mr. Francis Valeriote: Were you confident in the accuracy of those numbers?

• (1235)

Ms. Patricia Valladao: Well, again, I'm not the—

Mr. Francis Valeriote: At the time, were you confident?

Ms. Patricia Valladao: When it's given to me, I don't know which stage we are at. I deal with many other issues at the same time, so when it comes to me, I would understand that it's something that, you know, we could propose.

Mr. Francis Valeriote: Right.

Did Mr. Sparrow ever tell you why he had taken the numbers out of the original release that had been prepared by you?

Ms. Patricia Valladao: No, but it's his prerogative to do the final approval.

Mr. Francis Valeriote: All right.

This issue erupted shortly after the inquiry by the press, and I'm curious. When that issue erupted, did you ever have—

The Chair: Excuse me, Mr. Valeriote.

Ms. Davidson, on a point of order.

Mrs. Patricia Davidson: Yes. Thank you, Mr. Chair.

I'm sorry to interrupt the honourable member, but I wonder if we could have the documents that he keeps referring to tabled.

The Chair: Madam Davidson, that's not a point of order.

We're going to go back to Mr. Valeriote, okay?

Mr. Francis Valeriote: All right. Thank you.

Following the eruption of the issue, did you ever have any discussions with Mr. Sparrow about these e-mails that had gone back and forth between you and ultimately to the press?

Ms. Patricia Valladao: No.

Mr. Francis Valeriote: Okay.

So at no time between your response to the press, as directed by Mr. Sparrow, and the following three weeks, when eventual numbers were given to the press, did you ever talk to Mr. Sparrow about his reasons for altering the release?

Ms. Patricia Valladao: No.

Mr. Francis Valeriote: Not at all. Okay.

Did he ever give you a reason?

Ms. Patricia Valladao: No, but again, he has many other ones that go to him, so I follow his suggestions on the proposed response.

Mr. Francis Valeriote: Okay. I assume you're aware that Minister Finley made a comment on May 4 wherein she said that 51 changes had been made to 235 requests over a period of six months.

Mr. Peter Larose: I'll take that question.

Yes, we are aware. We were the ones who provided her with those figures.

Mr. Francis Valeriote: Okay.

Of those 51 alterations, can you tell us how many of those alterations were a result of Mr. Sparrow's intervention?

Mr. Peter Larose: No. We can't give a precise figure.

Mr. Francis Valeriote: Were any of them a result of Mr. Sparrow's intervention?

Mr. Peter Larose: Almost certainly. He's our principal interlocutor in the minister's office, so he would have been involved in some of them for sure. Like I said, my staff deals with him. As to who he consults with, as you heard earlier, he sometimes talks to the minister; sometimes he talks to a colleague. He is the principal person we interface with, though.

Mr. Francis Valeriote: Who else might be involved, other than Mr. Sparrow, then?

Mr. Peter Larose: As he answered there, he talks to the minister and his colleagues. I don't know who he talks to, quite frankly.

Mr. Francis Valeriote: No, but I'm talking, I think, about who actually speaks to you so that you would—

Mr. Peter Larose: It's Mr. Sparrow who talks to me or my staff almost all the time.

Mr. Francis Valeriote: So he would have been involved in all 51, then, if he's the one who speaks to you.

Mr. Peter Larose: He would have been involved. Whether he was the one who made the change, I cannot say.

Mr. Francis Valeriote: Okay. So what I think you're saying to me is that he may have made the decision about changing it and communicated it with you, or someone else may have made the decision about changing it and, through him, communicated it with you.

Mr. Peter Larose: Exactly.

Mr. Francis Valeriote: And you can't determine what were those of his own volition and those of someone else's volition.

Mr. Peter Larose: That is correct.

Mr. Francis Valeriote: Okay.

Do you think that it is appropriate to tell a reporter that you have provided him with all the information available when that was not the case?

Because you did have some other information available, Patricia, and you told them otherwise. Do you think it's appropriate?

Ms. Patricia Valladao: Well, again, it's not.... I follow procedures that are given to me, dictated by the department and agreed upon with the minister's office, so it's a mutual decision on how we deal with the media calls.

They come in and we deal with them the same way. We prepare—not we, media relations again...we have to rely on programs. We prepare the responses and get them approved at an internal level and then they are finally approved at the level of the minister's office. We rely on that kind of negotiation. We're actually in the middle.

What I had available at the time, what was available in terms of being approved, it's what was provided to the reporter.

Mr. Francis Valeriote: Three weeks later, the department released the figures, and they were almost identical to the information that the department originally prepared. So I'm wondering...do you wish right now that you had recommended that the original figures go out as you had prepared them?

• (1240)

Mr. Peter Larose: I think Minister Finley answered this when she was here. With advertising campaigns, one never knows until the campaign is over, and I think she gave an example of an 9/11 type of event happening. So that is why the decision was made, as you've heard from Mr. Sparrow and Minister Finley. We can't revise history, take it all over, and do it differently. We try to give accurate, timely information. We follow the procedures.

