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# **Standing Committee on Access to Information, Privacy and Ethics**

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**EVIDENCE**

**Thursday, September 29, 2011**

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**Chair**

**Mr. Nathan Cullen**



## Standing Committee on Access to Information, Privacy and Ethics

Thursday, September 29, 2011

•(0845)

[English]

**The Vice-Chair (Mrs. Patricia Davidson (Sarnia—Lambton, CPC)):** I am calling this meeting to order. I will remind the television camera operators that they need to leave the room, please.

I'll call to order this meeting of the Standing Committee on Access to Information, Privacy and Ethics. Pursuant to Standing Order 108 (2), this is the fifth committee meeting briefing with the Information, Privacy, Lobbying and Conflict of Interest and Ethics Commissioner.

Today we have with us the Commissioner of Conflict of Interest and Ethics, Ms. Mary Dawson. With her we have Lyne Robinson-Dalpé, who is the assistant commissioner, advisory and compliance, and also Eppo Maertens, director, reports and investigations. Welcome. Thank you very much for attending.

We will begin our meeting with the statement from the commissioner for 10 minutes, please.

[Translation]

**Ms. Mary Dawson (Conflict of Interest and Ethics Commissioner, Office of the Conflict of Interest and Ethics Commissioner):** Thank you, Madam Vice-Chair. I am pleased to have this opportunity to brief you on my mandate and role, and to update you on some of the issues my office has been dealing with.

I would like to take this opportunity to welcome the committee's new members. Your committee has oversight responsibility for my office and reviews its annual spending estimates, as well as matters related to my reports under the Conflict of Interest Act. I look forward to working with all of you.

[English]

I understand there was a motion before the committee on Tuesday on a particular issue that members would like to discuss with me today. I will address that shortly, but first I have some other more general remarks.

As Conflict of Interest and Ethics Commissioner, I am an independent officer of Parliament. I report to Parliament through the Speaker of the House of Commons on the activities of my office. I'm responsible for helping appointed and elected officials prevent and avoid conflicts of interest.

I administer two regimes: the Conflict of Interest Act for public office holders and the conflict of interest code for members of the House of Commons. The latter is overseen by the Standing Committee on Procedure and House Affairs. Both regimes set out obligations and rules to prevent real or potential conflicts between

private and public interests. The committee's reviewing function relates to my responsibilities regarding public office holders under the Conflict of Interest Act.

The act applies to some 2,800 public office holders. More than half of those covered by the act—mostly part-time members of federal boards, commissions, and tribunals, and any part-time ministerial staff—are subject only to its core set of conflict of interest and post-employment rules. About 1,100 public office holders are designated as reporting public office holders. They are also subject to the act's reporting and public disclosure provisions, as well as prohibitions against outside activities and holding controlled assets. These individuals include ministers, parliamentary secretaries, ministerial staff, and full-time Governor in Council appointees such as deputy ministers, heads of crown corporations, and members of federal boards. In some instances, the act sets out additional requirements for reporting public office holders who are ministers or parliamentary secretaries as well.

My activities under the act and the code are similar. My office advises public office holders and members about how to comply with the act and the code. Last year, my office received over 1,600 calls for advice from reporting public office holders and about 500 from MPs.

We review the confidential reports from reporting public office holders and MPs on matters such as assets, liabilities, and activities, and we maintain public registries of publicly declarable information. We also investigate possible contraventions of the act and the code. Under the act, I can also impose administrative monetary penalties up to \$500 on reporting public office holders who fail to meet certain reporting requirements of the act.

The Parliament of Canada Act requires that I present two separate annual reports to Parliament by June 30 each year. One relates to the administration of the Conflict of Interest Act, and it's referred to your committee. The other relates to the administration of the conflict of interest code for members, and it's referred to the Standing Committee on Procedure and House Affairs.

Under the code I'm also required to prepare a list of sponsored travel by members and submit it for tabling in the House of Commons by March 31 of each year. I submit my reports on my examinations under the act to the Prime Minister, and I submit my reports on my inquiries under the code to the House of Commons. All of these reports are made public.

Since my appointment I've released 13 investigation reports: eight under the act and five under the code. In these reports, when appropriate, I take the opportunity to point out gaps in the regimes and comment more broadly on the matter under review, if I believe it has the potential to diminish public confidence in the integrity of elected public officials and the governing institutions they represent.

I've done so, for instance, in relation to the use of partisan identifiers in government announcements and the involvement of lobbyists and other stakeholders in political fundraising. I've also put in place the people, systems, processes, and procedures to help public office holders and members of the House of Commons comply with the act and the code.

I've organized my office into several divisions. The advisory and compliance division is the largest, accounting for about a third of the 49 positions in my office. They provide confidential advice to public office holders and members, receive their confidential disclosures and maintain internal records of this information, and administer a system of public disclosure. As you've heard, Lyne Robinson-Dalpe is the director who looks after that.

● (0850)

These activities are supported by proactive research and communications initiatives coordinated by the policy research and communications division. That division also contributes to policy development, compiles research, and coordinates our dealings with Parliament, including presentations to the caucuses of parties represented in the House of Commons. That's a relatively new part of my office, although the functions have been there before.

Staff in our reports and investigations division investigate alleged contraventions of the act and the code. They're responsible for reports on those investigations, and they coordinate the preparation of my annual reports.

The director of that section is Eppo Maertens, sitting on my right.

Our legal services division provides strategic legal advice on all facets of my office work and plays an integral role in conducting investigations and preparing investigation reports.

The corporate management division ensures that we have effective internal procedures and management systems overseeing the office budget, facilities management, procurement, and human resources.

My budget of \$7.1 million has remained unchanged for the last three fiscal years and has been sufficient to support a staff complement of 50. However, as the number of investigations continues to grow, I may need more resources for this function, which would require an increase in my budget.

My office has continued to be as transparent as possible. For example, in the past year we have expanded the types of compliance measures that are made public. Going forward, we will further

improve the efficiency of our operations and advisory services and continue to enhance client outreach.

As mentioned earlier, I have also, whenever possible, identified improvements that could be made to the act and the code. These are described in my annual reports. For example, reporting public office holders are prohibited from holding controlled assets such as publicly traded securities, and are required to divest any that they hold when they are appointed. No conflict of interest test applies to the divestment requirement, which is unnecessarily onerous for some of the reporting public office holders and costs the taxpayer money, because we reimburse the costs of the trust.

The act's administrative monetary penalty scheme applies only to failures to report certain matters, generally within established deadlines, and not to failures to comply with its substantive provisions. There are no reporting requirements in the act's post-employment provisions for former public office holders in relation to employment undertaken during their cooling-off period.

So those are three examples. A particular challenge I face is that I must administer two regimes that have many similar provisions but also some significant differences. I have suggested that Parliament might wish to consider streamlining them, possibly within one act, with separate provisions for certain classes of individuals. I note that most provinces and territories have one statutory regime that covers both members of the legislative assembly and public office holders.

A legislative review of the Conflict of Interest Act is to be made within five years of its coming into force—that is, by July 2012.

I hope these and other ideas that I will bring forward will be considered in this important process.

Madam Vice-Chair, this has been a very brief overview, but members of the committee can find detailed information in my last annual report and on my office's website.

I'd now like to take the opportunity to address the motion that was adopted by this committee.

Committee members have invited me to discuss the issue of sponsorship at the NDP convention. I can confirm that I received a letter in relation to that issue that did not satisfy the requirement for reasonable grounds for a request for an inquiry under the members' code. I did, however, take the step of requesting further information about the matter from the interim leader of the NDP, Ms. Nycole Turmel. Ms. Turmel forwarded to me her response on behalf of members of her caucus, which I have reviewed. I'm now in the process of preparing response letters to the interested members, which will be sent in the coming days.

As well, I am of the view that this matter may fall within the jurisdiction of Elections Canada. For this reason, I forwarded the first letter that I received from Mr. Del Mastro to the Commissioner of Elections Canada.

In light of my ongoing review of this matter and the confidentiality of my deliberations, I will have no further comments at this time.

• (0855)

[Translation]

I thank the committee for its attention, and will be pleased to answer any questions on my presentation.

[English]

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you very much, Ms. Dawson. We certainly appreciate the overview you've given us this morning. As you pointed out, we do have several new members of the committee, so I'm sure you'll get some interesting questions.

We will start our first round of seven minutes with Mr. Angus.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Thank you, honourable Chair, and thank you, Ms. Dawson, for coming. I have great respect for your work. I read your reports. I think the role of an independent commissioner for Parliament is essential for ensuring that we have democratic accountability.

I have to begin by asking...because the reason so many of the media are here today is because of Mr. Del Mastro's investigation into the NDP convention. I see that he wrote you a letter asking for an investigation and that you stated that this does not satisfy the requirement of reasonable grounds for a request for an inquiry.

Did you forward that letter to Mr. Del Mastro?

**Ms. Mary Dawson:** Yes.

**Mr. Charlie Angus:** So Mr. Del Mastro was aware that this is not reasonable grounds for inquiry. He's received that letter?

**Ms. Mary Dawson:** I guess so.

**Mr. Charlie Angus:** Thank you.

I'm interested because the issue of convention spending, value for money with advertising, how it's done, has been addressed through third-party audits and Elections Canada in 2006, 2008, and in 2011 with Elections Canada. At any time under those conventions did you feel the need to intervene and issue a report on breaches of the act?

**Ms. Mary Dawson:** No, I've never had a request on this matter before. I wasn't there in 2006, of course.

• (0900)

**Mr. Charlie Angus:** But has your office ever had to deal with that?

**Ms. Mary Dawson:** Not to my knowledge.

**Mr. Charlie Angus:** I see.

In your investigation have you found that any public office holders in the New Democratic Party have broken the act?

