



House of Commons
CANADA

Standing Committee on Public Accounts

PACP • NUMBER 039 • 3rd SESSION • 40th PARLIAMENT

EVIDENCE

Thursday, December 9, 2010

—
Chair

The Honourable Joseph Volpe

Standing Committee on Public Accounts

Thursday, December 9, 2010

•(1105)

[English]

The Chair (Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): We'll begin. Thank you very much.

I remind everybody that we are in public for the business part.

You have before you the fifteenth report of the subcommittee on agenda and procedure of the Standing Committee on Public Accounts.

Our subcommittee met on Wednesday, December 8—yesterday—to consider the business of the committee and agreed to make the following recommendations:

1. That, in relation to the motion adopted by the Committee on Thursday, November 25, 2010, the Committee begin its study of Chapter 5, "Regulating and Supervising Large Banks," of the Fall 2010 Report of the Auditor General of Canada in early 2011.

A calendar was provided for everyone's consumption.

2. That, in relation to the motion adopted by the Committee on Thursday, November 25, 2010, the Committee begin its study of the "Public Accounts of Canada 2010" in early 2011.

3. That, in relation to the motions adopted by the Committee on Thursday, March 25, 2010 and Thursday, April 15, 2010, the Subcommittee on Agenda and Procedure be directed to undertake a preliminary assessment of the status of recommendations made by the Committee in the second session, 40th Parliament.

4. That, pursuant to Standing Order 108(3)(g), the Committee consider its approach to a possible study of the special report of the Auditor General of Canada concerning the Public Service Integrity Commissioner of Canada, to be tabled in the House on December 9, 2010.

I just want to add something onto that. With number four, we had some preliminary discussions on it. Obviously some of you....

I don't know whether Mr. Young has a copy yet. The clerk was going to try to make a copy of the report available to everybody who didn't already have one.

All right. I think you all have a copy now.

[Translation]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): No, I don't have it. Are you talking about the subcommittee report?

Has there been a change?

Also, there is nothing specific on the agenda for our two meetings next week, on Tuesday and Thursday. Are you suggesting that we continue to work on the reports?

The Chair: Ms. Faille, you're right. There is nothing specific because we had already decided to leave Tuesday, at least, pretty much open. There was some doubt about Thursday, December 16th,

because it is possible the House will not be sitting then. The Subcommittee on Agenda and Procedure felt that Tuesday could be set aside for a follow-up study on the Auditor General's presentation on the Public Service Integrity Commissioner.

•(1110)

Ms. Meili Faille: All right, but if we decide to meet to discuss a particular issue, could we choose a topic from the list in the Auditor General's reports?

The Chair: As I recall, in our discussions, we had left open the possibility of undertaking another study. Chapters 2 and 3 were suggested. We also considered the idea of doing another study on the Public Sector Integrity Commissioner.

Ms. Meili Faille: In light of the fairly scathing report that was tabled today, I was wondering whether it would be possible to meet with the previous Commissioner and the Auditor General at next Tuesday's meeting. I'd like to know how feasible it would be to do what I am suggesting.

The Chair: If committee members agree, we could immediately contact the Auditor General and the acting head of the Office of the Public Sector Integrity Commissioner, and even the clerk... What is he called in French?

Ms. Meili Faille: *Le greffier du Conseil privé.*

The Chair: If we want to do this and it's possible, we could also invite other witnesses.

Ms. Meili Faille: On the other hand, bringing these people in next Tuesday could be difficult. There are a number of people involved.

The Chair: In fact, when I said that the committee had thought it might be a good idea to keep Tuesday's meeting open, in a way, it was with the idea of possibly bringing in witnesses. The idea was that, if that proved impossible, we could simply continue the studies that are already underway.

Ms. Meili Faille: That's right. I understand.

The Chair: So, there isn't any real logistical problem.

Mr. D'Amours.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Thank you, Mr. Chairman.

The 15th report deals with issues we may want to study. However, when we talked about the helicopter acquisition issues several weeks ago, we left ourselves some flexibility. We discussed this two days ago. As far as Thursday is concerned, I know it could be problematic, or could become problematic. But that doesn't seem to be the case for Tuesday.

Would it be possible to bring back the people who were here on Tuesday? We asked a lot of questions, but I don't think we received all the answers. In order to do that, we would have to ask the witnesses to come back and ask them more questions. This time, they should understand that this is a serious matter and provide us with specific and accurate answers to our questions. We did say that in future, we could add meetings, if need be, in the context of our studies. And that is one that is currently underway.

So, I'm wondering if we could ask the witnesses who appeared on December 7 to come back next Tuesday.

•(1115)

[*English*]

The Chair: Mr. D'Amours, I think that's a question you're asking essentially of the entire committee.

