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

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**EVIDENCE**

**Tuesday, November 1, 2011**

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**Chair**

**Ms. Jean Crowder**



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

Tuesday, November 1, 2011

• (0845)

[English]

**The Chair (Ms. Jean Crowder (Nanaimo—Cowichan, NDP)):** Good morning.

We have a number of pieces of business before us today, so I'm going to suggest we get started. For the committee's and for the chair's benefit, I have invited parliamentary counsel here today to provide any advice the committee members or the chair might want.

Is this a point of order, Mr. Del Mastro?

**Mr. Dean Del Mastro (Peterborough, CPC):** I'm just asking to be recognized, Madam Chairman.

**The Chair:** Okay, go ahead, Mr. Del Mastro.

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

For the consideration of motions this morning, I move that the committee move in camera, Madam Chair.

**The Chair:** Okay. That's not a debatable motion. We have a motion before us by Mr. Del Mastro that we move in camera.

Can you just give us a second?

Apparently it is debatable.

Mr. Angus.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Thank you, Madam Chair.

I'm actually rather surprised, with the offer you just made of having legal advice come, that my colleague didn't simply agree to that. I think the importance of being able to have legal advice given

to this committee to ensure that we are within the confines of the committee process is crucial. It's also a fundamental right as parliamentarians, before we move anywhere, to ensure that we are within the legal parameters of this committee. I think you'll find, Madam Chair, that if we do seek legal advice, we're going to find out that Mr. Del Mastro's motion demanding that CBC produce hundreds of pages of unredacted documents would place our committee in direct interference in a court case that's already under way at the Federal Court. These documents are at the heart of the case where the court has been asked—

**The Chair:** Just hang on for a second, Mr. Angus.

A point of order, Mr. Del Mastro.

**Mr. Dean Del Mastro:** The motion is that the committee move in camera, Madam Chair.

I actually believe I should challenge the chair on this, as a matter of fact, because I think the chair's ruling is in fact wrong in this case. Mr. Angus is clearly not speaking to moving the committee in camera.

**The Chair:** Mr. Del Mastro, we're just going to suspend for one moment while the clerk checks.

• (0845)

(Pause)

• (0850)

**The Chair:** Apparently, according to O'Brien and Bosc, on page 1077, "The motion is decided immediately without debate or amendment." So we will move to a vote on Mr. Del Mastro's motion to move in camera.

(Motion agreed to)

[Proceedings continue in camera]

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