**Ms. Mary Dawson:** Sorry, in what regard?

**Mr. Charlie Angus:** In regard to Mr. Del Mastro's letter.

**Ms. Mary Dawson:** I've never considered the matter before.

**Mr. Charlie Angus:** You've never considered the matter. Thank you.

I'm interested because the other day Mr. Del Mastro brought this forward and then would not allow the New Democratic Party to even have witnesses. If he was so interested in this investigation, you'd

think he'd want to hear from party office holders, but we were told we weren't allowed to have witnesses. We now see the one witness who says she's already sent him a letter that said there were no reasonable grounds.

I raise this because in your report you talk about the need to establish some norms of accountability and respect so that we don't erode public confidence in our democratic institutions. This isn't the first time this week that Mr. Del Mastro's gone off the rails.

I'd like to point out that in the *Ottawa Citizen* this morning the top headline is "Judges are above politics, council says". This week Mr. Del Mastro tried to bring a judge before the committee as part of his war on the CBC. We explained to Mr. Del Mastro at the time that this was a real breach of the committee's role. Also this week Mr. Del Mastro was in *The Globe and Mail* for having intervened in the provincial election. So that's twice.

I raise this because you point in your work to specific issues in terms of political fundraising. In your report you talk about the problem of political fundraising, but you say that it's with respect to ministers and parliamentary secretaries and that more stringent provisions related to fundraising should be considered.

Would you be talking here about the Rick Dykstra and Minister Lisa Raitt affair?

**Ms. Mary Dawson:** Those are the cases that raised the issue to my attention, but it's a general comment I'm making. I think there could be some clearer rules that apply to everyone.

**Mr. Charlie Angus:** I certainly agree, especially with the role of parliamentary secretaries and ministers, who have enormous power if they're using their office to do fundraising activities in a way that isn't befitting of a public office holder.

Could you explain what you found in the Rick Dykstra case?

**Ms. Mary Dawson:** I'll have to dredge my memory.

Eppo, do you want to speak to that? It would take me a minute to remember.

**Mr. Eppo Maertens (Acting Assistant Commissioner, Learning and Communications, Office of the Conflict of Interest and Ethics Commissioner):** Sure.

In the Rick Dykstra case we looked at the role of a member and a public office holder engaged in fundraising activities. We made a number of recommendations—although there was no breach found in that case—with regard to the potential for conflict of interest when a public office holder or a member gets involved in political fundraising. In particular, the concern would be if there were a situation where a parliamentary secretary, minister, or other public office holder was raising funds from an individual with whom they would have, at some point either in the past or the future, some official duties, or be making some official decisions in regard to. So in terms of the observations and the recommendation for guidelines, it was a forward-looking, preventive type of recommendation.

**Mr. Charlie Angus:** Certainly, and in the case of Lisa Raitt, where we have the cement industry holding fundraisers for her, there would certainly be an obvious question: why would the cement industry be raising money for Ms. Raitt if they weren't expecting a return?

Do you have recommendations? Have you forwarded those recommendations to the government in terms of tightening up their act in terms of how they do their political fundraising? Have they shown any interest in closing these rather egregious loopholes?

**Ms. Mary Dawson:** As a matter of fact, around that time the Prime Minister released some guidelines. I'm sure more can be thought about in the area, but some guidelines were released. Recently they were added to the accountable government regime that's administered by the Privy Council Office.

I should say, to complete the picture with respect to the Lisa Raitt case, that the problem wasn't so much the taking part in the meetings when the fundraising was going on; it was the position it was likely to put her in after the fact. What we did immediately with her was put in place a conflict of interest screen, which was made public. That's where the dangers lie. It's what you're laying yourself open to in the future. Of course, there may be something from the past, but there may not.

**Mr. Charlie Angus:** A final question. I notice in your report that you say you've experienced significant difficulty in obtaining relevant documents when you're doing your investigations, and that this difficulty seems to be coming from, once again, the cabinet, which would be the ministers and the parliamentary secretaries who are not giving you the information you need. What recommendations do you offer our committee in terms of ensuring we have accountability from these ministers?

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Angus, your time is up. I will allow Ms. Dawson a very brief answer, please.

**Ms. Mary Dawson:** I expect a meeting with officials of the Privy Council Office and officials of the Prime Minister's Office to see what I can do about that situation. I think I should be allowed to see cabinet documents, but I have another problem with the House of Commons' records as well.

• (0905)

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you.

We will now move to Mr. Del Mastro, please, for seven minutes.

**Mr. Dean Del Mastro (Peterborough, CPC):** Thank you very much, Madam Chair.

Thank you, Ms. Dawson, Ms. Robinson-Dalpe, and Mr. Maertens for appearing this morning.

Ms. Dawson, you said last year you received 1,600 calls, 500 directly from members of Parliament, to seek your guidance on whether or not what they were doing would be in accordance with the law. Can you tell me, did any member of the NDP call you prior to accepting tens of thousands of dollars of direct union sponsorship for their convention?

**Ms. Mary Dawson:** I'd have to turn to Ms. Robinson-Dalpe, and I'm not even sure she would know that because we have advisers

assigned to all the individual members. I'm sure that NDP members have called.

**Mr. Dean Del Mastro:** So that wouldn't have been part of your investigation, to see if they called you first to see if accepting tens of thousands of dollars in union sponsorship would in fact be appropriate?

**Ms. Mary Dawson:** Not at this stage.

I should elaborate on those calls too. That is an amalgam of calls saying what section applies or asking when they have to get their stuff in, right up to very complex questions. Those are just the calls we've received.

We do have advisers assigned to each member.

Lyne, do you want to add anything to that?

**Ms. Lyne Robinson-Dalpe (Assistant Commissioner, Advisory and Compliance, Office of the Conflict of Interest and Ethics Commissioner):** Basically, most of the calls we get are in some cases referred to as calls with regard to the acceptance of gifts and invitations and things like that.

In the case of a conference that would be sponsored or supported by their political parties, unfortunately most of them would not even know there would be a gift attached to that or something like that. I don't recall any particular requests made at that time.

**Mr. Dean Del Mastro:** Okay. It's pretty clear, at least to your recollection, that the NDP never called prior to accepting tens of thousands of dollars of illegal donations toward their—

**Mr. Charlie Angus:** Sorry, that's a point of order, Mr. Del Mastro.

**The Vice-Chair (Mrs. Patricia Davidson):** Are you making a point of order, Mr. Angus?

**Mr. Charlie Angus:** Yes, I'm making a point of order.

**The Vice-Chair (Mrs. Patricia Davidson):** Then you do it through the chair, please.

**Mr. Charlie Angus:** You have no ability to say it was illegal.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Angus, make your point of order through the chair, please.

**Mr. Charlie Angus:** Madam Chair, I'm asking him to withdraw that comment. He has no ability to say it was illegal. If he wants to say it's illegal, he can go and talk to the media about that, but that is turning what is a bit of a farce in general into a total farce. I would ask him to retract that comment.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Del Mastro.

**Mr. Dean Del Mastro:** I'm sorry if it frustrates you, Mr. Angus, but Mr. Martin was a part of the Accountability Act hearings—Bill C-2—and said that perhaps the greatest thing the 39th Parliament could deliver to Canadians would be—

**The Vice-Chair (Mrs. Patricia Davidson):** Okay. This is becoming debate. It is not a point of order.

Continue, Mr. Del Mastro.

**Mr. Dean Del Mastro:** Thank you, Madam Chairman.

Yes, I recall that back in 2006 that Mr. Martin indicated to Canadians that perhaps the greatest thing we could deliver from the 39th Parliament would be accountability, but now we see that the NDP has forgotten about that, because if we read the story in *Le Devoir* of September 22, they revealed that the NDP received at least \$85,000 from big labour unions. That's just three unions that admitted they gave money, but we see that the USW, the UFCW, Stratcom, PSAC—the Public Service Alliance of Canada—CUPE, the IAFF, the machinists union, and Thistle Printing, were all sponsors. We only know three of them. We know that it's a minimum of \$85,000 that they received.

I thought it was pretty clear in the Elections Canada Act that you can't take money from corporations and you can't take it from unions. I thought that's what was established, so this is unquestionably an egregious violation.

Now, the New Democratic Party has “new” in their name, but they're not new. They've been around for about 50 years. They've just been in fourth party status for a while, so perhaps nobody paid any attention to them, but when you flaunt the law this badly and you challenge it, and in fact you've stepped outside the Elections Act and what's permissible for parties for donations twice in three months, you're going to get some attention for that.

My question to you is...the members who are members of Parliament who were involved in the organization of this party convention, if they have in fact accepted union donations contrary to the Elections Act, don't you think this would place them in a position where they could potentially be beholden to these unions? Isn't that part of why your office exists? To make sure there are no outside undue influences...?

●(0910)

**Ms. Mary Dawson:** You know, I've said that I wasn't going to discuss this case any further. I believe Elections Canada is the appropriate place for where most of these questions can be asked. I have no evidence of particular activities with respect to particular members.

**Mr. Dean Del Mastro:** But if I could, Ms. Dawson.... The reason why you're concerned when members of Parliament or public office holders receive gifts—gifts in general—is that those gifts, I would assume you feel, would affect the impartiality of a member on any given issue. You could in fact look at it and say, well, now they could potentially have a conflict of interest because they're accepting gifts from a third party. Is that not right?

**Ms. Mary Dawson:** There is in the definition of the term “benefit”.... I would just draw it to your attention. It's interesting because this was an amendment made a year or two ago, which excludes benefits received from a riding association or a political party from the definition of benefit or gift. It's interesting, because previously it expressly included them, but all of a sudden now it doesn't include them, so there's a threshold to get beyond right there that's difficult.