Let me go on to Mr. Saxton before we address that.

Mr. Saxton.

Mr. Andrew Saxton (North Vancouver, CPC): Thank you, Mr. Chair.

I understand your desire to discuss the report of the Auditor General on the Public Sector Integrity Commissioner. My only concern is that we haven't really had enough time to read through this, and I think a meeting on Tuesday is a bit too ambitious. I would propose that it be done after Tuesday to give us more time to analyze the report and go through it.

I would propose that we don't do it on Tuesday but do it at a later date—as soon as possible on the next date.

The Chair: Mr. Saxton, are you saying that you're okay with recommendations one, two, and three, and you're reserving on number four? Is that what you're saying?

Mr. Andrew Saxton: I'm discussing number four specifically right now. This is something that as a committee we've never discussed reviewing. We're doing it for the first time right now. I'm suggesting that Tuesday is too soon to review the AG's report on the integrity commissioner.

I would propose that we do it at the next earliest opportunity, but not on Tuesday.

The Chair: Are there any other comments?

Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): I'm open to the notion of holding off, because it is a short timeframe. However, in this case, I don't know that we need much more than the Auditor General, as we did this morning, when she gave us her in camera briefing.

I don't know how much organization there is to do. Either she's available or she's not—because who else would be there?

The Chair: Go ahead, Madame Faillie.

[*Translation*]

Ms. Meili Faillie: Some members attended the in camera meeting this morning with the Auditor General. There were quite substantial discussions at that time. I think that if the Auditor General is available next Tuesday to participate in a working meeting with

committee members, we could go through that exercise again and look more closely at the issues that were touched on this morning.

I would like to voice my support for Mr. D'Amours' request with respect to the defense acquisition. The fact is that we did not get answers to certain questions because we ran out of time. Considering the number of turns that were available, it was impossible to question the witnesses to any great extent. So, if Mr. D'Amours would like to table a motion, I am prepared to support it.

[*English*]

The Chair: Madame Faillie, I think you've put the chair in a position where he now has to go through each one of these things individually, because there are now three items on the table.

The first one is to either...deal with the report as submitted from the steering committee; the second one is to address Mr. Saxton's question; and the third one is to address Mr. D'Amours' question.

If you'll allow me, we can continue that discussion. Let me deal with them individually.

We have, as part of the report from the steering committee, items one, two, three, and four. Can I deal with each one of them individually first? Then we can get rid of the items one at a time.

Is everyone in agreement with recommendation one?

Some hon. members: Agreed.

The Chair: Seeing no dissent, we'll accept that.

Those in favour of number two?

Some hon. members: Agreed.

The Chair: No opposed. Good.

Those in favour of number three?

Some hon. members: Agreed.

The Chair: All right. So numbers one, two, and three are accepted.

I think all colleagues have before them the suggestion by Mr. Saxton that number four be put off to a later date.

Mr. Christopherson has suggested that if there are people who are available, specifically the Auditor General, then Tuesday shouldn't pose a logistical problem.

Madame Faillie I thought went in favour of that, but then she came to a second question.

So let me deal with that first.

Those in favour of attempting to go with holding number four—a hearing on the Public Sector Integrity Commissioner of Canada—on Tuesday...?

I guess that's the question that's on the table now—

•(1120)

Mr. Andrew Saxton: Mr. Chair, perhaps you could...*[Inaudible—Editor]*...what the alternative is.

The Chair: Well, the alternative is that it would have to be at another time.

Mr. Andrew Saxton: No, what we'd discuss on Tuesday would be the alternative: what other issues.

The Chair: We have another report. We have other reports.

Mr. Andrew Saxton: Right. Exactly.

The Chair: No, no, as I said earlier on, Mr. Saxton, we left Tuesday and Thursday relatively free in the event that the parliamentary schedule would allow us to have a sitting and to continue our hearings. We were going to leave it relatively free either to do a continuation of reports or, as you see before you in the report by the steering committee, a study of the presentation made by the Auditor General today. So those are the two.

Mr. Kramp.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Chair, I just have an observation.

The reason I'm in favour of a study is that the report is disturbing. I really think the committee should be looking into this. But I would like to have, at our hearing, both parties here. I would like to have the Auditor General and the commissioner at the same time.

Mr. David Christopherson: She resigned.

Mr. Daryl Kramp: That's fine. She—

An hon. member: She won't come.

An hon. member: She's a citizen.

An hon. member: We can direct her to come.

Mr. Daryl Kramp: We can ask.

It would be good to have them both so that we don't have a one-off he-said-she-said. It's pretty difficult when someone's right there. So if that could be arranged...

That's why I suggest that I don't think we would be ready by Tuesday. Potentially we could be ready by Thursday. Certainly the clerk could ascertain the possibilities.

