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Tuesday, February 8, 2011

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Chair

The Honourable Joseph Volpe

Standing Committee on Public Accounts

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• (1530)

[English]

The Chair (Hon. Joseph Volpe (Eglinton—Lawrence, Lib.)): Colleagues, it looks like we have quorum.

This is meeting number 43 of the Standing Committee on Public Accounts. Pursuant to Standing Order 108(3)(g), and the motion adopted by the committee on Thursday, December 9, 2010, we are looking at the report of the Auditor General of Canada on the Public Sector Integrity Commissioner of Canada.

We had invited, as an individual, Madame Christiane Ouimet, former commissioner, Office of the Public Sector Integrity Commissioner of Canada. We obviously don't have her here.

I want to provide the committee members with an update on this matter, and then we can begin discussion, if you will. Okay?

Pursuant to that order to have Madame Ouimet appear here, on December 10 the clerk telephoned Madame Ouimet's residence, spoke to a woman who indicated that Madame Ouimet was not there, and the clerk left a message.

On December 13, the clerk once again called the residence, and this time left a voice mail.

On December 14, in a committee meeting, the decision was made by the committee to schedule another meeting for February 1 in order to invite the former commissioner to the meeting—and, I might add, to be firm about it—and to write the commissioner accordingly.

That letter was signed by the chair on your behalf on December 16, and was sent by registered mail to the residence of Madame Ouimet.

On December 17, Canada Post attempted delivery of that registered letter. A notice card was left, indicating where the item could be picked up. That registered letter was returned by the post office on January 28—that's last month—and it was received at the House of Commons committee directorate on February 3.

On January 12, the clerk once again left a voice mail at Madame Ouimet's residence. She did that, as you recall, because we put in the letter a date by which we had expected confirmation from Madame Ouimet that she would attend. It was roughly a 30-day notice period.

On February 1, this committee made the decision to summon the former commissioner before the committee.

On February 2, the bailiff attended at her residence to serve a summons. There was a verbal report from the bailiff that he attempted to serve unsuccessfully, but spoke to a woman who identified herself as Madame Ouimet's niece. She indicated that Madame Ouimet was out of the country.

We received an affidavit attesting to this on February 3.

On February 4, the bailiff attended the residence to ascertain the identity of the individual who actually answered the door, and to request a forwarding address, or coordinates, for Madame Ouimet. The bailiff said that there was no response at the door, and left a business card.

On February 7—that would be yesterday—at 7 p.m., the bailiff again attended the residence to ascertain the identity of the individual who purported to be Madame Ouimet's niece and to gain contact information.

• (1535)

This morning at 9:54, we received a verbal report from the bailiff that there was no response at the door on February 7 and that he was going to provide a written report by e-mail, which we received at about 1:25 this afternoon.

Very briefly, it said there was no response at the door at 7 p.m., but the business card that had been left there on February 4 was gone.

So, colleagues, that's the update.

Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): This is just a quick question about the process.

The bailiff went there the first time, and someone identified herself as the niece, and the bailiff left and then came back the next day with a mission to determine who that person was and to see if there was a forwarding address. I'm just curious as to why the bailiff wouldn't have asked that on the first day.

The Chair: You know, it's a very good question.

Mr. David Christopherson: Well, it's a detail, but....

The Chair: You can imagine that the question was asked of the bailiff, and then the bailiff went back.

Mr. David Christopherson: Okay.

The Chair: Mr. Kramp.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Very clearly, Mr. Chair, I think we need to know what our legal options are at this point in order to pursue this matter further. Do we have any direction from the clerk on that, or will we simply have to go to our own justice officials to find out?

The Chair: Well, I imagine that we can do several.

The very first thing, I suppose, in terms of options, is that she's not available, and we can give it up. So we can have some discussion in that regard.

We can have a discussion as to what the next steps would be. I take note that some members, at the very beginning, suggested that we seek authority from the House to proceed further. I'm going to ask the clerk to outline for us what that means.

Third, we could wait until Madame Ouimet comes back, whenever that is. But we don't know where she is, and we don't know for how long she will be where she is, if indeed she is away.

I can share with you, Mr. Kramp, that our subpoena, our summons, has value only in Canada. But I'm sure you knew that.

These are the issues that you have before you.

Mr. Christopherson.

Mr. David Christopherson: Well, I'll play a role in getting the ball rolling.

I agree with Mr. Kramp. It seems to me the next step is to identify the options. You've mentioned some. I don't know whether those are all our options. What are the implications of those options?

So I'm kind of in agreement with Mr. Kramp in terms of getting everything in front of us, getting advice on what we can do, understanding those options, and then making a determination on which one we want to act on.

I'm not aware...unless you have that.

Through you, Chair, is the clerk comfortable giving us briefings on all those next steps, the legal procedures, etc.?

The Chair: I'll entertain interventions and then come in with a summary.

Mr. David Christopherson: Okay.

The Chair: Mr. D'Amours.

[*Translation*]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Chairman, a few moments ago, you presented us with a report. This is not an easy issue, as far as I see. In fact, one wonders whether some people are deliberately—I would not say “unintentionally”—testing the patience of committee members. Even worse, that would mean they are interfering with the elected representatives of Canadians.

Sooner or later, we, members of Parliament, have the right to receive answers to our questions. Just because someone has resigned or is perhaps on holiday... We do not even know this. You said so earlier on, Mr. Chairman. No one can prove the opposite. Therefore,

if no one can prove that this person is outside the country, it means that this person is, in all likelihood, in Canada.

Our objective, and everything we have done since December, when the Auditor General presented her report, was clear. It was not complicated. In fact, we wanted to give Ms. Ouimet the opportunity to explain herself in light of some facts which came to light in the report of the Auditor General of Canada.

Let's take this one step further. Not a single one of the 228 open cases went anywhere. If I recall correctly, based on some of the documents which were provided to committee members, about 40 cases seemed to involve fraud and misuse of government assets. The clerk can tell me if I am going too far, because I do not know whether these documents, which form a matrix, if you like, were confidential and not to be released outside the committee.

As far as I know, when fraud or invitation to fraud, or misuse of government equipment, is involved, this is a criminal offence, unless I am told otherwise. I find it unthinkable that these cases were not pursued. It is deplorable that today, February 8, 2011, we cannot, as we had demanded, have Ms. Ouimet appear before us. We have nothing more than an empty seat before us.