**Mr. Dean Del Mastro:** Okay.

**Ms. Mary Dawson:** I just draw that particular provision to your attention.

**Mr. Dean Del Mastro:** Right, but I don't think that receiving \$25,000, \$35,000, \$50,000, or however much any one of these large unions would have paid to the NDP and to its leadership for hosting this.... I don't think that would be considered a gift from the party. It'd be a gift to the party, all of which are contrary to the Canada Elections Act, and all of which were done, to my understanding, without calling your office to see if it was acceptable—

**Ms. Mary Dawson:** But I don't have any jurisdiction over the party as such.

**Mr. Dean Del Mastro:** No, that's right, but you do have jurisdiction over the members of the party who would actually be directing this and making these calls, and of course those would be the people who then would be beholden to these large interests. We remember back in June, for example, when the NDP was filibustering back-to-work legislation, because the disruption at Canada Post was harming so many individuals and small businesses. We remember that the NDP was actually reading from materials that were provided directly by CUPW and in fact wearing CUPW paraphernalia into the House. Is that not an indication that perhaps they might be beholden to some special interests?

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you, Mr. Del Mastro. Your time is up, but I will again allow the commissioner a short answer, please.

**Ms. Mary Dawson:** I don't think I want to comment any further. I think I've said what's relevant.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you.

We will now go to Mr. Andrews for seven minutes, please.

**Mr. Scott Andrews (Avalon, Lib.):** Thank you very much, Madam Vice-Chair, and welcome, Commissioner.

I have two questions on two separate issues. It's part of your purview to watch former public office holders after they leave Parliament. Have you found that this process has been somewhat challenging? Have you had many interactions with former public office holders in monitoring what they do for the period of time that is your responsibility?

**Ms. Mary Dawson:** There is no reporting requirement for former public office holders at all, so there's no need for anybody to inform me about anything. However, increasingly I'm getting a lot of calls from former public office holders, in particular with respect to their years of cooling-off periods, as to what they can and cannot do. I've had a number of calls, particularly from the politicians and the deputy ministers.

●(0915)

**Mr. Scott Andrews:** That leads to my question about a former public office holder, Stockwell Day. I know he has contacted your office and he has reported through the media that your office has cleared him of his latest non-lobbying government relations firm. I wonder if you could please just elaborate a little bit on exactly what transpired after Mr. Day left office.

**Ms. Mary Dawson:** No, I can't. That's confidential between me and Mr. Day. If I started talking about everybody's request for advice from me and what I discussed with them, the whole regime would not work. There has to be confidentiality there. Anything that's told to me is told in confidence.

**Mr. Scott Andrews:** It's very frustrating, then. How would we find out? Obviously they would go to you and then they'd come out and say, "I've been cleared of anything; I can carry on." If they say one thing, how would we know this wouldn't be the case?

**Ms. Mary Dawson:** I can confirm that Mr. Day did speak to us.

You know, it's interesting. I've had a problem in the past with people who bring a request to me and release the request before I've even received it and before the person who's complained of receives it. That's a major problem that I find. By the same token, many times I give people letters of advice and they never seem to want to release them. There are a lot of letters. If somebody wants to release a letter that I've sent or a letter that they've sent to me, as long as it's not prematurely, I have no difficulty with people releasing those letters. It's just that I can't release them because it's confidential advice.

**Mr. Scott Andrews:** So at no point would you report that there's some problem with a former public officer holder?

**Ms. Mary Dawson:** Not unless I did an investigation and issued an examination report.

**Mr. Scott Andrews:** Okay.

The second part of my question is this. In your opening statement this morning you talked about heads of crown corporations and members of federal boards who fall under your particular jurisdiction. My question would be, have you looked into the recent events between the Minister of Defence and the chair of a public crown corporation board going to a luxury fishing lodge for a vacation? Has that been brought to your attention? Have you looked at maybe investigating whether this was a breach of ethics?

**Ms. Mary Dawson:** I've only seen press reports about it.

**Mr. Scott Andrews:** You wouldn't self-initiate an investigation as such; it would have to be brought to your attention through a request?

**Ms. Mary Dawson:** And there would have to be reasonable grounds of a specified provision that had been contravened, yes.

**Mr. Scott Andrews:** Let me ask you, do you see any potential of a minister of the crown going to a luxury fishing lodge of a crown corporation board?

**Ms. Mary Dawson:** Yes, there could be contraventions in those areas.

**Mr. Scott Andrews:** That's something that maybe we could formalize in a formal request.

How much time do I have?

**The Vice-Chair (Mrs. Patricia Davidson):** You have another two and a half minutes.

**Mr. Scott Andrews:** Okay.

After you do an investigation, in terms of penalties for breaches of this, do you find that there are none, and there are weaknesses here?

**Ms. Mary Dawson:** There are no penalties. My investigations are reported to the relevant person, either the House if it's the code or the Prime Minister if it's the act, and they're made public. That's the end of my part in it. I make it public. The other thing I do sometimes is make recommendations for changes when there are gaps. But once my report is made public...that's my role.

**Mr. Scott Andrews:** Do you feel there should be some sorts of penalties there for this, or is it just a role where, once your report is complete, the evidence speaks for itself and then it's public execution or not?

**Ms. Mary Dawson:** I think as I've said in connection with the administrative monetary penalty scheme, there could be broader provisions identified that don't require a full investigation and an inquiry. But in open and shut cases of contravention, such as if people did the things they were not supposed to do and there was no dispute about it, some of those areas could have penalties. It is a little bit counterintuitive just to have penalties for failures to meet deadlines, but I don't think.... I don't know. I'm easy on whether there are penalties for people who have had investigations. I'm not necessarily proposing that.

● (0920)

**Mr. Scott Andrews:** Thank you, Madam Chair.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you very much, Mr. Andrews.

We will now go to Mr. Calkins for seven minutes, please.

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Thanks, Madam Chair.

Thank you for being here today. This is a very interesting conversation, a very interesting dialogue that we're having here today.

I'm going to ask some general questions. Being a member of Parliament, of course, I have to comply with the rules that are in place, but there are cases that I would consider to be frivolous and vexatious cases brought forward simply for political reasons, political justification. However political it might be, that doesn't mean there isn't a just cause for bringing these complaints forward.

So my question to you is this. How do you handle that, when a complaint comes in? You need a letter. What needs to happen is prescribed, right? There's a letter that comes in. It needs to be signed. Some members of Parliament forget to sign their letters when they send them in, and that means that the investigation doesn't happen. That's how technical this can actually get.

**Ms. Mary Dawson:** Well, I go back to them and tell them what they need to do.

**Mr. Blaine Calkins:** They need to sign it. Yes, I know. I've been through this. It was about last Easter, I think. No, maybe not.

You talked about how you feel that given the increase in the requests coming in to your department, you want some more funding.

**Ms. Mary Dawson:** I'm not sure yet. I'm just saying that may be the case.

**Mr. Blaine Calkins:** Maybe, okay.

I'm a farm boy. I guess the question for me is how you sort the wheat from the chaff. How do you make that initial screening to make sure that the time and effort you do spend, with the limited resources—the \$7.1 million that your department does have—is spent actually pursuing things that are worthwhile in the public's interest rather than worthwhile pursuing in somebody's political interest?



**Ms. Mary Dawson:** With great difficulty. That is one of the challenges of the job, but if there's a legitimate request.... The request has to contain reasonable grounds and it has to identify what the requester thinks has been contravened. I also have the power to self-initiate, which I have done on occasion as well, but once it looks as if there's a legitimate complaint and there are reasonable grounds, then I would go forward. That would not be frivolous and vexatious. There may be a frivolous aspect to it or it may be treated in a frivolous way, but I just look at whether there's a case to be made and whether it should be looked into. But it's not always easy.

**Mr. Blaine Calkins:** No, I don't imagine it is.

You just commented that you have the ability to self-initiate. Does that mean you can also self-initiate upon further reflection of an individual member's request or complaint? For example, if a member might not have all of the facts or might not have nailed it specifically in the letter, you would have the ability then to self-initiate and further the investigation if you felt there were other aspects that were missed by the individual requester's letter. Is that correct?

**Ms. Mary Dawson:** I'd be more likely to go back to the requester and ask for more information, tell the requester I don't have enough information. I do that all the time. Or I might have a different slant on the situation and want to initiate in a different direction. I can do both and I can mix the two up.

**Mr. Blaine Calkins:** Okay. If that's the case, then, with regard to the letter that Mr. Del Mastro has sent to you, you've obviously sent back a response to Ms. Turmel, because I believe the leadership of the party had changed during the time that the letters were sent.

I would hope, then, if you were requesting any clarification from Ms. Turmel, that you would have the ability to ask those kinds of questions for further information. Did you, in your letter back to Ms. Turmel, ask her who the chairs or co-chairs or vice-chairs or any political people were, any members of Parliament, or any public office holders? Or did you try to ask for a list of who's who when it comes to the leadership of a particular political convention, when it comes to third-party sponsorship, which is in direct contravention not only of the Canada Elections Act but also of the code of ethics?

• (0925)

**Ms. Mary Dawson:** I am in the middle of this matter, so I am not discussing it any further.

**Mr. Blaine Calkins:** You can't? Okay.

I would really hope you did. I understand you need to keep some confidentiality. I would really hope that your investigation looks at who was actually sitting at the top and making the calls and organizing this particular convention. I'm sure your office is more than capable of doing that, and I look forward to the response sometime in the future.

I would imagine that's used up most of my time.

**The Vice-Chair (Mrs. Patricia Davidson):** No, you still have another couple of minutes.

**Mr. Blaine Calkins:** Well let's get back to some general questions that you're able....

Okay, I'm going to share with Mr. Del Mastro. I think he has some salient things he want to get off his mind.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Del Mastro.

**Mr. Dean Del Mastro:** Thank you very much, Mr. Calkins.

Subsection 14(1) of the code reads:

Neither a Member nor any member of a Member's family shall accept, directly or indirectly, any gift or other benefit, except compensation authorized by law, that might reasonably be seen to have been given to influence the Member in the exercise of a duty or function of his or her office.