I'm just throwing that out there. It's always nice to have the whole picture at once so that if there is rebuttal, it's right there, and we can sort of get into it.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Thanks, Chair.

To my friend Mr. Kramp, on his last point, the Auditor General gave the previous commissioner an opportunity to comment on either her criteria, her study—there was some opportunity for feedback—and got nothing. She just would not respond. And when the time came, if you recall, she resigned but didn't even announce it until two days later. So there's a good chance she won't appear, no matter what.

There's something I want to point out, Chair, that makes this a little different. Again, I'm very sensitive to Mr. Saxton's point, but if there was a lot of research for the government members to do to defend themselves—you know, you're under a bit under attack—I'd be wide open to that. I try to be fair-minded. But I don't know that it's necessary in this case; quite frankly, I wish there was more blame on the part of government than there is, but the fact is that it looks like we have a governance problem.

My point, Chair, is that the AG told us at the morning briefing that she is going to be holding a meeting with the other six officers of Parliament to come forward with a report to us that speaks to the accountability of mandates and whether they're being met—in other words, a mechanism to allow this to be caught long before it goes on. She is seeing potential problems with other officers, too, in terms of the lack of that oversight. More than anything, a component of governance seems to be missing.

The reason I like the idea of meeting on Tuesday...

Again, I don't sense that the government is under attack; you're under a little bit, just because you're the government, but you're not the focus of the attack here. There is not a big blame. There isn't a lot of work for you to do.

It would be nice to have them come in and publicly be able to do that on Tuesday. It would set us up nicely for her follow-up report, which I sense is going to come fairly soon. I got a sense that she saw this as urgent, and was looking...

Again, it would just unfold nicely if we did it that way. Otherwise, I would be very sensitive and open to the idea that the government, in particular, needs time to prep, but in this case, I'm not sure there is that much to do.

So I would say from a point of fairness, we're okay to go, and from a view of process it makes a lot of sense. Hit this while it's hot. Deal with it straight up. Get the AG's actions out there on the public record, and then, come January or February, when she is ready to table her report, we're all set to go in a very timely fashion.

The Chair: Mr. Young, do you have a comment?

Mr. Terence Young (Oakville, CPC): Yes.

I'm very, very concerned about this report, just looking at it, on the face of it. I don't know anywhere near enough to decide whether this is worth investigating now. I don't think it's a good idea to do it when it's really hot—because it is hot. It's in the media. It's emotional.

My concern generally is that this could easily be what it appears to be—an incompetent manager who got paranoid or nasty or whatever it could have been. It could have been a group of people who were close together, had vested interests, and thought they were going to be promoted, and when this new person came in they decided to pile up on her and just make her life miserable.

I don't know. It could be a massive....

Pardon me?

• (1125)

Mr. David Christopherson: Well, the conclusions are pretty clear if you read her—

Mr. Terence Young: No, I understand; I understand. But she says it's "founded". She doesn't say it's "well founded". What criteria did she use? What rules of evidence did she use? Did the commissioner have someone there to represent her interests? Did she have a third party, an objective person, or did these auditors arrive—who, by the way, usually do mathematics, and economics, and financial statements—and all of a sudden start questioning people and come to conclusions? What due process was there for the commissioner?

Anybody can look at this and see how it looks, but what was the process? What criteria were used to evaluate testimony? How, on the face of it, can you decide if it wasn't one big nasty-detailed personality conflict that just got totally out of hand?

I'm concerned with a lack of a due process. When I came here, I determined I was not going to become part of a lynching, and I want to make sure that this isn't a lynching. I want to find out what the criteria were and how the evidence was evaluated. I want to find out what the true conclusions are.

When somebody says to me that something is well founded, I understand that: "That's well founded. Yes, we found evidence." But it doesn't say that here: it says it's "founded".

What does that mean? Well, founding something means to put it in place, to set it up.

So I'm really concerned about dealing with this as a hot issue, as an emotional issue, while it's in the media. I'd like to be very clear on what we expect to get out of this before we start going into a whole lot of personnel issues when somebody has already resigned.

Thank you.

The Chair: I don't want to curtail anybody's enthusiasm, but I have three more speakers and then I'll cut it off at that, okay?

I have Mr. D'Amours, Mr. Christopherson, and Ms. Faille.

Monsieur D'Amours.

[*Translation*]

Mr. Jean-Claude D'Amours: Thank you, Mr. Chairman.

I think we have to be careful about the report we received this morning from the Auditor General. In my opinion, reading the report 25 times is not going to give us any more information. The only way to obtain more information is to ask witnesses to appear.

