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Chair

The Honourable Larry Bagnell

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• (1005)

[English]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good morning, and welcome to the 57th meeting of the Standing Committee on Procedure and House Affairs. This meeting is in public.

Today the meeting is to continue our study on the question of privilege regarding the free movement of members of Parliament within the parliamentary precinct. The meeting will begin with a briefing from the analyst about previous questions of privilege related to this topic.

At 11 a.m. the Speaker, the Acting Clerk, and the acting director of PPS will attend to respond to members' questions regarding the administrative framework on the Hill. Finally, at noon, Ms. Raitt and Mr. Bernier will be here to discuss the circumstances that led to the question of privilege.

We're also making good progress on getting the estimates either on the 16th or the 18th, next week, so that looks very probable.

With that, I'll turn the floor over to Mr. Barnes, our analyst from the Library of Parliament. The analyst is not a witness, and so we don't have to do the rounds if you don't want. We can do our informal questioning of him once he has finished his presentation.

Mr. Andre Barnes (Committee Researcher): Thank you very much, Mr. Chair.

As members of the committee will no doubt recall, at our last meeting the committee asked the library to provide a briefing on past instances of questions of privilege that are similar to the one that has been referred to the committee by the House on May 3 of this year. With that in mind, I will provide a summary of the seven past instances involving members being impeded or delayed from accessing Parliament Hill and the parliamentary precinct freely.

I will be going over these incidents in reverse chronological order, so if you were to follow along in the briefing note that was provided to the committee, it would actually be the other way around. You would have to start at the end of the briefing note. The reason for that is that you'll find the most recent cases to be the more relevant ones as compared to the ones that are 20 or 30 years old.

Of note, four of these incidents took place in the most recent Parliament, one incident in 2012, one in 2014, and two in 2015. The other incidents that I will review are the 2004 visit of the President of the United States, which was probably the most egregious instance of members being denied or having their access delayed to

Parliament Hill. There is also a case from 1999 involving the Public Service Alliance of Canada protest. Perhaps what's interesting about that particular incident was that PROC's report in 1999 indicated that the right of members to access the parliamentary precinct was not well known at that time. The report, in fact, states:

We note that it is rare in Canada for Members of Parliament to be obstructed or impeded in carrying out their parliamentary functions. It is not surprising, therefore, that some Members or PSAC picketers may not have been fully aware of the right of Members to unimpeded access, and this may have occasioned some delay.

That was in 1999.

Lastly, I'll review the incident that took place during the 1988 protest on the Hill over the GST.

With that I will begin. If committee members have any questions or would like any clarification while I am talking, please feel free to interrupt at any time.

I'm hoping to provide a few more details than are in the briefing notes. It may be a little longer than the actual briefing note itself.

The two most recent incidents were dealt with in a single ruling by the Speaker on May 12, 2015.

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, on a point of order. I was waiting to see where you would start. Is there a page 6?

The Chair: Go ahead.

Mr. Andre Barnes: I'm sorry, this particular instance I did not include in the briefing note.

Mr. David Christopherson: Yes, I noticed. That would be my point.

Mr. Andre Barnes: In getting the briefing note ready in one day, there wasn't time to cover all of them, so I thought I would cover this one in this particular briefing.

Mr. David Christopherson: That's fine. I wanted to make sure I wasn't missing a page that I should have. Thank you.

Mr. Andre Barnes: I'm sorry about that.

• (1010)

Mr. David Christopherson: That's fine. I understand.

Mr. Andre Barnes: The Speaker ruled on the incident on May 12, 2015. The House adjourned in June of that year, and then the election was in the fall.

Two instances were dealt with in a single ruling. The first was a bus being delayed from entering the Elgin East Block entrance, with members on board the bus. That happened on April 30. The second case occurred during the visit of the President of the Philippines on May 8, 2015.