(1.1) For greater certainty, subsection (1) applies to gifts or benefits:

a) related to attendance at a charitable or political event...

It's pretty clear to me that section 14 of the code indicates that any gift or benefit related to attendance at a charitable or political event—and as a Conservative, I'm not sure that the NDP convention qualifies very much as a political event I'd want to be at, but it certainly is one.

If we have tens of thousands—again, I refer to the *Le Devoir* story—it seems to me that this is clearly an infraction of section 14 of the code.

Mr. Angus said earlier that there is nothing to see here, so I guess we should just move on. But I read that as being something quite different, as an egregious violation of section 14. And as Mr. Calkins has indicated, clearly there was some organization at the very top of the NDP, perhaps involving deputy leader Libby Davies, as it was in her backyard, or Thomas Mulcair. And certainly Brian Topp would have to have had something to do with this, as president of the party, although he was not a member at the time, so he couldn't be investigated. But it would seem very clear to me that receiving tens of thousands of dollars for a political event would be an infraction of section 14 of the code.

**Ms. Mary Dawson:** I'm listening to all your comments, and I'm still considering the matter.

**Mr. Dean Del Mastro:** Okay.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you.

We will now move to the second round.

Mr. Martin, welcome to our committee. You have five minutes.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Thank you, Ms. Davidson.

As the chair of another committee, I just want to point out at the beginning that it's sort of a pattern or a motif that we seem to be seeing at the start of this 41st Parliament, where the Conservatives have come on gangbusters to sabotage and undermine legitimate work of the committee by not allowing any opposition matters to be up for a subjective investigation or debate, by pretty much announcing here are the subjects we're going to study between now and Christmas and here are the witnesses we're going to have.

As Mr. Angus pointed out, they don't even seem interested in allowing any contrary witnesses in the studies—CBC, for example.

It really worries me, and it worries a lot of people, that the Conservatives have set out to sabotage and undermine the ability for committees to undertake meaningful work. In fact, they should take note, and I caution them, that they may be doing irreversible damage to the institution of Parliament if they systematically destroy the ability of committees to operate as they were intended to function.

Let me say to you, Ms. Dawson, and we're glad to have you here, that especially the first three-quarters of your presentation was a bit of a civics lesson on what the Office of the Ethics Commissioner does. I think the lesson is especially valuable to my colleagues across, because if there were penalties for frivolous and vexatious complaints, surely this would be one. I think there should be sanctions, especially when it's used to grandstand in such a....

I think Dean is far too good an MP to actually believe that this complaint was properly before the Ethics Commissioner. But he seems to be using a scattergun of stupidity lately, where he's inviting judges to appear before parliamentary committees knowing full well the constitutional separations between the legislative executive and the judiciary, and filing complaints to you, I think misusing the process just in order to grandstand on an issue that he knows full well isn't properly there.

I guess in response to this, there's only one investigation for criminal activity currently under way regarding election financing fraud, and that is the former president of the Conservative Party, the former chief fundraiser of the Conservative Party, the former campaign manager of the Conservative Party—all of whom are senators—for orchestrating the largest election fraud in Canadian history, the in-and-out scandal, which they learned in my home province of Manitoba, I must say, because the only person ever convicted of this is the current Minister of Public Safety, Vic Toews, charged, tried, and convicted of the same in-and-out scandal that became the prototype for the master scandal, the master fraud, that the Conservative Party undertook.

We tried to investigate these things in the last Parliament, as I think we were justified in doing, and this is some kind of revenge. This is some kind of bullying revenge so that they can grandstand and somehow change the channel over the real election fraud going on in this country.

Let me address just briefly some of Dean's remarks here. I mean, you can't tell me that their Conservative conventions don't have a cocktail party sponsored by big pharma or big oil—or “big ass” as my former leader used to call them. Any of those issues being dealt with by Elections Canada...they've found that it's perfectly legit.

The one thing I would point to is that an awful lot of our Ethics Commissioner's time has been dealt with investigating the Dykstra complaint, the Raitt complaint. I mean, let's talk about the propriety of that, of having the minister....

Or take the Paradis issue; let's talk about Christian Paradis, the Minister of Public Works. A bunch of construction contractors in Quebec who want to get Public Works contracts hold a big fundraising event for the Minister of Public Works. Can anybody draw a connection between buying a thousand-dollar ticket to a fundraising dinner for the Minister of Public Works and then, in the next couple of months, getting a big \$9 million contract on the West Block, to some gang from...or all mobbed up by the Hells Angels? I mean, do you think there might be a connection there that's worthy of investigation from an ethical point of view?

• (0930)

Or Lisa Raitt; I mean, lobbyists hold fundraisers for her, in the former...you know, as a minister, in the port authority—

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you very much, Mr. Martin. Your time is up.

**Mr. Pat Martin:** This kind of back and forth serves no purpose.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you, Mr. Martin.

We will now move to Mr. Butt for five minutes, please.

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Thank you very much, Madam Chair.

I actually thought that the role of this committee was to respect our witnesses and ask them some questions, rather than going on rants and raves that achieve absolutely nothing. Talking about not respecting the committee process, Madam Chair, I think those last five minutes were disgraceful.

I'd like to go back to the reason we're here. We asked Ms. Dawson and her people to join us today so that we could learn more about the role of her office and perhaps look at one or two specific issues. This committee decided to call all four commissioners to start. We all wanted to hear from them, and we are doing that. That's why we're here, and that's why we appreciate Ms. Dawson's being here. We have started to learn more about each of these divisions or departments over which we have control, and I think that's a good thing.

Ms. Dawson, the first question I would ask of you is whether, if a member of Parliament were to phone a company or a union and solicit a sponsorship or donation for a political party, that would breach the code of ethics.

**Ms. Mary Dawson:** There's nothing in the code about fundraising. There is something in the act. Ministers and parliamentary secretaries do have a rule.

**Mr. Brad Butt:** If I, as a member of Parliament, were to phone up someone who is not legally allowed to donate to a political party, i.e. a corporation or a union, and ask them specifically, as a member of Parliament and a member of a party, to sponsor an activity, would that be a breach of the code?

• (0935)

**Ms. Mary Dawson:** There's no direct prohibition.

**Mr. Brad Butt:** Not from doing that specifically.

Just to clarify again, because we're still at the introductory stage of your being here as a witness, what specifically would trigger an investigation? What would you deem to be enough to warrant moving to the investigative stage? What specifically are you looking for—for example, if I refer something to your office—that will lead it through the full process?

**Ms. Mary Dawson:** There are a number of provisions in the code that contain relatively clear rules. Most of them revolve around the concept of conflict of interest and then private interest. Generally, writ large, the rule is you don't take advantage of your office for your own private gain. Your public duty and your private interests have to be kept separate. That's a kind of broad-brush commentary.

There are a number of specific rules that apply to that. I could go through all the rules. The gift provisions are quite direct. You can't use insider information. You can't use your influence as a member to influence somebody else to further their private interest, and that sort of thing. None of those relate to the fundraising issue, but they're all different rules.

**Mr. Brad Butt:** You'd indicated earlier that asking for a donation is not a conflict, but what about receiving? If I'm the recipient of that, would that not be a violation of the code, even if I'm passing it on to a third party, like the sponsorship of a convention?

**Ms. Mary Dawson:** Yes, okay. Usually it's not you who's receiving it, it's your riding association, so there's a complication there.

The problem is with the future, generally, as I explained with respect to the Raitt report. If you've given them something three weeks ago, then yes, you would be doing something that would be a conflict of interest. If you were three months hence to do something for them, like pass a law that was to their benefit, or participate in the voting, you would be in a conflict of interest. What we usually do when we see those kinds of situations is we establish screens. If there's no screen there or we don't know about it, you should recuse yourself. There are other mechanisms for dealing with this kind of issue.

**Mr. Brad Butt:** Is it often difficult then for you to draw lines, given the fact that as members of Parliament we are obviously elected public office holders but we're also members of political parties? We do political things—

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Butt, thank you. I'll allow you to finish your question quickly and to have a very short answer.

**Mr. Brad Butt:** I'm just curious to know if she's finding it difficult to draw the line between public office holders and that we're also members of political parties and we have political responsibilities as well as our responsibilities as members.

**Ms. Mary Dawson:** There are no rules that direct themselves to political activities and political rules, and that's difficult. That creates a difficult situation, but I have to go by the rules that are here.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you.

Now we will go to Ms. Brosseau, please, for five minutes.

[*Translation*]

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Thank you, Madam Chair.

I would like to thank Ms. Dawson and her team for being here today. It's very important that a government be truly transparent. I am pleased that we are taking the time to ask questions.

I am about to ask you a question that you already answered in English in your presentation, but just to be completely clear, could you answer this question again: in your opinion, has an NDP MP received sponsorship money from the unions during the NDP convention in spring 2011?

[*English*]

**Ms. Mary Dawson:** I can't discuss that because it's the case we're dealing with.

That's about all I can say.

[*Translation*]

**Ms. Ruth Ellen Brosseau:** According to the rules of the commissioner's office, there are no repercussions for violations of the act. Do you think it would be preferable to apply a penalty in following up on complaints?

• (0940)

**Ms. Mary Dawson:** I think that publication is the best penalty. I don't think penalties themselves are as important. What counts above all is that we inform the public.

**Ms. Ruth Ellen Brosseau:** So you think that everyone knowing there is a problem is a good way of stopping people from violating the act?

[*English*]

**Ms. Mary Dawson:** The other thing, of course, is that it's a report. If it's the MPs code, it's a report tabled before Parliament, and Parliament is in a position to do whatever it wants about it.

[*Translation*]

**Ms. Ruth Ellen Brosseau:** Could you speak more about the case of the minister who was awarded a contract worth some \$122,000 for a speech? It involved Mr. Flaherty.