Ms. Faille made that very point clear. The information we received from the Auditor General this morning is extremely relevant and

important. I think it will have to be made public, which is something that cannot happen now. No name is mentioned in any given chapter because no one has been identified and it will not be possible to know the details of each case.

To my knowledge, Mr. Chairman—correct me if I'm wrong—information contained in the report is confidential. The Auditor General has done her job and all of this is currently being investigated. Comments and information have been provided by certain individuals, for the most part, government employees.

No names will be disclosed and we will be unable to obtain any details. On the other hand, were that to happen, we would basically be doing something that is contrary to the whole idea of having a Public Sector Integrity Commissioner. The commissioner is there to provide protection. Yet we can see that system failed and that the Office of the Public Service Integrity Commissioner has not served the Canadian public well. Public servants' trust in this system has been destroyed.

We are not talking about 2,000 pages. If you take away the beginning, what's left represents about seven or eight pages. So, let's not go overboard. It is possible the Auditor General could appear on Tuesday and provide some explanations and answer our questions.

I can assure you, Mr. Chairman, that there will certainly be enough questions to fill two hours—no problem there.

• (1130)

[*English*]

The Chair: *Merci.*

Mr. Christopherson.

Mr. David Christopherson: Thanks, Chair.

I was listening very carefully to Mr. Young and his concerns.

Lynching is not Sheila Fraser's style, for starters, and it's never been the style of the committee. I understand what you're concerned about, but I don't think there's anything to this.

As for "founded" and "well founded", that could be as simple as the Auditor General saying, "I could have put 'well' in, but didn't know it mattered to you."

Again, I want to emphasize that I don't think the government needs to be as defensive as it would normally have to be.

Here's one of the concerns about waiting. If you look at her conclusion in paragraph 37 on page 13, it says that the commissioner's "actions were inconsistent with the spirit of the Public Servants Disclosure Protection Act", and, further, the values and ethics code for the public service. Then it goes on to state, "In our view, the Commissioner's behaviour and actions do not pass the test of public scrutiny...."

But the further issue for us as parliamentarians is that she's looking at this, determining there's a problem here, and dealing with it on the one hand; on the other, there's a governance problem. Therefore, the longer we take to start to come to grips with this, the more we may be allowing other people, other officers of Parliament, to go on about....

Apparently the lobby registrar, for instance, has been around for 20-some years, and what's the review? Where are the mechanisms?

That's what she gets at in terms of analyzing this case, but she's extrapolating from that the need to have a better check and balance, even up to and including the departmental audits.

Mr. Kramp will know that for years we've put a lot of emphasis on the departmental internal audits as the first line of defence. But it turns out that the commissioner, in the case of officers of Parliament, gets to appoint all those people, even the outside scrutineers, if you will.

So it seems to me that we could be accused of not dealing with this in a timely fashion, allowing a mechanism that needs to be in place to be delayed, and thereby allowing other infractions to go on that we wouldn't know about because there's no check and balance.

Further, on the first go-around, unless the committee has changed since I've been here, if it turns out that there needs to be more meetings, that there needs to be a different process because of what's coming forward, then we'll act accordingly.

I feel even stronger now, after we've discussed it, that it's in all our interests, government included, to at least take an initial look at this on Tuesday.

[*Translation*]

The Chair: Ms. Faille?

Ms. Meili Faille: Absolutely [*Inaudible—Editor*] for Tuesday, Mr. Christopherson.

In fact, I just wanted to add my two cents' worth or make a comment.

I have also sat on the Standing Committee on Access to Information, Privacy and Ethics, where I had an opportunity to hear Ms. Ouimet's testimony. At the time, I did in fact raise the matter of governance issues at the Office of the Commissioner—namely, the turnover rate, and the lack of documentation with respect to investigations. I asked at the time what she intended to do to improve things. Recently, some work was done with respect to the impartiality of the public service. I know for a fact that Ms. Ouimet did not regularly attend those meetings.

As Mr. Christopherson was saying, we are objective in terms of the facts and what is presented in the report. We can trust the Auditor General in terms of her findings. We can question her and deal with the issue more thoroughly. As I mentioned this morning, at our meetings, we asked quite specific questions that warrant public attention.

[*English*]

The Chair: Okay, I said I was going to close it off there, and I really do want to do that. I just want to get an indication of whether

we're moving on or not. We can continue, but if we're going to get into a dialogue back and forth, it's not very productive.

Mr. Daryl Kramp: I think I can bring some closure to it, Chair.

The Chair: If you're going to bring closure to it on behalf of your other colleagues, that's fine. Otherwise, then I have to make a decision on behalf of every single member.

Mr. Daryl Kramp: I'll put forward an opinion that I'm hoping will shape the opinion.

• (1135)

The Chair: Hold on, Mr. Kramp.