Mr. Chairman, I understand that you tried very hard to contact Ms. Ouimet. However, at a certain point, I think you dropped the ball. I think we have to be a little firmer. In reality, we, members of the committee, cannot find out what happened. We cannot even find out why these cases were closed. We cannot even find out why, in the opinion of the Auditor General, a quarter of the cases which were closed by the Public Sector Integrity Commissioner of Canada should not have been closed. We cannot find out why there was no follow-up regarding the 40-odd cases involving fraud or the misuse of government equipment, which was paid for by taxpayers.

We can ask ourselves who currently benefits from the fact that we were not able to get Ms. Ouimet to appear before this committee. To whose advantage is this? Who is being protected? This is all starting to—as we say in good French—get on my nerves. Indeed, we are here to get answers. Business cards go missing. Nieces are answering the phone. When we call, someone answers, someone is on the line, but no one is able to contact Ms. Ouimet to inform her—should she be outside the country—that we are looking for her and that this is urgent. We are not trying to locate her within a year: this is urgent. The members of the Standing Committee on Public Accounts, the representatives of the people, want to have answers. It is not complicated.

At a certain point, this nonsense has to end. We have to put our cards on the table and do what is necessary. We represent Canadians. We have created organizations. We expect answers because we are accountable to our voters.

● (1540)

Other colleagues have wondered where we should turn to next, but now we have run out of patience. We have to move on to the next steps and get some answers. We aren't going to let people stall us like this forever without getting any answers. I think that's quite enough; we have to go forward.

[*English*]

The Chair: Mr. Shipley.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Thank you, Mr. Chair.

My question is that when you're looking at the options in terms of having Ms. Ouimet here—I mean, it's disappointing, she should be here, we know all that—what is the government operations committee doing? I'm not too interested in duplicating what they're doing. Are they looking to locate her? Have they got the bailiff out trying to form...or are they getting legal advice?

We should be working together, not in isolation. Our purpose is to contact her. Each of us from different committees will have our questions when she comes.

She was appointed by Parliament through the operations committee, so I would hope that maybe we're not just out here on our own. We should be working with the operations committee to find out what their process is also—if that's something you think is worthwhile discussing.

• (1545)

The Chair: Thank you.

Mr. Kramp.

Mr. Daryl Kramp: Chair, I recognize there are significant frustrations within the committee. It's shared by many, many people. But notwithstanding making the arguments and/or any allegations from this committee at this point regarding any testimony that might come from Madame Ouimet, the fact remains she's not here. The fact remains we have to deal with that. We have to find the options available to us and then move on it.

There's a lot of discussion on this file, but I would suggest that if we can't get to deciding what we can or can't do within the parameters of this committee, we're going nowhere.

So I would certainly ask the clerk, through the chair, to explore the options that we have available to us—in concert with Mr. Christopherson's comments, which are basically the same thing. Once we know what we can and can't do, and also, we don't need to duplicate something that the government operations committee is doing or isn't doing at the same time. There should be communication between the two committees.

We do need to have a clear sense of direction, because there's no doubt that we cannot leave this outstanding. Non-attendance is not acceptable, and we have to deal with it. This is an issue that is not going to go away, period. It will be dealt with at the first convenience. We do need to know our options so we can deal with them.

The Chair: There have been a couple of examples of what other committees may have done.

I thank you, Mr. Shipley, for raising the issue of what the government operations committee might be doing.

I think we raised this issue at another time. They were dealing with the question of whether parliamentary committees had done the appropriate due diligence when appointing Madame Ouimet. As I indicated to you at a previous committee hearing, they had decided, as it would appear, in camera, that they were not going to proceed.

So we're here, and thank you for raising that issue about maybe bringing in other resources, which is, I think, where you're going, and perhaps Mr. Kramp as well.

We're left again, still, with two questions, and one that Mr. Christopherson raised at the very beginning, and I guess both Mr. Kramp and Mr. D'Amours...where they want to go.

I'm sorry, I've left out Madame Faille. Before I engage both the clerk and anybody else, let me go there.

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Thank you, Mr. Chairman.

I agree with what Mr. Kramp and Mr. D'Amours said. We cannot let this situation drag on. Since December, we have been trying to shed light on this matter. Ms. Ouimet has had plenty of time to come and explain herself.

The longer we wait, the more speculation will surround this issue. We cannot question Ms. Ouimet. The purpose of this committee was to give her the opportunity to respond to the Auditor General's report. I believe that we should continue in the direction in which we have started, namely to get her to appear before the committee. A little earlier, the clerk explained to us the powers of this committee.

I have many questions. Amongst others, why did Ms. Ouimet treat her employees the way she did? What was the work climate like in her organization? Over the years, why did no other organization raise issues as far as the Office of the Public Sector Integrity Commissioner of Canada was concerned?

Is the fact that she is not here today an indication in and of itself that there was definite abuse which might lead to criminal prosecution?

A little earlier, I was at the Standing Committee on Government Operations and Estimates. The committee just finished studying the possible repercussions regarding a contract which was violated and the false interpretation of certain provisions in various contracts.

What the Auditor General's report seems to indicate, regarding the cases which were reopened, is that they involved situations where financial rules were not respected. This is something serious which the Standing Committee on Public Accounts cannot ignore.

• (1550)

[*English*]

The Chair: We'll go to Mr. Saxton.

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

It appears that Madame Ouimet is not available, obviously. She's not at home. She may even be out of the country. As the chair rightfully pointed out, our summonses are not valid outside the country, so there's really very little we can do with regard to tracking her down while she's away or while she's out of the country.

Now, she can't stay away forever. She appears to have kept her home, and it's still being used as a home, so she will be back eventually. When that will be, we don't know. Unfortunately, there's not much we can do while she's out of the country, if she is indeed out of the country. Perhaps we can re-address this situation in a few weeks.

The Chair: Thank you, Mr. Saxton.

Go ahead, Mr. Bains.

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Thank you very much, Mr. Chair.

I too want to, first of all, echo my frustration, as Mr. Kramp and many others on this committee have indicated. To say that I'm frustrated is putting it mildly, because we've been dealing with this since December 9, when the Auditor General put forward the report.

We've done everything. The chair has been very clear on all the steps we've taken. We've made calls. We've sent letters, and even a summons. We're doing everything we possibly can to reach Ms. Ouimet. As Mr. Kramp said, this is unacceptable. We clearly want to deal with some very important issues, issues such as the fact that millions of dollars were spent on setting up this office. Millions of Canadian taxpayer dollars were spent on setting up this office.