[*English*]

**Ms. Mary Dawson:** I don't know anything about it, but if I did I couldn't discuss it.

[*Translation*]

**Ms. Ruth Ellen Brosseau:** Can you provide more detailed comments on the Flaherty report?

[*English*]

**Mr. Eppo Maertens:** Are you looking to me to provide a summary of the report?

[*Translation*]

**Ms. Ruth Ellen Brosseau:** A contract included an amount of \$122,000 for a speech. Can you give us any more information about that? What happened?

[*English*]

**Mr. Eppo Maertens:** There was a report that was published, and we can't really add much to the report. There was a finding there. We looked at it under the rules pertaining to preferential treatment, and the commissioner's conclusion was that this was not a case of preferential treatment. The reasons are spelled out in quite a bit of detail in the report.

**Ms. Mary Dawson:** I'm sorry, I didn't realize you were referring to the case we had done.

[*Translation*]

**Ms. Ruth Ellen Brosseau:** Is there a \$500 fine?

[*English*]

**Ms. Mary Dawson:** There's only a maximum penalty of \$500 for failure to do some fairly routine things, such as getting certain reports in on time or doing something within a certain period of time. They're very, very technical things.

[Translation]

**Ms. Ruth Ellen Brosseau:** Have you opened any investigations involving NDP, conservative or liberal members?

**Ms. Mary Dawson:** Yes.

**Ms. Ruth Ellen Brosseau:** Are there many?

**Ms. Mary Dawson:** There are five.

**Ms. Ruth Ellen Brosseau:** Are there any investigations involving the NDP? No?

**Ms. Mary Dawson:** There are only two in the public domain.

**Ms. Ruth Ellen Brosseau:** How many...

**Ms. Mary Dawson:** Neither one involves the NDP.

**Ms. Ruth Ellen Brosseau:** How many are there that involve the Conservative Party?

**Ms. Mary Dawson:** Yes.

**Ms. Ruth Ellen Brosseau:** I asked how many there were.

[English]

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you very much, Madame Brosseau. Your five minutes are up.

We will now go to Mr. Carmichael for five minutes, please.

**Mr. John Carmichael (Don Valley West, CPC):** Thank you, Madam Chair.

Good morning, Commissioner and team.

First of all, as a new member of this committee and the House, I want to begin by complimenting you and your staff on the orientation process for new members. As a new member, I found the input from your team very supportive and helpful. It certainly helped to clarify issues on the way in the door, including your point about putting up a screen for future problems. It certainly made a big difference to my understanding of the ground rules.

To Mr. Martin's earlier comment, I found the civics lesson helpful. So don't walk out of here feeling that this wasn't taken with the good intent you brought it forward with.

Your comment regarding Mr. Day was interesting. Here we have a former member who took the time.... And I have to be honest and say that to my knowledge, he represented probably the highest of integrity in the office that we hold today. So I would expect him to go to you for clarity. Obviously he did, and he did it in advance of taking any further actions in the career path he was choosing.

As I look to some of the history the NDP brought up today, it's interesting. These generally are old cases. In the Dykstra case, you found no breach. You did your investigation and, as I understand from your comment, there was no breach or finding of his being in conflict of interest. Regarding Ms. Raitt, I actually read the report. When I was in your office, it was newly pressed. Again, it goes to the facts to ensure that for future influence, the screen is well in place. I find all of that very helpful and I applaud you for doing it.

What I'm trying to understand today, and I'd appreciate your input on it, is the following. When there is an investigation against a public office holder or an MP and you find there is a serious violation or

something that is going to result in a response, what happens then and how do you deal with it?

● (0945)

**Ms. Mary Dawson:** After I find there has been a contravention?

**Mr. John Carmichael:** Yes.

**Ms. Mary Dawson:** I then write the report and table it. If it concerns a public office holder, it goes to the Prime Minister. It's also immediately made public on our website. If it's under the code, it's tabled in the House of Commons through the Speaker. And if it's during the summer, I make it public and then it's tabled the first thing, like the one that's current now.

**Mr. John Carmichael:** Right.

So the response in fact comes from you.

Do you actually impose penalties, or is that left to others?

**Ms. Mary Dawson:** No. The penalty scheme is totally separate from the investigations and the examination. There are different words for these under the code and the act, which is confusing: it's an "examination" under the act and an "inquiry" under the code.

**Mr. John Carmichael:** From your presentation today I'm sensing some frustration about the limits of your office and the extent of your authority, as there seem to be some blurred boundaries between offices. You mentioned, for example, just in terms of the scope of your work, that you have two organizations that you've recommended should perhaps be consolidated into a single one.

Is there a case for that? Have you built a case around that yet?

**Ms. Mary Dawson:** The fact of the matter is that they're two separate regimes now. I've suggested that maybe we could look at putting them together and at least consolidating some of the rules, which are very similar but have slight nuances between them. It's very confusing for a member, particularly a minister, who's covered by both.

**Mr. John Carmichael:** To the operating side of that and the operational mandate, you talk about a \$7.1 million budget and 50 staff. If you did that, would there be an opportunity in that consolidation to create greater efficiency and flow? With the number of calls that are coming in to your place—you talk about 1,600 calls last year, 500 from MPs, and you've had 13 investigations since 2008—I just wonder if that would help you in some way.

**Ms. Mary Dawson:** I don't think it's primarily a budgetary issue. We'd have the same amount of work either way. The only thing is it might be a little clearer. There would be slight differences. I have to table two reports, but I'm increasingly duplicating significant sections in each of the reports. Each year I try to make it a little bit simpler.

Similarly, from time to time I've had investigations under the act and the code at the same time. I tried to put them in one report this last time, so I'm gradually trying to deal with that problem.

The real issue is that the rules are slightly different. It would be nice to just take a look to see whether they need to be slightly different.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you very much, Mr. Carmichael .

We'll now move to Monsieur Dusseault for five minutes, please.

• (0950)

[Translation]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Thank you, Madam Chair.

I would like to thank you, Madam Commissioner, for coming here today and talking to us about your work. At the start of your presentation, we learned that your mandate does not enable you to investigate the things that were put forward previously in Mr. Del Mastro's motion. So we are going to address things that fall under your mandate.

I would like to go back to the Conflict of Interest Code for Public Office Holders. There is a message from the Prime Minister at the start of the code. Part of it reads: "Our government must uphold the public trust to the highest possible standard ... beginning with Ministers."

I find it surprising that there were so many cases, including those of Ms. Raitt, Ms. Guergis, Mr. Dykstra, Mr. Flaherty and Mr. Paradis, and now one involving Mr. Clement. I simply wanted to put things a little in parallel with that. We know that Ms. Raitt and Mr. Dykstra received a report from you.

Has there been a case in the past where a minister was found guilty of violating the code or the Conflict of Interest Act? Could you refresh my memory on this?

[English]

**Ms. Mary Dawson:** No, but let me add that the reason why there are so many cases involving ministers and parliamentary secretaries is because they're under more stringent rules under the act. A regular MP is not covered by the rules in the act. So it's quite logical that many of the cases would relate to the government of the day.

[Translation]

**Mr. Pierre-Luc Dusseault:** I would like to go back to something that has not been addressed much today. Section 33 of the Conflict of Interest Act covers post-employment.

Could you give me some more information about that section? What do you think of section 33, which reads: "No former public office holder shall act in such a manner as to take improper advantage of his or her previous public office"?

Do you think this section could have been violated in the case of Mr. Stockwell Day?

[English]

**Ms. Mary Dawson:** I can't discuss an individual case, but it's evident that I did not find something to follow up on there.

[Translation]

**Mr. Pierre-Luc Dusseault:** With post-employment, has there been a situation in the past where a former minister has violated section 33?

[English]

**Ms. Mary Dawson:** I have never in my time had an investigation under section 34. I have a number of them....

Have I had any investigations under post-employment?

There is one currently under way that touches upon section 33, but that's all. We don't get an awful lot of post-employment ones.

[Translation]

**Mr. Pierre-Luc Dusseault:** There is something in the code that I found a bit surprising. If I'm not mistaken, when there is a violation of the code, you must inform the Prime Minister, who must then decide whether the minister in question should resign. Is that how it works?

[English]

**Ms. Mary Dawson:** That doesn't ring a bell with me. Are you looking at the act or the code, the MPs or the public office holders?

[Translation]

**Mr. Pierre-Luc Dusseault:** I'll check.

[English]

**Ms. Mary Dawson:** The only thing that happens with the Prime Minister is that I send my report to him, because that's just where it goes, but the important thing is it's made public immediately.

[Translation]

**Mr. Pierre-Luc Dusseault:** We know that there is a \$500 penalty in the Conflict of Interest Act, but is there a penalty in the code, aside from disclosure of the information to the public?

[English]

**Ms. Mary Dawson:** No.

[Translation]

**Mr. Pierre-Luc Dusseault:** Do you think an improvement could be made by imposing more penalties or something that might discourage people from doing certain things?

• (0955)

[English]

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you, Monsieur Dusseault. We'll allow the commissioner a short answer, please.

**Ms. Mary Dawson:** These penalties, of course, are administrative in nature; they're not the substantive offences. Penalties might help, but I think the public release is more important.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you.

**Ms. Mary Dawson:** The penalties are quite low.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Dreesen for five minutes, please.

**Mr. Earl Dreesen (Red Deer, CPC):** Thank you very much, Madam Chair.

Ms. Dawson, it's nice to see you again as well. I was on this committee earlier, and it's nice to be back.

Just a couple of points. When we discuss the concept of disclosure, which of course all MPs have to go through, it's important that you are able to disclose your business interests, your ties, and any other involvement you have to satisfy the conflict of interest requirements. I understand that aspect of it, and of course then you tie that into the Elections Canada situation, where of course you're not allowed to get any donations from businesses because again there's a potential for influence. That was one of the things that was done many years ago when the change was done, so there would be no influence from business, but by the same token the same situation does occur with unions.