I think I've given everybody a chance to speak, but you asked for an additional bit of time after I'd closed off the list. So I just asked you whether you're going to be speaking for...because I have another couple of people who also want to come on. I want to be fair to everybody, and if it's....

I really do want to close off the discussion.

Mr. Terence Young: Why don't we just complete the discussion, Chair?

The Chair: Mr. Kramp.

Mr. Daryl Kramp: The point I would like to make is that I think it serves nobody to delay. I certainly have no problem bringing the Auditor General in immediately on this. I have two concerns, and I think one particularly we should bear in mind.

First, is this an operative issue by staff? Is it a governance issue? I think it's pretty clear it's not a governance issue, but if that's.... We can deal with that.

The concern I have, Chair, and I would hope that we would consider, is that there are potential civil liabilities involved here. As such, I think we should be very cautious not to move into an area that could prejudice that action either way, because if we do that, and we move precipitously prior to any potential litigation that might take place, perhaps we are complicating the issue and maybe even negating some particular testimony that could be beneficial either way.

So I just issue that caution as we move through this. No problem: let's bring it to a head. Let's deal with the Auditor General ASAP. But please bear that caution in mind. I do think that's a concern. We should have some reticence in dealing with this issue, because it could be harmful if we—

The Chair: Thank you, Mr. Kramp.

I'm coming to the point of asking: those in favour of having the study...?

Yes.

Mr. Andrew Saxton: I have one quick point.

If it's the will of the committee to have this on Tuesday, then we will not object to that. We will go with the will of the committee.

The Chair: Well, we'll ask the committee whether it is the will of the committee to have this hearing on Tuesday, and....

Yes.

Mr. Terence Young: Mr. Chair, before you ask the question of the committee, I'd really like to get a handle on what the parameters are going to be of this investigation or this inquiry that we conduct on Tuesday.

I'm really concerned. The lady has already lost her job, and if what's in here is true, so be it.

The Chair: Mr. Young, you asked—

Mr. Terence Young: But I don't want to see someone come in here and be fried by this community and have their reputation totally destroyed—to no avail. That's my concern.

The Chair: Mr. Young, the parameters are this: you have them in front of you. And the committee always deals with what is in front of it.

In fairness to everybody around the table—I take in a collegial fashion the caution that Mr. Kramp advised for all of us, and I think we're all responsible people—I think what we try to do is bring together all the people who have an interest and a stake in this.

I thought I'd overheard you at one point saying that the chair can direct people to come. You give everybody an opportunity to speak. I think it's always the intention—at least of the chair, but I think it's reflective of the committee—to bring everybody together.

So here are the parameters of the discussion. I'm going to ask whether it is the committee's will to move forward with an attempt to have this on Tuesday. That's the way the question was framed.

We give everybody an opportunity, and if it works for Tuesday, then I think Mr. Christopherson's points about the committee and members of Parliament being seen to do their job has already been in part satisfied, because we're moving to address his concern.

So those in...?

Mr. David Christopherson: Mr. Chair, I have one more thing. It's about the meeting.

The Chair: Go ahead.

Mr. David Christopherson: Do we want to extend an invitation to the former commissioner? I'd certainly be willing to give her a chair and give her a say. I have no problem with that at all.

The Chair: I think it's a fair thing to do. I don't think we'll leave anybody out who has an issue on this. We'll even take the interim person and extend that invitation. We'll give everybody an opportunity to come forward.

So those in...?

Mr. Andrew Saxton: Mr. Chair, a quick question.

The Chair: How many quick questions do you have, Mr. Saxton?

Mr. Andrew Saxton: I've got a whole bag full, but this is the last one for now.

If we decide to go ahead with Tuesday, and it sounds like we will, I request that consideration be given to our doing this in camera.

• (1140)

The Chair: Can we deal with these one at a time?

First of all, we had an in camera discussion this morning. I don't even want to say what happened, because that would be a breach of parliamentary confidence.

I think the question on the table is whether we should go ahead with an attempt to do this on Tuesday.

Those in favour?

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

The Chair: Seeing no objections, I'll direct the clerk to make all the appropriate presentations. Thank you.

I have a second concern that has come up—no, a third one; I think we dealt with Madam Faille's and Mr. Christopherson's. Mr. D'Amours raised a different issue, and that was the issue of what transpired on Tuesday, and wanting to bring witnesses.

I won't speak for you, Mr. D'Amours, but I thought I heard you say that you wanted some or all of the witnesses to appear before this committee again on the helicopter issue. Obviously it's not going to happen on Monday.

Mr. D'Amours.