As Mr. D'Amours said, there were 228 complaints and no action. Some of those were dealing with issues of a fraudulent nature, possibly. We need to make sure that the Auditor General's comments about Ms. Ouimet's behaviour being unacceptable and inappropriate are addressed. We need to get to the bottom of this. We've done everything possible.

Our frustration is shared by many others. I've received e-mails on this and calls on this. Canadians want answers. They demand answers. That's why I think we need to take all possible steps within our domain to get to this as soon as possible. I don't think we delay this for another day or two days or two weeks. I think we need to address this immediately, because it's very frustrating. We need to make sure that we take all the appropriate actions so that we send a clear message, going forward, that anyone called before a committee shouldn't try to avoid coming forward.

We don't know the circumstances of where she may be. Clearly, she must be aware of the fact that this report was being tabled. Clearly, she's aware of the issues raised by the Auditor General and her response. So what's going on, and how do we get her to come before committee? That's what we need to do today. That's what we need to address. We need to make sure that we send the appropriate message by saying that she needs to be here as soon as possible. We need to find a way to deal with it.

I don't know if we need to send a report to the House, if that's a possible option. But we need to make sure that we look at all the possible options. I just want to echo my frustration, as well, because this is a very serious issue.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Thanks, Chair.

I don't have a problem with what's being said, but what I'm hearing are arguments, and....

Everybody knows me—I'm ready to argue at the drop of a hat—but I like to know what I'm arguing about. At some point, before we keep going around and around expressing outrage, we need a solution. A solution is going to come from looking at the options that are available, picking one, and acting on it. It seems to me that's when we would make our speeches.

I'm urging you to get the matter of the options in front of us as quickly as possible so we have something to actually speak on that's going to lead to an action. When we're done all this we will still have to do that step, so I urge that we do that as quickly as possible to get us going.

The Chair: Thank you, Mr. Christopherson.

If Mr. D'Amours and Mr. Kramp will permit us to pole-vault their second interventions, I'll go directly to what Mr. Christopherson had indicated initially. I think it's a valid point. I just wanted to hear what everybody had to say before we went forward.

Are you okay with that?

• (1555)

Mr. Daryl Kramp: I have a suggestion that might be helpful.

The Chair: He's been very specific. I just want to know, if it's an argument and you want to—

Mr. Daryl Kramp: It's not an argument.

The Chair: Okay.

Mr. D'Amours, please be brief.

[Translation]

Mr. Jean-Claude D'Amours: Mr. Chairman, I would like to say something about what the clerk will tell us later on. As I said earlier, we seem to be taking almost for granted that Ms. Ouimet is outside the country. When the clerk will explain our options to us, let's keep in mind that Ms. Ouimet might still be in Canada.

I don't know why we should believe that she is outside the country, that we cannot meet with her and that it will take a couple of weeks. I don't know why we are even talking about this, because we just don't know. There are people, after all, who are at her house and who answer the phone. We don't know who answers the phone, nor who answers the door. We don't know who is retrieving the business cards that are being left at her house.

Let's not take for granted that the lady is outside the country. Let's also remember that she might still be in Canada when the clerk tells us what our options are.

I just wanted to point that out.

[English]

The Chair: *Merci.*

Mr. Kramp.

Mr. Daryl Kramp: I suggest that the clerk contact the respective authorities to see if we have precedence for this within matters of dealing with the House. The House has dealt with almost everything at some point, so we might have a procedure where this has happened before. We might be able to pattern a response off that.

The Chair: I think we'll go to the initial question, and then maybe we can entertain some arguments.

They are, so far, whether we, one, continue the study; two, discontinue the study; three—before I go back to the clerk—I think we had consensus that we would expand the number of witnesses, and the steering committee was going to vet that list tomorrow; and four....

Madam Clerk, will you give us an indication of some of the precedents, as Mr. Kramp has suggested, that have preceded this committee on similar situations, if any?

The Clerk of the Committee (Ms. Joann Garbig): There have been cases where committees, faced with the refusal of a witness to appear following the serving of a summons, have reported to the House thereon.

In the current circumstances, although the committee has made a number of efforts to reach the witness, all have been unsuccessful. It's difficult to conclude that the witness has refused to appear when none of the attempts to reach her have been successful.

The Chair: Okay.

I think some colleagues would like to know if that venue is available, or if there is another one with respect to reporting back to the House.

The Clerk: It's in the hands of the committee if the members feel that, notwithstanding the fact that no effort to reach the witness has been successful, this constitutes somehow an avoidance of the invitation or summons of the committee, or a disinclination to agree to the committee's invitation to appear.

It's in the hands of the committee how it wishes to deal with that.

The Chair: Mr. Christopherson, that gives you four options. Are you satisfied that we've put some on the table?

Mr. David Christopherson: Well, we're getting there.

Is there further legal action we can take? We've made some attempt to deliver.... I don't know, I'm not a lawyer, so I'm just asking whether there is a further step we could take. I'm pulling things out of thin air.

Does the House have investigators? Do they use the police method? Is there a more formal method of contact that heightens the lack of response? What are our options? This is what I'm seeking: what are our options?

We're all in agreement that we don't want to let this lie. I think that's clear. We're all in agreement that she needs to come here and answer and be accountable for her time in office. We've been stonewalled so far. Maybe I'm just not getting it—I accept that—but I'm not understanding what the next legal step is, if there is one. Or is the legal answer that you've gone as far as you can?

This is what I'm trying to get a handle on...and if we don't have it here, we could ask Mr. Walsh.

• (1600)

The Chair: Right. We could have Mr. Walsh come before us. Yes, that's a good point.

The ethics committee, I think in June of last year, was dealing with something more or less similar. They made repeated efforts to get several witnesses before the committee. The clerk of the committee advised the chair that repeated efforts to deliver the subpoena, even if unsuccessful, were to be deemed as delivered. I don't know what the legal status of that is, but subsequently the individuals appeared before the committee. I don't know strong it is in terms of a precedent, but it is a precedent.

The clerk has given me—and she can say it herself—another indication. For example, in some of the discussion last week about what to do next, we indicated—and I think the Hansard will bear this out—that some of the questions we might ask and that we've raised again today would require something more than a bailiff's action. A bailiff's action is typically to deliver a subpoena, not necessarily to go out and find where a person might be.