The details of the incidents are as follows. On April 30 the member from Skeena—Bulkley Valley rose in the House on a question of privilege. He told the House that he was chairing a meeting in the Valour Building when the bells sounded for a vote. He and five other members boarded a bus in front of the Valour Building and proceeded east down Wellington. The bus attempted to turn left into the East Block entrance, and was prevented from reaching the gate by the parliamentary protective service. I suppose in their communication by radio it wasn't clear from the debates how they were talking. The bus driver was told by the PPS that they couldn't enter the precinct and that their access was to be delayed by three to five minutes. No reason was given. The members could not get off the bus because they were stuck in the middle of traffic. The bus driver was unable to pull over to the side to let them off because they were in the middle of traffic. No reason was given, as I mentioned, and it was not clear, when the member rose on the question of privilege, whether or not he was able to make it to the vote. The Speaker reserved his decision on that matter that day.

Just over a week later, on May 8, at 10:30, a Friday, the member from Toronto—Danforth was walking to Centre Block. He had indicated to the House that he wanted to participate in a debate that was going on. He was walking on the west part of the ring road on Parliament Hill. He saw up ahead that the PPS was holding up a crowd, just across from the House of Commons. When he got to the crowd, he attempted to cross there. The member of the PPS stopped him. He showed the member his lapel pin and his ID. The response from the PPS was that her orders were to stop everyone, and it did not matter if he was an MP or not. The member was told that the delay was caused by the expected arrival of VIPs, which it turned out was the President of the Philippines.

On May 12 the Speaker ruled on both cases, finding that both constituted prima facie questions of privilege. The member from Toronto—Danforth was invited to move the motion to refer the matter to procedure and House affairs; however, the motion was defeated in the House, 145 to 117.

The Chair: For both of them?

Mr. Andre Barnes: Yes. They were handled together as a single motion. That concludes the first incident.

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): When he was told that he could not enter because of the presence of the President of the Philippines, where was that?

Mr. Andre Barnes: Where was the member?

Mr. Scott Simms: Yes, where did that happen on the precinct?

Mr. Andre Barnes: He would have been on the sidewalk toward the members' entrance, right at the very top—

Mr. Scott Simms: On the House of Commons side.

Mr. Andre Barnes: On the west side of Centre Block, on the House of Commons side.

Mr. Scott Simms: Okay.

The Chair: David.

Mr. David Christopherson: Thank you.

To underscore as we move through, to the best of my knowledge almost every incident, if not all, involves foreign dignitaries, and the security is beefed up to recognize the protection we owe them. I want to raise this now because it's the thread all the way through. The answer is not that there's an immediate instance and the security people have stepped in and we don't want them to. No matter what's going on it's not that immediate situation that needs to be decided at the moment in the best interest of the priority. At that time the priority is our visiting dignitary; that's understood.

The issue here is the absolute continuing lack of planning. You know these visits are coming. We know the disruption that's going to be caused, but the security service also knows that this place still functions. We don't grind to a halt, and so they need to build into their plans that ability for every member, no matter where they might be, to get into this House. Consistently, that's where it's failed, in my opinion. That's what I'll be homing in on, that it's not a matter of "don't do the right thing to protect a secure moment". That's nuts, and that's not what we're talking about. We're saying you know what's going to happen on the Hill, you're planning for every minute and movement of our guest, you can also build into those plans how the members are going to get around to continue their business.

We keep being told—and you'll hear this, colleagues—that we're going to do that from now on. Yet I keep finding myself sitting here, over and over again, in the same kinds of circumstances. It's because we haven't yet gotten the message through that the planning for members having access to the House of Commons is as important as planning for the security of our guest. It's a constitutional requirement, not some polite Canadian niceness. I'll be homing in on this all the way through, Chair, because to me, that's the answer. It's the planning that needs to take place but isn't taking place, and we inevitably get into these clashes.

• (1015)

The Chair: Just so that people know, apparently the bells are going to ring at 10:40 for a vote, a 30-minute bell.

Mr. Blake Richards (Banff—Airdrie, CPC): Chair, I was going to raise that same point.