[*Translation*]

Mr. Jean-Claude D'Amours: Mr. Chairman, if you don't mind, I'd like to briefly respond. Yes, that is what was requested. The idea would be to bring back all the witnesses who had appeared. I understand the constraint with respect to Tuesday. We scheduled the Auditor General's report for Tuesday's agenda. I would just ask that we postpone that invitation to Thursday. I hope we will still be in the House and able to continue our parliamentary work on Thursday morning. The idea would be to make arrangements to invite all the witnesses back who appeared on December 7.

The Chair: You are suggesting we start that Thursday?

Mr. Jean-Claude D'Amours: Yes, on Thursday the 16th. If something were to happen—we all know that often we're here until the last minute because that's our job—as I say, if something were to happen, it would just be postponed to the first meeting following the holidays and the few break weeks during which we can attend to matters in our respective ridings.

[*English*]

The Chair: Okay.

Mr. Kramp.

Mr. Daryl Kramp: Mr. Chair, we had all the witnesses here. We all had an opportunity to ask them what we wanted. How many times do you bring the same people back because someone thought of another question, and another question? That's not the way a committee should function.

I am against drawing the witnesses back. If it goes further and there's a particular response that was deemed to be unsatisfactory, wasn't clarified, wasn't proper, or could be disputed, and we wish to bring a witness back based on that particular testimony....

To have everybody back again—quite frankly, it's not the way a committee should operate.

The Chair: Mr. Kramp, just for clarity purposes, we had four groups of people with us on Tuesday. You're not against bringing one or two groups, but you don't think we should—

Mr. Daryl Kramp: What I am suggesting is that we demonstrate the reason for it. If there is an inadequacy in testimony, or if it is believed that an area was problematic or disputed, that should be brought to either the steering committee or the committee of the whole to demonstrate that and provide the reason to bring another witness back. There is no difficulty there whatsoever.

But just to call someone.... I think the committee should have some indication as to why that person is coming back, so that we could all prepare. Just to start calling the witness back based on any particular member's thought that they wanted more information is not enough. It should be shared with the committee and then we move forward. If we wish to call them back, we will, but not ad hoc.

The Chair: Thank you.

I have three intervenors on this.

Mr. Young.

Mr. Terence Young: Mr. Chair, I thought it was a fulsome meeting. We had a lot of opportunity to ask questions. We had all the parties there that we could ever want. They were the high-ranking people, the right people. I actually learned a lot in the meeting, and I don't see any need to bring them all back.

[*Translation*]

The Chair: Mr. D'Amours.

Mr. Jean-Claude D'Amours: Thank you, Mr. Chairman.

I'm sorry, but I must disagree with the comments made by my government colleagues.

First of all, we used up the entire two hours the last time, when we actually needed to continue. We had agreed that, if there was a need, we would hold additional meetings. I can still recall the comments made then by certain members, who seem to be moving in another direction today.

Why am I so intent on bringing back all these witnesses, Mr. Chairman? Well, it's quite simple: you only had to be at last Tuesday's committee meeting to understand. An official from one department said he was sorry that he couldn't answer because the Treasury Board Secretariat was responsible for that particular matter. The other one said he couldn't answer because Public Works and Government Services Canada was responsible for that particular aspect.

So, if we don't bring them all back, they will again say they're sorry but they can't answer. One will say that it's a third department that's responsible. Another will say that he can't answer either, because it's the second department that's responsible for one part of the question asked.

That's why I say we have to bring them all back again.

If the meeting on Tuesday had not turned out the way it did and everyone had answered the questions when we asked them, I would

have been happy and we could simply have had one department appear at a time.

But that is not what happened. I remember that, at one point, the official with the Department of National Defence was asking the official from the Treasury Board Secretariat what the policy was regarding something that was his responsibility. I don't want to be given half answers once again.

My point was clear: the idea is for us to be more productive.

• (1145)

The Chair: Ms. Faille.

Ms. Meili Faille: I'd like to add my voice to that of Mr. D'Amours.

My view was that only some of the witnesses should be recalled. However, I believe Mr. D'Amours' argument is an important one. They just kept passing the buck. To illustrate what I mean, just remember what happened when we put questions to officials from Public Works and Government Services. The Auditor General's reaction was quite the opposite. She didn't agree with what was being said.

Furthermore, when I asked who had taken responsibility for the issue when Mr. Fonberg left Treasury Board, the answer we were given was not satisfactory, in my opinion. I know for a fact that someone at Treasury Board has the same responsibilities that Mr. Fonberg had. We were told no, that no one had replaced him. So, I think there are some questions that need to be asked again.

Unfortunately, I didn't have time to make my usual comment: can you provide that in writing?

So, there is good reason... I know there have been discussions on this. On several occasions, I myself raised the fact that, when we have a meeting with so many witnesses appearing, the time allowed to question all the witnesses is fairly limited.