The committee would have to authorize the expenditure of that kind of action. If it were the committee's decision to have the bailiff ascertain where Madame Ouimet might be, then that's a direction that we, as a committee, could move forward. I didn't feel I had the authority to give that kind of instruction because that comes with an expenditure, so that didn't happen.

Mr. Christopherson, that's another solution that I think you've indicated you might be looking for.

Mr. David Christopherson: While I have the floor, I would throw on the floor for consideration of colleagues that we schedule Mr. Walsh to come in to tell us what our options are.

If we agree to that, then I think the other thing we can kick around today is whether we want to go any further. We know we have a number of outside groups and an individual who would like to give testimony. We could start to grapple with whether or not we want to do that in the absence of the former commissioner's presence here.

I would leave with colleagues that at the very least we look at bringing Mr. Walsh in next time so we can get definitive answers to the questions we have. When we start mucking around with laws and powers of Parliament...this is serious stuff. We need to know, not just what the rules are but what the implications are. I would feel a lot more comfortable if Mr. Walsh were here with the authority of his office, giving us that advice as a starting point.

Then, if we have time today and we want to, we can talk about whether we want to continue with other witnesses in the interim or put this file in abeyance until we've heard from Mr. Walsh and make our decisions then.

Thanks, Chair.

The Chair: Mr. Young.

Mr. Terence Young (Oakville, CPC): Thank you, Mr. Chair.

Why don't we as a committee direct the bailiff to periodically check whether Madame Ouimet is back in town? She's a property owner. She's a responsible citizen. She's going to come home at some point. Let's put the file in abeyance and go on to another matter that's important to this committee.

We've heard from a whole series of witnesses. We've heard from everyone who has anything to do with this matter and should have any knowledge, other than Madame Ouimet. Why don't we carry on with important government business and have the bailiff report to us when he's been able to serve a summons? I don't know exactly what the summons should say; perhaps we can get legal advice on that.

We've lost the better part of today already on this matter. The lady is obviously out of the country. She doesn't want to be found. In some ways, it's understandable. But she's going to come home. Why don't we find out when she is home, send her a summons, and carry on with other committee business?

The Chair: Thank you, Mr. Young.

Mr. D'Amours.

[Translation]

Mr. Jean-Claude D'Amours: Mr. Chairman, I cannot support that. I will be frank. I think we have lost a lot of time trying to contact Ms. Ouimet. At a certain point, we have to stop wasting our time. Rather, we have to move forward and find ways to locate her.

Of course, we can get a lot of people to testify, but I don't think we should hear from witnesses who have agreed to appear before Ms. Ouimet herself shows up. I think that is a basic issue. Otherwise, we will just keep on going around in circles. That's what I think. We can also ask the advice of other people to see whether we have other options. However, at this point, the ultimate person to turn to is the Speaker of the House.

Given the situation, we can look at other options, but we have to move forward. Mr. Chairman, I think it is relevant to present a motion to the committee. I have one here. Committee members will decide what they want to do with it. Let's remember that the Speaker of the House is the person who will ultimately be able to provide the committee with an answer. Let's stop going around in circles and not decide what to do once she is back. For God's sake, she could show up in six years! So what are we going to do? Are we going to let this situation drag on, and one day say that someone is bound to find her, and then, we will ask her to appear before the committee? I think this would be disrespectful of taxpayers.

If I may, Mr. Chairman, I will read my motion:

That the committee report the following to the House of Commons:

Whereas the committee agreed on February 1st that Christiane Ouimet be summoned to appear and give evidence before the committee on matters relating to its study of the report of the Auditor General of Canada on the Public Sector Integrity Commissioner of Canada on Tuesday, February 8, 2011, at 3:30 p.m. in the House of Commons Committee Room 237-C, Centre Block, and to remain in attendance until duly discharged.

And whereas Ms. Ouimet failed to appear on Tuesday, February 8, 2011 at 3:30 p.m., the committee wishes to draw the attention of the House on what appears to be a breach of its privileges and recommends that the House take whatever measures it deems appropriate.

• (1605)

[English]

The Chair: I missed the first part of that, Monsieur D'Amours.

Do you have a copy? Are you suggesting a formal motion?

Mr. Jean-Claude D'Amours: *Oui*.

The Chair: The part that I heard was the text of the subpoena that we authorized last week; that's all you're...?

Mr. Jean-Claude D'Amours: *Oui*: "That the committee report the following to the House of Commons".

[Translation]

What I have just read is only the beginning of the motion in English. If you would like to have a copy, Mr. Chairman, I can give you one. That's not a problem.

[English]

The Chair: I would like a copy, and I'm sure everybody else would like one, because you're now raising something as a question of privilege.

A voice: Yes.

The Chair: Yes.

Do you have a copy for everyone?

Mr. Jean-Claude D'Amours: I think so.

The Chair: If you have it in both languages, then we can get a copy.

Mr. Jean-Claude D'Amours: I think I have enough copies.

• (1610)

The Chair: Monsieur D'Amours has presented a motion. The reason I said that I thought the first part was very much like the summons.... The summons was pretty straightforward. It was very factual, and it followed a particular formula, a legal formula, that had been provided to the committee for us to consider and approve.

Mr. D'Amours has followed that up with the motion that you see before you, in English and in French, respecting a breach of privileges. This doesn't preclude anything else, but it is a specific item that we have before us and that we would debate at this juncture.

I have a list, but I'm not sure that list pertains to this motion, so I'm entertaining a speakers list on this motion.

Mr. Kramp and Mr. Christopherson.

Mr. Daryl Kramp: Thank you, Chair.

It's a good motion, and I think it might be in order at the right time. But I don't want to move prior to advice from our legal authority, Mr. Walsh. I suggest that we have Mr. Walsh here first.

The implications and ramifications of any activity we might take with regard to this could be significant down the road. It could be setting a precedent. I wouldn't know. But we do need the professional and legal advice of our officials. I think the first step is to draw Mr. Walsh here. Certainly, if he were in accordance with this motion and deemed it proper and legal, on his authority and on his judgment I would certainly support it at that time.

I suggest that we do that sooner rather than later.

The Chair: We'll go to Mr. Christopherson.

Mr. David Christopherson: Thank you, Chair.

Along the same vein as Mr. Kramp, I don't agree with Mr. Young's approach that we sort of just wait, hold our breath, click our heels three times, and hope that she'll magically appear. I'm not for that at all.

I agree that this is a good motion, but I still think that the House expects its committees to exhaust all the work they can do at this level before engaging the House. The first question, if I were a member of the House and not on this committee, would be whether you have exhausted all your options. Did you go as far as you possibly could, and what were those options? Because the House has the right to review before it takes its own action.