The Chair: Okay.

Mr. Blake Richards: What are your intentions, then, for the way we'll handle the second two hours? Obviously we have a fairly large group of witnesses for a one-hour time slot in that 11:00 to 12:00 time slot. I'm curious as to what you would plan to do to ensure that they get a proper hearing, because there won't be a lot of time left in that one hour.

The Chair: David.

Mr. David Christopherson: Well, that's the point that I think we all want to raise.

Oh, that David? I'm sorry.

The Chair: We'll hear this David and then that David.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): I was just going to say that I have no problem. I'd encourage us, whatever time we lose to the vote, to make up for it between 1:00 and 2:00, if we can displace that hour and if the witnesses are amenable to it.

I don't know whether that's possible.

The Chair: It depends whether the guests are available.

Mr. David Christopherson: We picked 10 o'clock so that we'd still preserve the 1:00 to 2:00 slot, and I have filled it, so it's a bit of a problem to extend this one. I think, though, that this is important enough that we should be looking...

If we don't have enough time to complete what we're doing, the time limit is not what's absolute; it's our goal that's absolute. If it takes us a little more time and we have to have another meeting because we were interrupted by bells, so be it. The one thing we're not going to do, however, is not have any part of the discussion that we should have because we ran out of time in going to vote. That's not going to happen.

The Chair: My hope is that we get back as quickly as possible and see how much work we can get done.

Mr. Blake Richards: I would suggest that if there isn't enough time, if members at the end of that 11:00 to 12:00 slot.... I would guess it's going to be close to 11:30 by the time we reconvene. It's probably only going to leave half an hour. I assume we won't have enough time, with that many witnesses—

The Chair: Right.

Mr. Blake Richards: —but if members at the end feel that this is the case, what we might have to do, although I don't know what the schedule is on Thursday, is invite the guests back for another hour on Thursday. I think that's likely what will have to occur.

The Chair: Concerning the Speaker in particular, if we get all the questions for him done, we could invite the others back for Thursday, if we have to.

Filomena.

Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.): Mr. Chair, I'm not sure procedurally how this takes place and whether it requires unanimous consent, but is it possible that once the bells go, given that the House is just down the hall, can we continue, still giving ourselves enough time that we get to the House but not suspending right when the bell goes?

Mr. Blake Richards: It's not the issue, though, of this hour; it's the hour following the vote. That's when we're going to lose the time with the witnesses. Whether we sit through part of the bells or not is actually not going to fix the problem.

The Chair: If we're not finished this, we could sit for part of the bells.

Mr. Blake Richards: Yes, certainly, but it's more a question of the other part.

The Chair: Yes, I understand.

Ms. Filomena Tassi: —and then of resuming right away as soon as we're done.

The Chair: Ruby.

Ms. Ruby Sahota (Brampton North, Lib.): Actually, Filomena took the thought out of my mind at that point. That's what I was going to say, but in addition I would ask, is it possible, Mr. Christopherson, that you can change around that 1:00 to 2:00 time today? Then, if all the witnesses.... I mean, that should be the first priority. I feel we have so much on our agenda that we should do as much as we can do, and of course, whatever time is remaining we can move into Thursday. Thursday, though, we also have a lot to do: we have to get through this really important topic.

Mr. David Christopherson: If I'm the only one, then I would find a way to deal with it—if I'm the only one.

Mr. Blake Richards: We also have to recognize the situation of the witnesses. Some of them are scheduled from 11:00 to 12:00, and those are the ones we're going to shortchange. The ones who are here at noon, we won't be shortchanging. Unless we're going to shift it all around, then, and I don't know how you do that at this point, I really think there's a pretty good chance—

Ms. Ruby Sahota: We can lengthen each period.

Mr. Blake Richards: I know the government members seem to want to avoid that, for some reason—I don't know why—but I really think we're going to need that other hour on Thursday now; I just don't see any way around it. We can see what happens in that time frame, but you can't adjust all the witnesses' schedules at this point, either. It's likely the case that we're going to need to have that other hour.