So I'm curious about whether or not it's the requirement to disclose any union ties one would have if one is an MP. I say that from the point of view that I was involved in a union for 34 years. If I was to have continued—I don't know how one could manage it—to do the teaching I was doing, and so on, would that have been a situation where my involvement in a union would have been something that I would disclose to you?

**Ms. Mary Dawson:** Yes, your former activities would be disclosed.

**Mr. Earl Dreeshen:** And then if I were to in some way maintain my association with that union, would I also have to disclose that as well?

**Ms. Mary Dawson:** Is this as a public office holder or as an MP?

**Mr. Earl Dreeshen:** As an MP.

**Ms. Mary Dawson:** As an MP, yes, but there would be more rules if you were a public office holder.

**Mr. Earl Dreeshen:** Absolutely.

The other question comes back to the concept of gifts, and I suppose this is the splitting of hairs, as to whether it goes to a political party or whether it goes to an individual. When you're looking at something like that, does the gift have to be returned if you find out there has been an issue? What is the procedure you follow when you have indicated that someone has gone offside on that?

**Ms. Mary Dawson:** They have to return the gift, and if they can't return it because they've consumed it in some way, they have to pay for it.

**Mr. Earl Dreeshen:** Thank you very much.

Again, when I went through your address and heard some of the things you've spoken of, you were talking about how you go through the confidential reports and you talk about assets, liabilities, and activities. What types of activities and concerns are you mainly concerned about as you go through our disclosure reports?

**Ms. Mary Dawson:** These are MPs again?

**Mr. Earl Dreeshen:** Yes.

**Ms. Mary Dawson:** Bear in mind that this committee is supposed to be looking at the act, but anyway, you guys are all MPs.

Why don't you answer that, Lyne?

**Ms. Lyne Robinson-Dalpé:** When we look at activities, we look at whether or not there would be a conflict with your official responsibilities in the House, so whether you're sitting on a committee that would take a decision or take part in discussions

that could affect your interest in that outside activity. We would look at all the different components around that, and then we would either require you to recuse from discussions, require you to—it hasn't happened yet—maybe not participate in that committee because the role of the committee is too close to your outside activities, or step down from your outside activities. So there are the two sides of it. But mainly we look at the potential for possible conflict of interest, either for you or for the organization you are tied to.

**Mr. Earl Dreeshen:** I don't have any other questions. Perhaps I'll give the rest of my time to Mr. Del Mastro.

**The Vice-Chair (Mrs. Patricia Davidson):** There's one minute left.

**Mr. Dean Del Mastro:** Thank you very much.

Ms. Dawson, if I understand correctly, what you're saying is that if a gift is determined to have been received—a monetary or an actual material gift—it must be returned.

• (1000)

**Ms. Mary Dawson:** If it is impermissible.

**Mr. Dean Del Mastro:** You could also apply a monetary penalty on top of that. The monetary penalty would not be—

**Ms. Mary Dawson:** No, there's no monetary penalty.

**Mr. Dean Del Mastro:** Okay.

**Ms. Mary Dawson:** It's only if you tell me late.

**Mr. Dean Del Mastro:** I don't think the NDP was going to tell you at all, as a matter of fact. It was going to try to hide that under the cloak of secrecy and cause smokescreens and bring up old investigations—

**Mr. Charlie Angus:** Dean, you think we're Conservatives. We don't act like you guys.

**Ms. Mary Dawson:** This is the act I'm talking about, not the code.

**Mr. Dean Del Mastro:** Okay. Gotcha.

I'll just point out, Madam Chairman, that not only was the NDP never going to raise this, but in our opinion they're on the hook to pay back tens of thousands of dollars of illegally received donations.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you, Mr. Del Mastro.

That time slot has now expired.

We'll move to Mr. Andrews for five minutes, please.

**Mr. Scott Andrews:** Thank you very much, Madam Chair.

Just going back to some previous questions, you say you have five investigations ongoing at this particular time?

**Ms. Mary Dawson:** That's right.

**Mr. Scott Andrews:** When will they be reported back? Have you put a timeframe to when they would be reported back?

**Ms. Mary Dawson:** It's very difficult to tell. It depends on how easy it is for me to get documentation and evidence and how complex the case is. I'm hoping that a couple of them will be out by Christmas.

**Mr. Scott Andrews:** And you will only report back, make a public report, if the act was contravened?

**Ms. Mary Dawson:** No. If I've gone to an investigation I make a report, unless I discontinue, in which case...one of them I have to...

Eppo, take it from there, please.

**Mr. Eppo Maertens:** The process, as it works under the act, is that if it's an investigation or an examination that was done at the request of a member, there will always be a report one way or the other. The commissioner retains the discretion to discontinue in that case, but there's still a report. If it's a self-initiated examination under the act, then the commissioner has the discretion again to discontinue, but if she discontinues on an examination where she has self-initiated, there is no requirement to issue a report. But if the examination is completed, then there is always a report regardless of whether there's been a contravention or not.

**Mr. Scott Andrews:** Could you tell us what the five are?

**Ms. Mary Dawson:** No.

Two of the them are in the public domain. I can mention those. One is Mr. Paradis and one is Mr. Carson.

**Mr. Scott Andrews:** Are the other three self-initiated, as was just explained?

**Ms. Mary Dawson:** It's a mixture.

Oh, all three of them are self-initiated.

**Mr. Scott Andrews:** Okay.

Do you suspect that there will be a report out within a year?

**Ms. Mary Dawson:** I hope so. I fervently hope so.

**Mr. Scott Andrews:** Getting back to information you just alluded to, in your recent report, the Helena Guergis report, there were a couple of things I found quite disturbing. You kind of alluded to it. I'll ask you a couple of questions.

One of the things you said in this report is:

It appeared, at times, that these witnesses were not entirely forthcoming, but were possibly influenced by a desire to protect another person.

How can you do your job when our system allows for that to happen? If people aren't forthcoming, it's to protect someone else. How do you manage to be able to conduct your investigation?

**Ms. Mary Dawson:** That's one of the challenges. Of course, our obligation is to weigh the credibility of various witnesses.

Did you want to add something, Eppo?

**Mr. Eppo Maertens:** We interview many, many witnesses. We gather up documents. You'll see in the report also that, despite having some of these difficulties, we were able to come to a conclusion and we were able to get the facts we needed. Witness testimonies are only one part of the investigation we do. We interview many witnesses.

**Mr. Scott Andrews:** Another comment in the report is that you didn't receive all the documents you needed after Mrs. Guergis lawyered up. Then everything was vented through her lawyer. Did you not have access to all the documentation for you to do your job?

**Ms. Mary Dawson:** Well, I'm not saying they didn't give us everything they got. I'm saying that there may have been a problem in the number of documents that were retrieved in the House of Commons system. I had to go through.... The documents are in the

possession of the House of Commons, the e-mails and things, and my understanding is that some documents slipped through the net—that are kept in the House of Commons—so I can't say where the slip-up was. I have no reason to think that Ms. Guergis withheld anything.

• (1005)

**Mr. Scott Andrews:** But in reading your report, she received the documents and then only gave you the ones that she wanted to—

**Ms. Mary Dawson:** Well, she vetted them, but I have no way of knowing whether she kept any or not. I can't tell. That's part of the problem. I'd rather get them directly.

**Mr. Scott Andrews:** Yes. So in this vetting process that they did, do you feel there were some things that you did not get?

**Ms. Mary Dawson:** Well, the reason why I knew we didn't get some was that we got some from other sources that should have come out from this search.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you very much, Mr. Andrews.

We will now move to our last speaker.

Mr. Mayes, please.

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Thank you, Madam Chair.

Thanks to you, Commissioner, and to your team for being here today.

I'm new to this committee. One of the concerns I've had, just looking from outside in at what you do in your file, is the tendency or the opportunity that a member might have to make some sort of outrageous statement about a conflict of interest of another member that is politically motivated and then file it with you, with a photocopy going to the media.

Quite frankly, you're tried and convicted before you have an opportunity to really deal with the accusation. It's troubling for me, because in this place here, unfortunately, personal attacks and character assassination are quite common. I think it's disturbing to Canadians.

I know this might be a difficult question for you, but can you see any way we can change things that would help to deter that kind of conduct by members? We want to be open and transparent, but we also want to be fair and just. Could you give me any suggestions on any ways you could see that could be incorporated in what you do that would make it transparent, I think, but also just?

**Ms. Mary Dawson:** Yes. I like the question.

For one thing, I think MPs should refrain from making public the fact that they've sent me a complaint until I've received it, reacted to it, and acquainted the person who's being accused or who the contravention is claimed against with it. I think there should be some kind of prohibition against letting that information out before there have been some steps taken.

The other thing is that I'm not allowed to state my reasons for not investigating. I'm under total confidentiality. It would be very convenient to be able to explain why a particular matter was not investigated. I don't have that power either.

Those are two things.

**Mr. Colin Mayes:** I appreciate that. I've had contact with your office over an issue and I have to say that it was handled very professionally and very fairly, but I had already been attacked in the media over it. It was unfortunate. That is a concern.

I like your answer. Will you be making that recommendation to the government as far as any future amendments to the scope of what you do are concerned?

**Ms. Mary Dawson:** Yes, it would...I think I've said it in some other places publicly as well. I've told the procedure committee that. They're the ones who look after the code.

**Mr. Colin Mayes:** Okay. If it were enacted so that a person couldn't disclose that file or that complaint prior to you dealing with the complaint, could you see that there would be penalties, possibly, and—

**Ms. Mary Dawson:** Yes. That would be a good case for a penalty, and that would be a substantive breach, rather than just a notice-level breach.