They were what they were. We can't speculate on what the world would have been different had we done things differently...

The Chair: Thank you.

Madame Freeman, please.

[Translation]

Mrs. Carole Freeman: Good afternoon, Mr. Larose.

Good afternoon, Ms. Valladao.

Mr. Larose, I want to know what role you played in this case. According to the notes we have and the emails that were sent to us, Ms. Valladao informed Mr. Sparrow and other political officials that the *The Globe and Mail* may be given a response that was not correct. So you were consulted because people were not comfortable

with the idea of providing information that was not correct. Why did you then determine that the information was not correct? In fact, "misleading" was the term used in English.

[English]

Mr. Peter Larose: As Mr. Sparrow and Minister Finley have explained, the program provided an estimate. The minister's office, as the final spokesperson, decided not to provide the information until the campaign was over. I spoke to Mr. Sparrow about it, and he said there's only a couple of days left in the campaign, let's wait. I said that seemed reasonable to me and that's what we did.

[Translation]

Mrs. Carole Freeman: Is that the usual procedure when requests are made? You prepare the responses, and the minister's office decides whether to withhold or release the information.

[English]

Mr. Peter Larose: We treat every media inquiry exactly the same. We get somewhere between 700 and 800 a year, typically, and, yes, we treat them all the same. A question comes in, Patricia or her colleague deals with the department; they try to get the response together. Once it has been accumulated or developed, it is sent to the minister's office for final approval for its release to the reporter.

[Translation]

Mrs. Carole Freeman: The statistics we received show that 22% of inquiries—which are sent to you and for which you prepare the information requested by the reporters—are altered. You prepare the correct information, and then the minister's office deliberately alters it.

[English]

Mr. Peter Larose: Well, I think, as both the minister and Mr. Sparrow have provided, sometimes they will add additional information or context or sometimes they may sort of want to elaborate certain points more. It's not a question of them altering the numbers or anything like that; it's just changing some of the context or information around it.

Most of the questions we get have seven or eight or ten sub-points. They're often quite long, so it may just be a question of how they are framed, but yes, we do send them all there.

[Translation]

Mrs. Carole Freeman: Thank you, Mr. Larose. In any case, we will have the opportunity to examine all of those documents. We will be able to look at the changes that were made to the responses you prepared and see what information the minister's office chose to alter. Then we can make a determination on the matter.

[English]

The Chair: Okay.

Mr. Siksay, please.

Mr. Bill Siksay: Thank you, Chair.

Thanks for being here, Ms. Valladao and Mr. Larose.

Ms. Valladao, who are Peter Martin and Benoit Trottier?

Ms. Patricia Valladao: Peter is with the program of response, the program of communications, and Benoit Trottier is the director general for strategic communications.

Mr. Bill Siksay: Thank you.

Ms. Valladao, has it ever been suggested to you by the minister's office that it would be better that a particular media request was handled as an access to information request and that it should be done in that fashion?

Ms. Patricia Valladao: No.

Mr. Bill Siksay: I think Mr. Larose touched on this a moment ago, but is there any system for prioritizing media requests in your office?

• (1245)

Ms. Patricia Valladao: No, we treat requests the same, regardless of which media outlet they come from. We take into consideration, of course, the deadline of the reporter, making sure that we can provide, in a timely fashion, accurate and concise information in trying to meet the reporter's deadlines. So prioritizing it would depend basically on the deadline.

Mr. Bill Siksay: So there's no system of amber-lighting particular requests from particular organizations or individuals? There's no system at your end of identifying something that might be considered more sensitive than other requests?

Ms. Patricia Valladao: No.

Mr. Bill Siksay: Okay.

As a result of any conversations you've had with the minister's office with regard to an impending or a suggested media information release, have you ever felt pressure to self-censor at your end, to make changes in the information before you send it to the minister's office or second-guess the recommendations that come from your policy or program officers?

Ms. Patricia Valladao: No. Again, my role is really to act as the hub in between. I don't feel the pressure. I think at the end of the day it's their decision how they would like that response to be framed and go out. I do have a role in recommending what comes to me and putting that into words that will be clear to the reporter.

But again, they make the changes they see fit. It's not my role to judge that.

Mr. Bill Siksay: In the situation where there's been a decision to change the information that's proposed to be released, has it ever been suggested to you that the suggestion for that change came from the Prime Minister's Office or somewhere outside of the minister's office?

Ms. Patricia Valladao: No.

Mr. Bill Siksay: Okay.

Thank you, Chair.

The Chair: Mr. Poilievre.

Mr. Pierre Poilievre: Well, let me open by saying that it appears from all of the information that has surfaced that your department in general, and Ms. Valladao in particular, have conducted themselves in an unimpeachable and highly ethical fashion, so I congratulate you for that.