As much as it seems kind of straightforward that this would be the natural step, that isn't the way the advice has come. It hasn't been, oh, yes, this is the obvious next thing. There is some question as to what we do in this regard.

I've been around long enough on this committee and have dealt with these kinds of matters enough to know that we want to be absolutely crystal clear when we start to deliberate about the possibility of suspending a citizen's rights. For example, when people are arrested, at that moment, all of their civil rights are suspended. And we're into that realm of power and steps.

Let's just be sure. Again, not being a lawyer, maybe rewording the summons ups its value and puts us in a stronger legal position. Maybe not; maybe Mr. Walsh will roll in and say that this is pretty straightforward and that the motion is exactly what you want to do. I would sure feel a whole lot better if we took the time for even one more meeting to have Mr. Walsh here to explain to all of us, to everyone who cares and who's interested, and the public, what our options are and which option we choose and why. From that we can determine how we want to finish the report.

I'm not opposed to your motion, I say to my colleague, but I do feel that I would like to hear from Mr. Walsh before I cast a vote in terms of referring this matter back to the House.

Thanks, Chair.

The Chair: Go ahead, Mr. Saxton.

Mr. Andrew Saxton: Thank you, Chair.

I agree with Mr. Christopherson; I think the next step is to bring Mr. Walsh in so that we can say to the House, if eventually it gets to that point, that we have exhausted all other means.

I also agree with Mr. Young; I think we should be asking the bailiff to keep an eye on the house, and when it appears that she's back in town, well, that will give us another opportunity.

So I think we could be doing two things at the same time, but definitely the next step should be to bring Mr. Walsh in.

•(1615)

The Chair: Mr. Saxton, just before I go on to Mr. Young, Mr. D'Amours intervened in our discussion about potential items by putting forward a motion, a resolution. Are you doing the same with respect to going forward? Is that a reflection, or is it a motion you're proposing?

Mr. Andrew Saxton: No, I'm proposing.... I agree with my colleagues Mr. Christopherson and Mr. Kramp that we should have

Mr. Walsh come before the committee. If you want to make that a motion, we can make that a motion, that's fine.

The Chair: No, no, by all means—

Mr. Andrew Saxton: Mr. Walsh should come before the committee. That's the next step, prior to anything happening with this particular motion.

The Chair: We'll go to Mr. Young.

Mr. Terence Young: Mr. Chair, I do want to correct Mr. Christopherson. His words were a gross misstatement of my position.

My position is very simple: let the bailiff do his job. That's what they do. They find people. They know how to find people. They know where to find them. And sometimes it's better to wait for somebody to come home.

I don't know if Mr. Christopherson wants to give carte blanche to some investigator to travel to South America or Europe with a credit card and then bill the House of Commons. I certainly don't. Sometimes it's best to wait for people to come home.

I want to ask Mr. D'Amours, though, about his motion. He wants us to recommend that this be given to the House and that they take whatever measures they deem appropriate. I'd be interested to know what measures, what options, you think the House might have. I think they might just send it back to this committee, where it belongs.

What options are you thinking of? What would you like to see the House do with it, other than refer it back to this committee?

The Chair: Mr. D'Amours.

[*Translation*]

Mr. Jean-Claude D'Amours: Mr. Chairman, I don't think this is complicated. If the committee cannot obtain the appropriate answers, or if its requests are not respected, I believe the Speaker of the House will ultimately have to make a ruling.

I am not convinced that he will necessarily send the matter back to the committee. We have tried certain options, and I am not sure that there are any others. In fact, I am sure that this is the only one. In light of what Mr. Kramp said, it is clear that he is willing to support the motion.

Ultimately, the Speaker of the House will have to take the appropriate measures to deal with this situation.

Mr. Chairman, I understand the concerns raised by my colleagues, except that, personally, I think this has gone on long enough because we still don't have an answer. At a certain point, we have to stand up and do what it takes to gain respect.

This is the purpose of my motion. However, it is clear that if all committee members wish to hear from Mr. Walsh within a reasonable timeframe, without letting this issue drag on for another two or three months—as seems to be the case since we began working on this report—I am willing to go along with that. I am willing to wait to hear from Mr. Walsh before we vote on my motion.

That being said, let's be clear, Mr. Chairman: I am doing this reluctantly, because I feel that the situation is needlessly dragging on. At a certain point, we need to get results, so that we, the committee members, can do our job.

[English]

Mr. Terence Young: Chair, could the record show that I did not get an answer to my question? Thank you.

The Chair: Is that a point of order, Mr. Young?

Mr. Terence Young: I thought it was, yes.

The Chair: Well, it isn't.

Madame Faillie.

[Translation]

Ms. Meili Faillie: I support the motion.

However, a little earlier, my colleagues suggested that we meet with Mr. Walsh.

I would like to suggest that the committee make a request, given that we are studying the report of the Auditor General, and that we try to shed light on everything that has happened, to determine whether there were any signs or indications, from either side, that the organization was being run badly. We would need to obtain documents from the Treasury Board and the Privy Council, that is, the correspondence exchanged between Ms. Ouimet's office and those organizations. This would help us understand whether there was a dialogue with the Treasury Board. This would also be in line with a statement made by Minister Day, who made a commitment to shed light on the allegations contained in Ms. Fraser's report.

So I would like to make this suggestion to the committee. In a few moments, if you will, I will table a formal motion. We could also ask Mr. Walsh to appear and ask to obtain these documents.

• (1620)

[English]

The Chair: Mr. Christopherson, I have you on my list.

Mr. David Christopherson: Chair, I assume that Madame Faillie and I may be heading in the same direction. I want to try an amendment to the main motion: that this motion be tabled until after Mr. Rob Walsh has briefed the committee on all its options.

The intent—lest there be any doubt—is that as soon as we've had that briefing, then this motion would be in order, back in front of us for consideration, based on what we heard from Mr. Walsh.

So I move that motion, Chair.

The Chair: Do you want to repeat that, Mr. Christopherson?

Mr. David Christopherson: Yes.

I'm open to wording changes—I just jotted this down—but with regard to the main motion: that this motion be tabled until after Mr. Rob Walsh has briefed the committee on all its options.

The Chair: Madame Faillie.

[Translation]

Ms. Meili Faillie: In fact, I support that motion, but my idea was to go a little further.