**Mr. Colin Mayes:** Because it's a known breach of the confidentiality and the regulations that are to be followed.

**Ms. Mary Dawson:** That's right.

**Mr. Colin Mayes:** I totally support you on that.

**Ms. Mary Dawson:** Thank you.

**Mr. Colin Mayes:** Thank you.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Del Mastro, are you taking the rest?

**Mr. Dean Del Mastro:** It's interesting. Mr. Mayes brings a great point. The NDP member has mentioned a number of vexatious complaints that they've brought. It's funny. In the last Parliament I certainly remember media releases being done before the letters to you had even been written. In this case I'd just point out that I did write this in July and received a response in August, indicating that you were requesting further information and clarification from Ms. Turmel and the NDP on this complaint, but didn't bring any of this publicly until such time. I agree with you entirely that there should be a determination as to whether a complaint is legitimate or whether it's simply vexatious, prior to taking it to the media.

One of the things that really bothers me about this complaint—and I understand that you're not going to comment directly on the case. As far as folks at work in supporting me and volunteers who come out, I have members of the CAW who are on my election team. I have members of the UFCW who are on my election team. I have members of PSAC and I have members of CUPE—

• (1010)

**The Vice-Chair (Mrs. Patricia Davidson):** If you could quickly wrap up, please....

**Mr. Dean Del Mastro:** —who come out and help me, but none of them would have donated towards this convention directly. They've indirectly donated, and they didn't do so willingly. On top of that, of course, their unions were offering severely reduced prices to get to Vancouver, or substantially reduced prices to get to Vancouver, to stay at the convention and take part in that convention. They were people who have supported me for years who were actually paying

for that out of their union dues. I think there's something really wrong with that. The NDP should come clean and tell everyone exactly what went on, the amount of collusion that occurred, and who was behind it.

Thank you, Madam Chair.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you.

That concludes our question and answer period.

Ms. Dawson, Mr. Maertens, and Ms. Robinson-Dalpe, I want to thank you very much for your attendance here this morning. I'm sure we all have a much better understanding of the challenges you face. There are quite a few of them. We appreciate your being here.

I also want to say thank you to the committee members. I know that theatrics are important to some of our members, but they have actually conducted themselves very well this morning, and I appreciate that and the respect they've shown you.

**Ms. Mary Dawson:** Thank you very much to everyone.

**The Vice-Chair (Mrs. Patricia Davidson):** We'll suspend for five minutes, please.

• (1010) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1015)

**The Vice-Chair (Mrs. Patricia Davidson):** I'll call the meeting back to order and we will enter into committee business.

The item we have on the agenda is a notice of motion from Mr. Angus.

Mr. Angus, would you care to read the motion for the record?

**Mr. Charlie Angus:** Thank you, Madam Chair.

I'm proud to bring forward this motion:

That the Standing Committee on Access to Information Privacy and Ethics undertake a study of the use of the G8 Legacy Fund for political purposes to determine if the Conflict of Interest Act was violated in its disbursement, if the actions of the Minister were ethical, and to review the fund in relation to the Federal Accountability Act and Accountable Government – A guide for Ministers and Ministers of State, 2011.

I'm bringing this motion to the ethics committee because of a few key elements, which have not been properly addressed by parliamentary review, of the massive spending that went into the G-8. Clearly there have been many, many unanswered questions, and it's been frustrating, I think, for the public and parliamentarians that we have the minister at the heart of it who has not answered any questions on his role.

This has come to the ethics committee because when the Office of the Auditor General did their report and said they were unable to find any paper trail or any bureaucrats who knew exactly how the money was disbursed, the Auditor General wasn't aware about the meetings that Minister Clement had set up, especially the key meeting in the middle of the election of September 2008. In the middle of the election, he set up a subcommittee—a private committee, a parallel process—that the Auditor General was unaware of. At that time Mr. Clement made it known that he would be bringing forward the funding and they would start to figure out how to spend that funding.



There was no fund to spend. Parliament had not made any recommendations about spending. It was certainly very inappropriate for the member to have a meeting in the middle of an election—a secret meeting with senior bureaucrats, with mayors, and to offer their involvement in this fund that had yet to be created by Parliament.

We do know that Parliament was asked to disburse funds. But they were not asked to disburse funds for the benefit of the Muskoka member; they were asked to disburse funds to deal with border infrastructure.

Madam Chair, anyone who's ever had to drive through Windsor, or any of the other points, would certainly know the need for putting money into border infrastructure. The issue of border infrastructure is about trade, the ability of our economy to continue with our biggest partner. It's also about fundamental safety and making sure we have the resources to stop guns or drugs and gangs from misusing border security.

When we were asked as parliamentarians to submit \$80 million in border infrastructure, we thought the money was going to be used for that. Instead, \$50 million was hived off and put into Muskoka. It was put into a fund that was disbursed, as far as we can tell from these documents, by a select group that included the mayor of Muskoka, the manager of the Deerhurst inn, and the minister himself, which was highly unusual. The Auditor General was not given any of this information.

We also began to understand that senior bureaucrats from DFAIT, FedNor, the summit management team, and Infrastructure Canada participated in these meetings. Yet when the Auditor General went to ask these departments how the money was distributed, each department signed off, saying they didn't know because they weren't involved in any way. Well, the Auditor General was not given the minutes of the meetings that showed the senior bureaucrats who were actively participating.

I find it a very, very disturbing possibility that the Auditor General was misled. I find it very disturbing that senior bureaucrats would not have told the Auditor General about their involvement.

The Auditor General's report also refers to the fact that there was no paper trail and that this was a shocking finding. They'd never seen anything like this, where this amount of money was disbursed without a paper trail. Again, we found out through documents supplied to us by the communities in the Muskoka region that the paper trail was run through Minister Clement's office, which was highly unusual, and I think highly unacceptable. It would create the impression that it was his money and his personal political power distributing the money and not the Government of Canada.

We know from the forms he created—these homemade forms for the projects—that they don't even refer to departments, to the Government of Canada. It says, "Send your request to the constituency office of Tony Clement", which again violates all the normal rules of conduct for a minister.

• (1020)

As for the question of whether or not this was for political purposes or was a breach of the ethics code, we have to put it in context. In the 2006 election Mr. Clement barely won. It was by

between 13 and 20 votes. Of all the ministers in the Conservative government, he was certainly the most politically challenged.

The obvious incentive for holding a meeting in the middle of the election in 2008 and promising to bring massive amounts of money to the riding would certainly have been direct political benefit for Mr. Clement. We saw that during the election numerous mayors and communities that had not supported Mr. Clement in the previous election in 2006 came up as very big supporters.

I think this is an issue that has to be brought to the ethics committee. We have to get to the bottom of why the Auditor General released a report in which the information the Auditor General was given was clearly at odds with the facts. Canadians have great respect for the role of the Auditor General. We put great trust in the Auditor General to be able to hold all governments to account. If the Auditor General is not being given the documents, if the Auditor General is being told by bureaucrats that they have no idea how the money was being spent when they were clearly involved, that raises questions about ethical breaches of this government.

I would like to bring this motion forward for debate. Thank you.

**The Vice-Chair (Mrs. Patricia Davidson):** Thank you, Mr. Angus.

Mr. Del Mastro.

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

First, I'd point out that Minister Clement has, first of all, agreed to appear before the public accounts committee, and that will occur here in the coming days.

Second, I would point out that this motion, which Mr. Angus has seen fit to have a national press conference on, doesn't even rank high enough in importance to the NDP for them to have all their members present when they are going to have a vote. I question the sincerity and exactly how important this is.

I would also suggest, Madam Chair, that first of all the Auditor General's office has been abundantly clear. They've investigated this matter fully. They're not going to reopen any investigation into this.

I would point out that all of the funds used here are 100% accounted for. Every single one of the projects has been publicly announced. They've been proudly announced and in partnership with municipalities in that region. They play a role of significant tangible benefits there.

I would point something out to the member. He talked about border infrastructure in Windsor. First of all, our party does not represent the City of Windsor, but I'd commend Jeff Watson from Essex who, since he was elected in 2004, has been, to my mind, the most ardent supporter of investment in Windsor's border infrastructure of anyone I know. He has been fully supportive of the DRIC process. What corresponding actions have we seen from the Conservative government under Stephen Harper? There have been record investments into the gateway infrastructure and border infrastructure at Windsor. I'm proud of it. Jeff Watson deserves an awful lot of credit for that.

Obviously if Mr. Angus wants to talk about Windsor, I can provide him with all kinds of documentation as to this government's record in investing in border infrastructure, not only in Windsor but right across the country. I'm proud of it, because we believe in trade. We know that if the NDP had an opportunity they'd shut down trade with the United States and NAFTA and everything else, Madam Chair. Frankly, they don't believe in it. Apparently they want a more free-flowing border with the United States, but they don't think anything should flow across it.

We will be opposing this motion, Madam Chair. Obviously, Minister Clement will be appearing at the public accounts committee. I assume, given Mr. Angus' veracity on this issue, he'll want to attend there and seek any clarifications he may want.

• (1025)

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Butt.

**Mr. Brad Butt:** Thank you, Madam Chair.

I'm not going to reiterate most of the comments that Mr. Del Mastro made. He articulated my position on that quite well.

I do think it's ironic that we just had the Ethics Commissioner here for an hour and a half, and the NDP members didn't ask one question about this matter to the commissioner when she was here, to perhaps get some guidance and advice as to whether or not this is even a matter that would be dealt with appropriately there.

I agree that it is far better to deal with this issue, if there is an issue, through the public accounts committee. That's where the minister has agreed to go. That's the appropriate place for it. Dealing with it here is not appropriate. As I said, I think it's quite interesting that we had the commissioner here and my friends across the table didn't ask one single question about this issue when she was here.

We should not be dealing with it here, Madam Chair.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Angus.