The Chair: Yes.

• (1020)

Ms. Ruby Sahota: There's no ill intent behind this, I assure you. It's just that we've spent so much time, as we all know, on—

Mr. David Christopherson: —“other business”?

Ms. Ruby Sahota: —the previous issue.

There's the Chief Electoral Officer's report that we have to get to eventually, and we want to get through the privilege issue. That's the only intention.

If we can expand the next Thursday meeting to three hours and perhaps keep doing that for a little while until we get through to a comfortable place wherein we know we're going to get through our agenda, I would suggest doing that. It's not wanting to avoid having the witnesses or going through the material; it's just a timing thing.

Let's expand the meetings, then, to three hours each meeting until we get to that comfortable point, I would say.

The Chair: Okay. Let's get going to see how much we can get done.

I have a quick question. Did we ever find out why the bus, seeing that it didn't reach here, wasn't let through?

Mr. Andre Barnes: No, it was not indicated in the member from Skeena—Bulkley Valley's intervention.

The Chair: Ms. Sahota.

Ms. Ruby Sahota: I have a question regarding that. You had said they were informed that they would have to wait from three to five minutes. How long did they have to wait in actuality?

Mr. Andre Barnes: On reading the *Debates*, the government House leader commissioned a report, and I believe the delay—don't quote me—was in the neighbourhood of 74 seconds.

Ms. Ruby Sahota: Oh, I had heard something else.

Mr. David Christopherson: They wouldn't know that at the time.

Ms. Ruby Sahota: No.

Mr. David Christopherson: Once they are stopped, they don't know whether it's one minute or half an hour.

Mr. David de Burgh Graham: Half a minute feels like a long time when you don't know when it's going to end.

Mr. David Christopherson: That's especially true if you're racing to vote or speak.

Mr. David Christopherson: Maybe you have a whip waiting for you.

The Chair: Let's move to the next incident.

Mr. Andre Barnes: If you're following along on your briefing note, we would pick up on page 5 with “F. 2014 - President of Germany”. That incident occurred in September 2014. The matter was referred to PROC by the House on September 25, 2014.

Three meetings were held by PROC to gather evidence. Something for the committee to keep in mind for its study is that there were about four groupings of witnesses. The member from Acadie—Bathurst would be one kind of group of witness, officials from the House of Commons. Then there was the acting clerk, the Sergeant-at-Arms, and the deputy sergeant-at-arms. We also had the commissioner of the RCMP accompanied by the assistant commissioner and the deputy commissioner. Finally, the chief of police of Ottawa plus an inspector appeared.

This resulted in the 34th report from the 41st Parliament's second session.

As for the incident itself, on September 25 the member from Acadie—Bathurst was in his office in the Justice Building. The bells began to ring for a vote. He boarded a bus in front of the Justice Building. The bus proceeded towards Parliament Hill. It was stuck in a traffic jam in front of the Confederation Building. Apparently, the RCMP were holding vehicles at the vehicular checkpoint in anticipation of the arrival of the motorcade of the President of Germany.

Fearing he would miss the vote, the member and other members exited the bus and proceeded on foot to the Hill. When crossing Bank Street north of Wellington, an RCMP member intercepted the member from Acadie—Bathurst, further delaying him from accessing Parliament Hill and making him wait until the motorcade had passed.

It was noted by the Sergeant-at-Arms during his appearance before the committee that the delay of the member of Acadie—Bathurst's right to access the parliamentary precinct freely in fact began during the traffic jam, which caused the buses to be held back from Parliament Hill.

It may also be worth mentioning that the member felt he was treated rudely by the member of the RCMP. The member did, however, make it to the House in time for the vote.