I was asking that the Treasury Board, the Privy Council and the former office of Ms. Ouimet—the Office of the Commissioner—table the correspondence exchanged between them.

[English]

The Chair: Excuse me, colleagues, but before we carry on with Mr. Christopherson's amendment to Mr. D'Amours' motion, I should point out that we initiated the discussion with the options that were available. I thought I heard the committee say that you wanted to explore as many of them as possible. One of the items we raised was the question of an expanded witness list that the steering committee was going to go through tomorrow and that was already on the schedule.

What Madame Faillie is suggesting is that it be part of the motion. I'm not sure that's necessary inasmuch as we had already agreed to put it on the steering committee's agenda, and the steering committee can make that decision. If it is the entire committee's will to make the decision today, that's fine, but we already have it on an agenda.

The reason I say this is that I don't think that Mr. Christopherson or Mr. D'Amours intended to pre-empt a continuance of this study. They are just looking at another step that would require the approval of the committee.

Okay, Mr. Christopherson?

Okay, Madame Faillie?

[Translation]

Ms. Meili Faillie: I understand what you are saying, there will be a meeting tomorrow. However, I was just bringing up an idea. We are talking about using all means at our disposal. One of the means we have is to call for documents. Mr. Walsh will tell us what powers the committee has.

In fact, we are studying the report of the Auditor General, but this does not prevent the committee from asking to receive these reports, the correspondence and documents which will help us gain a better understanding of the relationship between the Privy Council, the Treasury Board and Ms. Ouimet's office.

What do you intend to do tomorrow? Do you want to plan the work schedule of the committee's upcoming meetings? Before that happens, the committee should agree on whether it wants to hear from Mr. Walsh, whether it wants to call for documents, and what steps need to be taken. Afterwards, tomorrow, we can begin to schedule meetings. That is not a problem.

[English]

The Chair: I appreciate the question that you've directed at me, Madame Faillie. I'm prepared to answer it. But we have a motion on the floor and an amendment to that motion. My intervention to you wasn't to take you off your stride. I'm just wondering whether you want to add a second amendment, an amendment to Mr. Christopherson's motion, so as to make the whole thing comprehensive, or whether you were happy that it was going to be dealt with by the steering committee tomorrow. That was my question.

•(1625)

[*Translation*]

Ms. Meili Faille: I would rather amend Mr. Christopherson's amendment. I am also calling for documents, so that the motion makes sense.

[*English*]

The Chair: That's a good question.

Mr. D'Amours.

[*Translation*]

Mr. Jean-Claude D'Amours: Mr. Chairman, I have no problem with Ms. Faille's request, but I would not want it to interfere with my motion. I can live with Mr. Christopherson's amendment, and I can live with putting my motion on the back burner for now, until Mr. Walsh appears before the committee. Then, after his appearance, we can put the motion to a vote.

I do not want to confuse things and add other elements to the motion, which might cause problems in the future. The purpose of my motion is to report to the House and obtain a ruling from the Speaker, whereas we are now talking about the production of documents. If Ms. Faille wishes to present another motion calling for documents, I will support it, but I cannot support adding something to my motion which has nothing to do with it in the first place.

Ms. Meili Faille: I agree with holding an independent vote on Mr. D'Amours' motion.

[*English*]

The Chair: *Merci.*

Thank you, colleagues. We were trying to get current procedural advice while we were entertaining all of the interventions by colleagues. I appreciate the complexity of some of the issues and also the immediacy of the concerns.

We have Mr. D'Amours' motion. He, I think, has indicated in his discussion that he's prepared to accept Mr. Christopherson's amendment as a friendly amendment, and that amendment in essence says we agree to table Mr. D'Amours' motion until after we've heard from Monsieur Walsh. That doesn't mean we don't have to deal with Mr. D'Amours' motion, but we have Mr. Christopherson's motion on the table.

Mr. David Christopherson: Mr. Chair, I don't see anything in the main motion or in the amendment to the motion that would preclude the steering committee from dealing with Madame Faille's issue tomorrow at steering committee and making a recommendation back to the main committee. So I'm just checking with you if you concur with this interpretation. There's nothing in this that would prevent us from dealing with that at steering committee tomorrow and bringing it back to committee, parallel with this process.

The Chair: Mr. Christopherson, that was my understanding as well. But I wanted to clarify it with Madame Faille, because she's the one who made the intervention.

I think Madame Faille gave the committee an indication that what she wanted was that there be a motion, whether it would be in steering committee or whether it would be here, that the committee make PCO, PMO, Treasury Board, all of the people associated with

the decision with respect to this office and the commissioner...and that the documentation also be provided. Whether the appropriate place to do that is now with your amendment and Mr. D'Amours' motion, or whether it be done in steering committee and then presented to committee is, I guess, an issue more of convenience than anything else. But I didn't hear anybody say no.

So on your behalf, I'm going to take it that there is consensus that Madame Faille's motion will be dealt with thoroughly in steering committee. And unless she says no, then I'm going to proceed with consideration of your amendment.

•(1630)

Mr. David Christopherson: Just to be clear, the reason I raised that—as you saw, there was some huddling going on—is that there was some concern that the wording of the amendment, in particular, may preclude Madame Faille from dealing with that either here or at steering committee. I was seeking to get clarification that, no, I didn't see anything here that would encumber her right to deal with that issue. And I was checking to see whether you felt the same way. It sounds to me like you do, and therefore I think we're okay to proceed to a vote on the amended motion. Then Madame Faille can proceed either today or at steering committee tomorrow, as she chooses.

Is that correct?

An hon. member: [*Inaudible—Editor*]

The Chair: Well, you could do it later, if you like, but to give you reassurance, I didn't hear anybody give a contrary view.

I was going to interpret it exactly the way you've raised it. I mean, you can decide after we do this, okay?

Those in favour of Mr. Christopherson's amendment that this motion be tabled until after Mr. Robert Walsh has briefed the—

[*Translation*]

Ms. Meili Faille: Could Mr. Christopherson's motion be separate from Mr. D'Amours' motion?

The Chair: Mr. D'Amours?

Ms. Meili Faille: This is not an amendment.

Mr. Jean-Claude D'Amours: I would like to clarify something. Before Mr. Christopherson proposed his amendment, I mentioned that I was prepared, in view of the discussions around the table, to wait for Mr. Walsh's comments before making a decision.

I would not want my motion to be diluted or set aside because of that. If necessary, I am prepared to set it aside. Right now, it has been presented and we will vote on it after hearing from Mr. Walsh. That way, the sense of the motion will not be lost.