**Mr. Charlie Angus:** I've been listening with great interest to my honourable colleagues. Mr. Butt is new on our committee, new to Parliament, I believe. I just don't want him to misunderstand. When we were dealing with the commissioner coming before us, which was...what was it, we were talking about vexatious and frivolous, the motion brought forward by Mr. Del Mastro, and she told him there was nothing of substance.

But that's not the issue. The reason we didn't ask the Ethics Commissioner any questions about Mr. Clement was that we were not bringing a letter to her; we were bringing it to our committee. She's independent, an independent officer of Parliament. We, our committee, are the masters of our own house. That is the way the parliamentary process works.

So I'm bringing this to committee here, and as I said, we need to bring it here for a couple of key reasons. After 112 days of being in the doghouse, I know Mr. Clement has announced he's going to go to the public accounts committee and he's going to bring as many people with him as possible. The issue of accounts is separate from the issue I'm speaking about. We know that the \$50 million fund was only a small part of the money that was funnelled into Muskoka through numerous programs under Mr. Clement's watch in the lead-

up to the G-8. The amount of money is much higher, over \$100 million. Most of those programs haven't been audited.

I think certainly there's a role for the public accounts committee to address that, but the public accounts committee doesn't address the ethical breaches, the fact that secret meetings were held in the middle of an election with senior bureaucrats attending. Senior bureaucrats of the Canadian government took the time in the middle of an election to participate in meetings where minutes were kept about a fund that didn't exist, and then when the Auditor General went looking to find out, that significant meeting was left out. The Auditor General wasn't given that piece of paper. When the key bureaucrats who participated in meetings all the way along were given the opportunity through their departments to explain their role, none of that information was handed to the Auditor General. So there was a question about what happened.

It's an ethical question. It's not a public accounts question; it's an ethical question as to what happened when members were brought in from bureaucracies who told local mayors in these private meetings to set the criteria they wanted for the funds and then they'd distribute them among themselves. That is a complete breach of any protocol that's ever been established in a credible western democracy. Yet this was allowed to happen, and it wasn't made clear to the Auditor General. She wasn't told about this and wasn't told that Minister Clement himself had the paper trail. I would say that represents an ethical breach. That's much beyond the issue of public accounts.

I don't think we need to debate all day about this. I'm glad my honourable colleague knows where Windsor is, but he would know that Muskoka isn't anywhere near the border, and yet Muskoka got \$50 million of border money funnelled into the riding and Parliament was misled. If the Conservative government thought that Tony Clement needed \$50 million to get re-elected, that should have been a line item. That's how a legitimate government would act. They'd say that Tony needed \$50 million and show their line item, and we would see that in the budget. We didn't see Tony Clement's \$50 million line item; we saw border infrastructure. The day the United States goes all the way up to Barrie, then maybe that investment of gazebos would help fortify our army. But right now Muskoka is a couple of hundred kilometres from the border. Parliament was told this is for the border; they were not told it was for Tony Clement. Again I think that's an abuse of Parliament.

This is an issue for our committee. The ethics committee must deal with this and must deal with the breach of this minister and whether or not senior bureaucrats participated in a cover-up to keep the Auditor General from doing her work.

• (1030)

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Andrews.

**Mr. Scott Andrews:** Thank you, Madam Chair.

I'd like to speak to the last part of this motion. The Conservatives like to tout that they're the ones who brought forward the Federal Accountability Act and the accountable government act, and they pat themselves on the back and say what a good job they've done. But the moment they're questioned on this, the moment someone wants to ask a further question under the guise of this act, they scatter. They don't want to have anything to do with it. They don't want us to ask questions about it, but they can get out there and pat themselves on the back. I think if they're serious about accountability and accountable government they wouldn't mind people asking questions; they would welcome them with open arms. But that's not the case.

The other part of Mr. Angus's motion mentioned *Accountable Government: A Guide for Ministers and Ministers of State, 2011*. They certainly use the word "guide", because sometimes they use it and sometimes they say it's only a guide, they don't need to go by that all the time. In the guide, signed by Stephen Harper, it says ministers must answer the questions that are presented in the House. But when this minister gets a question, they get their little lap dog to come out and answer the questions for him.

If you're going to be serious about this, and if the public is going to think you're credible, you've got to be able to withstand some of the heat. I would encourage them, if they want to be open and accountable, to let some of the questions be asked. Sometimes you've got to suck it up and take it.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Del Mastro.

**Mr. Dean Del Mastro:** Well, that's very interesting, coming from Mr. Andrews.

As I indicated, not only have 100% of the funds from these investments, the G-8 legacy fund, been accounted for, but the projects came in some \$5 million under budget. We publicly announced all of the projects. The Auditor General came forward with specific recommendations to improve the transparency. We've implemented all of those.

Perhaps if the Liberal Party would have done this, Madam Chairman, and told us where the missing \$43 million is from the sponsorship program, maybe I could accept some criticism from Mr. Andrews, but unfortunately it comes across to me as high hypocrisy from the Liberal Party.

Mr. Angus, I can assure you that I most certainly know where Windsor is, as a graduate of the University of Windsor and former president of Sir John A. Macdonald Hall. I invite you to go home and Google it. You'll see Sir John A. Macdonald Hall. From my first year room, I could throw a stone and hit the Ambassador Bridge.

**Mr. Charlie Angus:** Could you hit Muskoka?

**Mr. Dean Del Mastro:** Could I hit Muskoka?

**Mr. Charlie Angus:** Yes—from your room in Windsor.

**Mr. Dean Del Mastro:** I've hit Muskoka many times, Mr. Angus; it's a beautiful part of the country. I was proud that the government chose to invite international leaders there and bring international media and so forth to report back exactly how beautiful Canada is as a country. I thought it was a fantastic setting for that event.

Mr. Angus also brought up the issue of secret meetings. I'm sorry, I have to talk about that.

Mr. Angus, I don't think meeting with your municipalities to talk about priorities in the region.... I don't think those classify as secret meetings. I think those are important. I think that's what a member of Parliament should do—work with their municipal leaders, work with their provincial counterparts to do the very best they can for a riding.

But the NDP certainly knows a thing or two about secret meetings, just like the ones it had with the Bloc Québécois prior to the 2008 election, where they put together a coalition of separatists, and socialists—

• (1035)

**Mr. Charlie Angus:** "Socialists".

**Mr. Dean Del Mastro:** —and of course the Liberal Party, to try to steal power after losing an election. I remember that.

I don't think those meetings were entirely public, were they, Charlie?

Of course, we know that obviously quite a few secret meetings have occurred with respect to the union sponsorship of the NDP convention and what went on with the NDP filibuster last spring, where all of your talking points were being handed to you by a third party. I think there were a lot of secret meetings involved with that. The NDP doesn't come clean with that.

**An hon. member:** [*Inaudible—Editor*]

**The Vice-Chair (Mrs. Patricia Davidson):** Through the chair, please.

**Mr. Dean Del Mastro:** You have an opportunity, with the tens of thousands that you've received from the unions for the spring convention....

I'd encourage, Madam Chairman, the NDP to maybe talk about those secret meetings and come forward and be fulsome on it.

As we indicated, Minister Clement will be appearing before the public accounts committee. I encourage members of the opposition, if they have questions, to ask them. He will be there.

But go ahead and review all of the public announcements we've made around these projects. I have put forward the level of reporting and so forth that we've done on this. I'd suggest to you that every cent has been accounted for, as I said earlier. I would argue that we've made lasting investments into that region. I think that as a government and as a Parliament, we should be proud when we make contributions that make tangible improvements to regions in this country.

I was very proud as a Canadian, very proud as a Canadian, to see the international leaders welcomed to Muskoka and for that event to occur there. I thought it was just a tremendous setting. I'm very proud of everybody who worked to make that happen, because it really rolled out what I think was.... They didn't just make people feel welcome; they really, I think, put forward a very beautiful face of Canada to the world, and I was very proud.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Angus.

**Mr. Charlie Angus:** Thank you.

I know Dean can wax on all day, so we don't have to go too long on this.

I think if we had Mr. Clement come before the ethics committee, he could explain why he was telling local mayors to keep their mouths shut until they got their story straight, telling them not to make announcements because it would make him—quote—“uncomfortable”, because some of the more dodgy use of the money—for example, claiming this media centre when in fact they were building an Olympic hockey arena—was certainly causing them trouble. So they were telling the local mayors not to talk until Tony got their lines straight.

Now, I don't know how Mr. Del Mastro's team works, but normally when we work with mayors and it's a good news story, they go out and tell their story. I don't have to phone them and say, “Listen, don't talk to anybody until we get our lines straight”. That makes you ask questions on what they were worried about.

But I'm not going to worry about that right now. I'd like to close on a simple statement that was made by one of Canada's great newspapers, the *Sun*, the *Sun* that says “It is time for Tony to step aside”.

Now, when the editorial in the *Sun* says Tony Clement has “repeatedly violated practically all standards of accountability and ethics” and has to go, I mean....

Dean, when you can't get the *Sun* to back you up on this, you guys are in a deep hole.

I would totally concur with the editorial of the *Sun* that he has broken practically all standards of accountability and ethics, which is why we bring this motion to our committee.

I rest my case.

**The Vice-Chair (Mrs. Patricia Davidson):** Mr. Del Mastro.

**Mr. Dean Del Mastro:** I'm very pleased that Mr. Angus has pointed out the impartiality of the *Toronto Sun* and the Sun Media chain.

I'm sure they'll provide us with additional information in the years to come, Mr. Angus, that I could cite. And now that you've pointed out they're an impartial party and you've accepted this as gospel, you'll just have to accept all of their commentary. Some of it may be difficult for you to accept, Mr. Angus.

**The Vice-Chair (Mrs. Patricia Davidson):** Seeing no more speakers on the list, we will call the question.

(Motion negated)

**The Vice-Chair (Mrs. Patricia Davidson):** The meeting is adjourned.

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