In respect of recommendations made by the committee in its report and changes made to security protocols on the Hill, during his appearance before the committee, RCMP Commissioner Paulson stated that since 2012 when a similar incident occurred, which we will get to in a moment, involving members being impeded from accessing the Hill freely, a number of changes have been implemented. These include the distribution to all RCMP members posted on the Hill of a directory of members of the House of Commons—that's the booklet that contains the names and pictures of all the members of the House—ensuring that all newly assigned RCMP members to the Hill are thoroughly briefed on parliamentary privilege and ensuring the prompt dismantling of security parameters established during major events and demonstrations at the conclusion of every event.

Also, Assistant RCMP Commissioner Michaud during his appearance before the committee stated that following the incident involving the member from Acadie—Bathurst two security protocols were put in place. First, motorcades were to begin using an alternative gate to enter and exit Parliament Hill. He noted that this was successfully employed during a visit by the President of the Republic of Finland. The second protocol established that last-minute changes to the movement of motorcades were to be communicated to House of Commons security services by an RCMP vehicle that would arrive ahead of the motorcade.

PROC's report on the matter made the following recommendations: first, that the office of the Sergeant-at-Arms provide all members with a phone number they can call in case of an emergency related to an obstruction that they experience in accessing the parliamentary precinct; and second, that a paragraph focusing solely on parliamentary privilege be included in the operational plans employed by security partners on the Hill.

The report concludes that members have had their right to unimpeded access to the parliamentary precinct denied with all too great a frequency. The committee considered the best solutions to this to be improved planning, greater coordination, and increased education and awareness on the part of security services and the members.

● (1025)

Mr. David Christopherson: If I may, Mr. Chair, I'll just point out...and it's not due to anything other than making sure that we see the difference.

To the best of my knowledge, and I stand to be corrected, it was never the former parliamentary security people we have had a problem with. That has never been an issue. They understand, because they've been here so long.

It's when we get into the interface of the RCMP and the House. At one of the last meetings, they told us that merging the two was going to be the great solution and was going to solve a lot of things, but it hasn't.

I just wanted to point out that one of the issues right now is who ultimately controls the security in this place. Let's just understand, as we're going through this, that those who made the decision to intervene with MPs were not the former security staff who were dedicated just to the Hill.

I'm not blaming the RCMP. We ran into the same thing at Queen's Park when we had the interface of the security people at Queen's Park, along with the OPP and the Toronto police. We have the same thing here because there's that merger.

I just think, with everything going on right now in terms of the former Hill dedicated staff fighting for respect, that it's important for us to acknowledge that it was not them, at any time that I'm aware of, who stepped in and prevented members.

The Chair: Andre.

Mr. Andre Barnes: Carrying on, the third and final incident from the 41st Parliament—E on page 5 of the briefing note—was the visit of the Prime Minister of Israel. That incident was referred to PROC on March 2, 2012. There were two meetings held to gather evidence. In terms of grouping of witnesses, there were the officials from the House of Commons, the Clerk, and the Sergeant-at-Arms, and there was the assistant commissioner of the RCMP. It did result in a report, the 26th report of the 41st Parliament, first session. In terms of a summary of that incident, the committee heard that at least three incidents occurred during that visit.

The first was a member attempting to access the Hill from the east gate nearest Elgin, and an RCMP officer prevented him from accessing the Hill. The RCMP officer did not have the directory of members of the House of Commons. The member himself did not have any identification. The RCMP officer did admit that he knew who the member was, but he was not allowed to permit him to pass without proper identification.

A second incident was when a member was attempting to access Centre Block using the lane that goes up the middle with the Centennial Flame. She was intercepted and told to go to East Block and take the tunnel to Centre Block.

A third incident occurred following the departure of the prime minister in which a member was leaving the Hill, and his preferred route was to take the east part of the ring road. He was told that he needed to go down the centre lane because they were still dismantling some of the security apparatus that was still there. He was told to go down the middle lane where the Centennial Flame was. So the incident was sent to PROC. During her appearance before the House, the Clerk apologized for the entire incident and the inconvenience, especially for the east tunnel instruction that apparently ran counter to the agreed-upon security plan.