I do not know if Mr. Christopherson agrees with what I have just suggested.

[*English*]

Mr. David Christopherson: Technically, it's not even an amendment. I didn't want to split hairs. It's a motion to table with instructions. The rules provide that you can debate the instructions but not the issue of tabling. That's a straight-up vote.

So technically, it's really not an amendment to your motion. It's a motion of guidance, of steering, of moving the motion, tabling it, to set aside.

Right now, technically, we can debate the instructions of the tabling. If we support the motion to table, then your motion, Mr. D'Amours, will be set aside until we've completed the directions, conditions that are contained in the motion to table, in which case your motion would be brought back in front of this committee complete, whole, and unamended.

That's where we are, as far as I interpret the rules, Chair.

Mr. Jean-Claude D'Amours: On a point of clarification, Mr. Chair, I have already said I'm ready to table my motion. And I'm happy with that. I don't know why we should continue to discuss the matter. I have agreed.

The Chair: I guess if the members on this side of the table are in agreement, we don't even need a vote. But there's a motion on the floor. One motion is not an amendment, as it first started out. It's Mr. Christopherson's motion.

This is the only thing that the committee is considering. It is not considering any other motion. Let me read it for the record: that Mr. D'Amours' motion be stood until after the law clerk, Mr. Robert Walsh, has briefed the committee on its options for further action.

Mr. David Christopherson: I believe there should be the word "tabled" in that. I don't want to get into splitting hairs, but it's a motion to table, so the action is to table. I don't know what "stand" means. I don't know that it has a procedural standing.

The Chair: The word "stood" is the procedural word that the clerk offered up.

Mr. David Christopherson: Is that the actual proper technical term?

It is? Okay, that's good to learn. I've learned, and I appreciate that.

Is it a motion to stand, then, or a motion to table?

It's a motion to stand? Then I "stand" fully corrected.

The Chair: Because Mr. Saxton likes to hear the sound of my voice, I repeat the motion: that Mr. D'Amours' motion be stood until after the law clerk, Mr. Robert Walsh, has briefed the committee on its options for further action

Mr. Saxton.

•(1635)

Mr. Andrew Saxton: So in other words, Mr. Chair, we're having the law clerk come before the committee. Subsequent to that, we will debate Mr. D'Amours' motion one more time.

The Chair: Exactly.

Mr. Andrew Saxton: Sounds good.

The Chair: Those in favour?

An hon. member: Unanimous.

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

The Chair: That deals with that issue.

I want to repeat: in tomorrow's steering committee, we will be dealing with those issues that are raised by Madame Faillie. Madame Faillie now has the option—if she so wants, as we indicated a few minutes ago—to raise this as a motion here or to be prepared to do it tomorrow at steering. The option is hers.

Ms. Meili Faillie: I'll table the motion.

[*Translation*]

The motion is to request documents from the Privy Council, Treasury Board, the Prime Minister's Office and organizations that deal with the commissioner's office, as well as correspondence from the commissioner's office. I believe that it would be important at this point to know what exchanges took place among these organizations and what measures Ms. Ouimet took, if any, regarding this issue.

[*English*]

The Chair: Do you want to write that out?

[*Translation*]

Ms. Meili Faillie: I could draft the motion and the committee could consider it. If I table it today, will we be able to vote on it today? Would committee members prefer to wait until tomorrow?

[*English*]

The Chair: We are still on the same order of reference, so she does not need to give us notice. We are in the middle of the discussion. She can do this right here, as we have dealt with the other two motions.

So it's sufficient. We can take the specific language from the Hansard. The question is whether the committee supports this motion or not.

Mr. Saxton.

Mr. Andrew Saxton: Mr. Chair, we have no problem if Madame Faillie would like to table the motion today. That's fine. But we would like to reserve voting on it until the next time the committee meets.

Ms. Meili Faillie: Okay.

The Chair: Mr. Kramp.

Mr. Daryl Kramp: Thank you very much.

Actually, I would much prefer it if Madame Faillie were to wait until we get to committee.... Because if we are going to discuss this issue today, I have some serious reservations about this issue, as I think she would recognize, the reason being that I sat on the government operations committee through this process when it was chaired by a member of the opposition, and the unanimous vote was there for Madame Ouimet. I sat on that committee.

As such, now here we are going down a different road whereas, quite frankly, the Auditor General's examination was not on the process, it was not on the vetting, and it was not on the reason: it was on the conduct of the commissioner. We've already had significant testimony to the Auditor General, and as a result of that there is to be a report back to the government operations committee for evaluation. If we now go ahead and interject our investigation, we basically are investigating the government operations committee. Quite frankly, I don't think that is our intent, so we really have....

I could explain this I think a bit more fully, but if we're going to go down that path, I really think that's a significant, significant deviation from the actual discussion of trying to get to the bottom line of where there was malfeasance or misdirection or wrongful activities. But as I mentioned, this is coming back to the government operations committee, and if we're now going to investigate why government operations did or didn't do what they're doing, we're investigating the government operations committee, and not Madame Ouimet. It is my understanding we are to follow the trail that the Auditor General's report recommends. That is our function. We respond to the Auditor General, not to the recommendations of the government operations committee.

We have to be very, very careful here. I ask my colleagues to give that whole ball of wax some serious thought, because it's just not as simple as, well, we need more information on this or that or the next thing. What are our parameters? What are our boundaries? We're really pushing it here because we're walking right into the back door of another committee's operations and basically superseding and investigating them. I don't think that's been done before, at least not to my knowledge, where one committee will...

This is quite a convoluted discussion and argument. Let's leave that for another time, quite frankly.

• (1640)

[Translation]

Ms. Meili Faille: I agree with Mr. Kramp concerning some of the points he has raised. That said, I also sat on the Standing Committee on Government Operations and Estimates. At this point, given the presentation that was made on how to detect fraud and problems involving the public accounts, this issue comes under our responsibility as well. The considerations in the Auditor General's report are serious. The presentation that was made to the Standing Committee on Government Operations and Estimates indicated that over 50% of fraud and mismanagement in government involves employees and people who deal with the department. In both cases, the Auditor General's report indicates that there were situations that Ms. Ouimet was unable to manage properly.

In some situations, there were improprieties relating to contracts. If taxpayers' money has been misused, that is a matter for the public accounts committee. We need to get to the bottom of things. However, we cannot prevent the Standing Committee on Government Operations and Estimates from summoning Ms. Ouimet and carrying out an operational audit.