I don't intend to take up any more time. Actually, I just wanted to say that I agree with Mr. Kramp in terms of issues we want to explore in greater detail. Since we will have a little bit of time to prepare that meeting, I would suggest that the executive meet and set certain parameters with respect to the questioning. Like Mr. Kramp, I think we should have a more precise idea of what we are looking for from the witnesses when they appear a second time.

[*English*]

The Chair: Thank you.

Mr. Saxton.

Mr. Andrew Saxton: Thank you, Mr. Chair.

I want to remind Mr. D'Amours and Madame Faille that there was so much time available for questions when the witnesses were here that the chair even asked if anybody had extra questions.

The Chair: The chair was just being polite.

Mr. Andrew Saxton: Well, you're very polite.

Look, we had so much time with these witnesses that there was even extra time. You both had ample time to ask questions. You had ample time to ask follow-up questions.

The cost and inconvenience to bring back all of those witnesses—I've been on this committee for two years, and I can tell you that was probably the biggest group of witnesses we've ever had—I cannot support.

I think you had ample time to ask them questions. There was extra time, where the chair even asked if we had any supplementary questions. You had all the time in the world. I think if you have questions for one or two of the witnesses, then perhaps we bring back one or two of the witnesses, but I cannot support bringing back the entire group of witnesses.

The Chair: Madame Faille.

[*Translation*]

Ms. Meili Faille: Mr. Chairman, before the end of last Tuesday's meeting, I did make it known that I had other questions. But we didn't have enough time. You asked me to mention it at the committee's next meeting.

Since we had already discussed the fact that there were several witnesses appearing and that I had a right to ask to question the witnesses further, I agree with Mr. D'Amours: we should bring these people back again.

• (1150)

The Chair: That has been noted.

Mr. Kramp.

[*English*]

Mr. Daryl Kramp: I just have one quick point.

In most cases we're here to ask questions and to get responses. But on this particular one, I can recall the first line of questioning: the first questioner spoke for probably six to seven minutes right off the bat, without even asking the question, and then, at the end of the entire seven minutes, asked a question.

At some particular point, we're either here to listen to them or ask a question and get a response. But to sit there and run off with a verbal diatribe of thoughts or processes rather than getting to the witnesses, obviously.... You know, we weren't very effective or efficient as a committee on that particular day. Maybe that's just a little lesson down the road.

I'm against bringing them all back again. I just think that's a terrible waste of time, effort, resources.

And I thank Madame Faille for recognizing that we should have a context to our meeting and at least a purpose and a sense of direction so that we can all prepare.

The Chair: Thank you.

Mr. Saxton.

Mr. Andrew Saxton: I just want to reiterate that there was ample time. I remember Madame Faille even had supplementary questions.

The Chair: Let's direct it to the chair.

Mr. Andrew Saxton: In addition to her regular questions, she was given supplementary time. She chose to use part of that time to ask about an aircraft that wasn't part of the report, so she obviously didn't

get an answer on it. She did have ample time to ask questions; she had supplementary time.

Let's face it, anybody who didn't get a chance to ask their questions, it was their own fault, because there was ample supplementary time available to every member of the committee.

The Chair: Thank you, Mr. Saxton.

Mr. Christopherson.

Mr. David Christopherson: Thanks, Chair.

I'm at a bit of a disadvantage. I wasn't at the hearing, so I'll try to act accordingly.

As of this moment, I'm probably the longest-serving member on this committee. We don't normally bring people in to do a fishing expedition, particularly because of the cost and everything else. If we did that with everything, we'd never get through our work. However, it is not unusual for us, on complicated, big issues, to do some follow-up work.

Just from a fair-minded, if you will, and practical point of view, it would seem to me that if members have specific questions in certain areas that they either didn't get to go into or want to go into further, given the size of this report and the importance and the attention that the public is paying to it, I think it makes sense to call them back.

But I do agree with the notion that it would be on a selective basis. A holus-bolus fishing expedition on a second round—we don't normally do that.

I guess I'm probably not far off from where Mr. Saxton is, except that I'm leaning to, if people have those questions, supporting their opportunity to do it.

The Chair: Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau (Gatineau, BQ): Mr. Chairman, my thinking is quite simple. We are talking about a total of 43 helicopters and between five and seven years to deliver the goods. If we had had to wait five to seven years before having combat aircraft in World War II, I don't know where we'd be now.

So, this raises some legitimate questions. I think we need to have another go at this. Everything that needed to be said was not, nor were we able to ask all the questions that needed to be asked.

[*English*]

The Chair: Okay. Thank you very much.

I hope this has been a fulsome discussion.

I think Mr. D'Amours has said that there be additional hearings scheduled in relation to the study of chapter 6, "Acquisition of Military Helicopters", of the fall 2010 Report of the Auditor General.