It's also clear that your department worked together with the minister's office to ensure that accurate information was released to the public within three weeks, well before the three-month deadline. I think this is an occasion to congratulate all public servants who go to work every day and execute their duties in an honourable and honest way, as you have been an example of doing in your conduct on this file. So thank you very much.

One of the members across the way suggested that Ms. Valladao perhaps should not have said that the information was unavailable, but all the information we have seen, everything we've learned, suggests that the information was in fact unavailable, and that it would become available three weeks later when the costings of the advertisements were complete. And at that point, three weeks later, it was in fact available. And when it became available, it was released.

Is that not the case?

Mr. Peter Larose: Yes.

Mr. Pierre Poilievre: Good.

I think Ms. Block has some questions.

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

Thank you for being here today.

My questions are for Mr. Larose.

First, Mr. Larose, how long have you been the assistant deputy minister for the department?

Mr. Peter Larose: Fourteen months or so.

Mrs. Kelly Block: Fourteen months.

In answer to an earlier question, you stated that it seemed reasonable to you that you hold off for a couple of days until the campaign was done. That was in conversation with Mr. Sparrow. Is this a common practice in terms of the relationship that you have with the minister's office?

Mr. Peter Larose: We have a very cordial professional relationship, so if ever any issues arise, I feel very comfortable in picking up the phone and calling him.

But on media inquiries, I must say that I've been involved in very few—one or two at best. They all get handled by my staff and go quite swimmingly. This is one of the few times when I actually had to intervene myself and speak to him directly. Usually, it just goes straightforward.

Mrs. Kelly Block: Okay.

I just want to quote from *House of Commons Procedure and Practice*, Marleau and Montpetit, which states at point 161, on page 29:

Virtually all departmental activity is carried out in the name of a Minister, who, in turn, is responsible to Parliament for those acts. Ministers exercise power and are constitutionally responsible for the provision and conduct of government; Parliament holds them personally responsible for it.

My assumption would be—and I'll ask you—that in terms of your relationship with the minister's office, you are aware of that accountability and level of responsibility that she carries.

• (1250)

Mr. Peter Larose: Yes, I am.

Mrs. Kelly Block: Okay.

My last question: do you believe that it is important to be open and transparent in the work that you do?

Mr. Peter Larose: Yes, I do.

Mrs. Kelly Block: Thank you.

The Chair: Thank you very much.

Colleagues, we have finished that round and we are not going to get the next one in. I guess it's...I understand... We have to be fair to all members so I'm not going to start it. We do have the opportunity to invite these witnesses back should matters come up.

But we have a couple of minutes. A motion was circulated to the committee. It was sent to us by Mr. Easter but because it's on a matter that is before us it can be moved by any member. I understand that Mr. Valeriote is prepared to move this motion.

Do you have it in front of you? It's calling for the papers that we had discussed with Mr. Togneri...

I apologize. I should have respected the witnesses...

You've been very kind to us. I appreciate that. Should there be further information, we will be in touch with you to see how we can resolve those requirements. You're excused. Thank you.

Okay. The motion is for a variety of papers, etc., that have been raised.

Mr. Valeriote, are you prepared to move this? Why don't you read it, since the members are going to read it anyway?

Mr. Francis Valeriote: Yes, Mr. Chair. On behalf of Mr. Easter, who's not—

The Chair: Are you moving the motion?

Mr. Francis Valeriote: Yes.

The Chair: Okay: "I move...."

Mr. Francis Valeriote: I move the motion—and I'd like to speak to it—

The Chair: No, no. You have to read the motion.

Mr. Francis Valeriote: —and read it:

That the committee orders the Department of Public Works and Government Services Canada to provide it with all email correspondence from July 2008 to January 19, 2010 between Mr. Sebastien Togneri and officials who work or worked within the Access to Information Branch of Public Works and Government Services Canada. The committee also orders all email correspondence from July 2008 to January 19, 2010 between Mr. Sebastien Togneri and Tom Makichuk, all email correspondence from July 2008 to January 19, 2010 between Mr. Sebastien Togneri and Jillian Andrews, and all email correspondence from July 2008 to January 19, 2010 between Mr. Sebastien Togneri and Isabelle Bouchard. And requests that said material be delivered to the committee within 5 days.

That is the motion, Mr. Chair.

The Chair: Thank you.

Do you have any further comments or does it speak for itself?

Mr. Francis Valeriote: I think it speaks for itself.

The Chair: Are there any other comments? This is a request for information. Are we fine?

All right. I'll put the question. All those in favour of the motion? All those opposed?

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

The Chair: Carried. All right.

Colleagues, we only have five minutes left. I know that some members have to prepare for question period or other responsibilities. Thank you for your assistance in getting through this meeting. We've survived another one.

It is our break week, but I will be in communication with you to ensure that when you return after the break week you're well aware and well prepared for what we're going to be doing. That will be out to you as soon as it's available.

Thank you.

We're adjourned.

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