I am calling for these documents because the fraud aspect is a serious issue. Protecting disclosures and whistleblowers is important. For Ms. Ouimet to have acted in such a way beginning in 2007, given her long experience in the public service and comments by former colleagues, there must be some background. Since Ms. Ouimet has not appeared before the committee, I believe that we have a duty to look at how the agencies see this situation. There is no doubt that the Privy Council and Treasury Board, for example, are uncomfortable about this report. But there must be some information in the documents that would help us understand a little bit of what happened.

I also agree with Mr. Saxton, who suggested that we discuss this on Thursday. I simply wanted to be sure that I could table my motion

today, since we were discussing it. If the committee would like to deal with the motion on Thursday, I would be equally agreeable to that.

The Chair: Thank you very much, Ms. Faille.

I will let the debate continue, given that these seem to be quite important points. Mr. Kramp has already pointed out that the committee—

[English]

is dealing with the Auditor General's report. It's not investigating another committee. It is dealing with the Auditor General's report on the integrity commission's office, and from it she made certain observations regarding—

• (1645)

Mr. Daryl Kramp: This is about the officer, not the office.

The Chair: She made certain observations regarding the officer.

This committee has said in the past that one of the reasons it wanted to bring Madame Ouimet forward was to give her an opportunity to defend her own position—because she indicated she disagreed with the Auditor General—in the same forum in which her own competence had been impugned.

Secondly, since there were ramifications to the way the office worked, the whole issue of the architecture of the office and the law that she was to apply would be addressed by her.

That's all this committee wanted to do. There is no limit procedurally, of which I am aware, on this committee's ability to conduct a study as it sees...as long as it's within the parameters of its mandate. We're not studying another committee. The other committee on government operations—and Madame Faille and others have been on the government operations committee—was to review the appointment. We're not here to review the appointment. We're here to deal with the Auditor General's report.

Madame Faille has now used different language again, and she's prepared to present a motion for consideration on Thursday. I indicated that if that's her will, that's great. If it's not, there's nothing to prevent her from asking for it to be considered today. I accept what she said, and so she is giving notice to the committee that she wants that issue dealt with on Thursday, keeping in mind that this is going to be dealt with by steering committee on Wednesday, beforehand, anyway.

Okay? Okay.

Thank you for all of that.

I'm going to suspend for a couple of minutes....

Monsieur D'Amours.

[Translation]

Mr. Jean-Claude D'Amours: As you know, I do not speak very often, but I simply wanted clarification about our mandate. In English, it states:

[English]

that, under the mandate of standing committees, "Public Accounts shall include, among other matters...."

[Translation]

In French, the words are "*comprend notamment*." The words "among" and "*notamment*" do indicate that the wording is not intended to be restrictive.

I would also add as a comment that we should stop using assumptions in our discussion. We are assuming that we want to do a certain thing, but the committee is grown up enough to decide what it wants to do. Earlier, for example, it was being assumed that Ms. Ouimet was on vacation. One wonders whether some committee members are not hoping that she might actually be on vacation or if they are not hoping to force her to go on vacation. I would like us to stop making assumptions and to be allowed to deal with the issues that we feel are appropriate. That is all I have to say.

[English]

Mr. Andrew Saxton: That's just hypothetical.

The Chair: Thank you for raising the question of speculation, Mr. Saxton.

That raises just one item, I suppose, which has been left unattended, and that is Mr. Young's presentation, on three occasions by my count, to let the bailiff do his job.

I'm just wondering whether that means, Mr. Young, that the committee authorize the chair to make the appropriate expenditures to give direction to the bailiff to proceed as you have suggested he proceed.

If you give me an indication that this is, in fact, the case, then we will do that.

Mr. Terence Young: I would like to see that, with no suggestion that the bailiff be given direction or authorization to have any expenses for travel outside Ottawa, to proceed and make his—I presume it's a him—best attempts to determine when Madame Ouimet is back in Ottawa and to deliver a summons directing her to contact the clerk with the direction of appearing before this committee on a Tuesday or a Thursday when the committee is sitting.

The Chair: This is a very serious issue, as Mr. Christopherson and others have indicated. The committee is treading in areas that deal with the authorities not only of committees and of Parliament, but also of private citizens.

We've already accepted that the committee's jurisdiction does not extend beyond Canadian boundaries. If it is the intention of this committee that we instruct the bailiff to continue to ascertain the whereabouts of Madame Ouimet, then fine. I know that the constraints are the Canadian border. That's okay. Rather than engage in speculation about whether she's here or she's not here, I think your suggestion may be right, that the bailiff continue his...

• (1650)

Mr. Terence Young: His attempts to locate—within Ottawa, though.

The Chair: Within Ottawa; fine.

Do I have the agreement of the committee to give that direction and to cause those expenditures?

An hon. member: No.

Mr. Daryl Kramp: [*Inaudible—Editor*]...walk and chew gum at the same time. Don't stop looking for her, that's all.

Mr. David Christopherson: Am I on the speakers list?

The Chair: I have another two people on the speakers list, and you're the second one, Mr. Christopherson.

Mr. Saxton.

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

I think this idea is not a bad one. I think it needs to have parameters, though, and I don't think it should include the bailiff camping outside her house. I think it means every few days he tries to serve again. This would be the parameter I would suggest, that if we do go in this direction it's within a certain limit and we're not causing undue expenditures.

The Chair: Mr. Saxton, it's a recommendation proposed by one of your colleagues. I can't put myself in the mind of everyone. If you'll consult and give me an indication of parameters, then other colleagues can consider them as well.

Mr. Andrew Saxton: I just did.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Chair, it's not that I agree or disagree with Mr. Saxton, but I just can't believe that we would take any action, particularly when we're dealing with a bailiff and we're dealing with summons, before we've heard from the law clerk when we've already agreed that we want to hear from the law clerk before we do anything.

This may very well be exactly what we should do, but I'd like to hear Mr. Walsh's opinion on that before I give any okay to giving further directions to bailiffs. I don't know what their regular procedures are.

At any rate, I think this is actually out of order relative to the motion that we've already passed—unanimously, I believe.

The Chair: I sense an indication to withdraw that proposal until after Mr. Walsh has presented. I accept that withdrawal. Whether it's in order or not is immaterial at this stage of the game.

I'm going to proceed with suspending the committee for two minutes.

Thank you.

[*Proceedings continue in camera*]

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