Those in favour...?

Mr. David Christopherson: [*Inaudible—Editor*]...everybody?

I just want to be clear. I'm not debating, I'm asking.

The Chair: No, it just simply says, I think, “additional hearings scheduled”. In his presentation, I thought I heard that we'd make an effort to see if we could get people by December 16. If not, then we'd have to do it at the earliest possible time in February.

I thought the debate tried to narrow that focus—

Mr. David Christopherson: It did, but the motion didn't reflect that.

The Chair: No, but I'm saying the debate tried to narrow that focus. I don't want to interpret the debate. I'm just reading out what the motion said.

Mr. David Christopherson: I don't agree with Thursday, by the way.

The Chair: No, but I think he said let's go to Thursday, and if it's impossible, go on beyond that.

I imagine that took into consideration what happened at the beginning, where we said we've really left that free. We probably won't be here on Thursday—

• (1155)

Mr. David Christopherson: Well, that's it. There's a 50-50 chance.

The Chair: —which means it will go on. Okay?

Mr. Andrew Saxton: Can I have just one second, Mr. Chair?

The Chair: It's always one second.

Mr. Andrew Saxton: It was Mr. D'Amours who proposed the motion—

The Chair: That's what I said.

Mr. Andrew Saxton: —and Mr. D'Amours made it absolutely clear that he wanted every single witness back again.

That's to answer Mr. Christopherson's question.

The Chair: I think Mr. Christopherson knew that from the very beginning. He also followed the debate. It's just my role to just summarize the debate, that's all.

Mr. David Christopherson: [*Inaudible—Editor*]...is still the broader one. If you want to do it as a one-off, and then the other, that's fine. But I don't think there's consensus. I don't think there's a majority vote here to bring in everybody—although maybe there is.

The Chair: I'm glad that everybody wanted to intervene. It's my task to make sure we understood what it is we would be voting on and to give you an indication of where the debate went. And I could ask Mr. D'Amours if he wanted to make an adjustment to his motion or whether it adequately reflects what he wants to do, notwithstanding the debate.

Now that I've said that and gotten it off my chest, Mr. D'Amours, before I call the question on this.... I'm not going to entertain further interventions, because they're all repetitious, quite frankly. No offence; there's value sometimes to repetition—sometimes.

Mr. Andrew Saxton: Bringing the witnesses back is repetition too.

The Chair: Yes. You're right.

Mr. D'Amours, does that motion reflect what you want to do, and do you want to condition it as a result of some of the debate you heard over the course of the last...couple of seconds?

No jest intended.

[*Translation*]

Mr. Jean-Claude D'Amours: That's one thing. I don't want to start another debate. I am going to be very careful about what I say.

I talked about inviting all the witnesses back for the reasons I explained. When we asked questions of one witness on Tuesday, often the witness would respond by saying he could only partly answer the question, and that the rest of the answer had to be provided by another department which was not represented at the table.

So, that's why I am suggesting that everyone be called back. If we were talking about targeting witnesses, I would not have a problem with that. But that is not what the motion says at this time.

The idea is to recall all the witnesses for the reasons I've already given. On a regular basis, witnesses were telling us to put those questions to someone else in another department—for example, to ask the Treasury Board Secretariat. Another time, instead of the Treasury Board Secretariat, it was National Defence that had to answer the question, and on and on.

So, if we invite them to appear individually...

The Chair: Mr. D'Amours, I think everyone understands that you will be supporting the initial motion.

[*English*]

Okay.

Mr. Christopherson, I think he answered your question.

Those in favour of that motion, please raise your hand.

Those not in favour?

Given that the motion was presented here, without having had prior consideration and therefore an opportunity to establish its precedence, I'm going to maintain the status quo.

If I vote in favour of this motion, I will be changing the status quo, so I will not be voting in favour of the motion.

(Motion negated)

The Chair: The motion can be brought up at a steering committee, and we can debate it beyond that. Okay?

Thank you.

I imagine you guys are happy, but you might want to give us an alternative now.

Mr. Andrew Saxton: I'm just impressed with your impartiality, Mr. Chair.

An hon. member: No, but it's just what's right, that's all.

The Chair: I always do what's right.

Thank you, colleagues.

Monsieur D'Amours, if you want to raise this again, you can bring it on the table for a steering committee, when it next sits, and we'll take it from there.

If we have to repeat the vote and I want to do what's right, then my vote would probably reflect that I would be doing what's right.

[Proceedings continue in camera]

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:

Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

En cas de non-livraison,

retourner cette COUVERTURE SEULEMENT à :
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and
Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the
following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les
Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à
l'adresse suivante : <http://www.parl.gc.ca>