During his appearance before PROC, assistant commissioner of the RCMP, Mr. Malizia, identified several changes that were in the process of being made to the standard operating procedure for visits from foreign dignitaries: working with the House and Senate security to have their personnel at key checkpoints to assist RCMP officers in identifying parliamentarians; placing experienced Parliament security members at key access points; and updating the orientation for RCMP members to further enhance their visual recognition of parliamentarians. He noted that each RCMP officer would be

equipped in the future with a directory of members of the House of Commons.

In terms of recommendations made by the report, I would note that the report did not find a breach of parliamentary privilege. It was noted that such a finding should not be made lightly and that the committee was hesitant to draw any conclusions from the evidence it heard, especially because the members identified in the question of privilege declined to appear before the committee to provide evidence during the study.

The committee's report also stated the following: members were to be encouraged to carry their House of Commons ID cards and wear their House of Commons pins, especially when special measures were known to be in place on the Hill; the obligation to recognize and identify MPs as MPs belongs to the RCMP; and House of Commons security services should provide assistance to the RCMP in identifying members, and once a member is identified as a member, that person should be granted access to the Hill. The RCMP was strongly encouraged to call upon the assistance of House of Commons security service to help identify members at the various access points to the Hill. Lastly, all members of the RCMP on duty must be made aware of parliamentary privilege and the right that members have of unfettered access to the Hill and that this right is a fundamental pillar of the Canadian parliamentary democracy.

That is that for that particular incident.

If there are no questions, we'll go back in time to what is probably the most egregious incident back in 2004, which was a visit of the President of the United States. The matter was referred to PROC September 25, 2004. There were five groups of witnesses for the committee's information, and there four meetings held to gather evidence. The Sergeant-at-Arms gave a preliminary briefing. The two members who rose on a question of privilege, the member from Charlevoix—Montmorency and the member from Elmwood, were also at a meeting to give testimony. The Ottawa police were invited, and three members showed up, and a mix of witnesses including the RCMP, the Sergeant-at-Arms, and the major events coordinator for parliamentary precinct appeared before the committee.

● (1030)

A report resulted from that study, the 34th report of the 38th parliamentary session.

In a summary of what occurred, it was the first visit by the President of the United States, then president George W. Bush, since the U.S. invaded Iraq in 2003, and a large protest was planned on the Hill. According to the RCMP, the security in place at the time was the strictest and highest ever. Security forces on the Hill that day appeared to be the House and Senate security services, the RCMP, the Ottawa police, and the Toronto police.

On November 30, the member from Charlevoix—Montmorency rose in the House on a question of privilege, citing numerous examples of members being prevented or delayed from accessing Parliament Hill. Some of the delays lasted hours.

At issue was that most if not all the police officers providing security that day did not know the members' right to access the Hill. Members were halted, refused access at security barriers, even after showing their pins and their identification cards. As an example, one member apparently tried to gain access and spoke with 50 different police officers at 10 different access points over the course of three hours and nonetheless missed a vote.

The member from Charlevoix—Montmorency also noted there were cases of members interrupted while in the bathroom or in their offices, and advised that they could not use the hallways during the visit of the President. There were also complaints about lack of bilingual police officers on the Hill. While most members were eventually able to access the Hill, a number experienced substantial delays and some missed votes in the House.

In recommendations made by the committee, the committee report concluded that the privileges of the members of the House had been breached and that this denial and delay to access the Hill constituted a contempt of Parliament.

The committee, in terms of remedies, requested reports be prepared by the Sergeant-at-Arms and the RCMP about preventive measures they planned on instituting in the future to mitigate against a similar situation, and the Speaker and the Board of Internal Economy requested as a matter of urgency to enter into discussions to merge the House of Commons and Senate security services into a unified parliamentary security service before January 1, 2006.

That is it.

● (1035)

Mr. Scott Simms: I have a quick comment on that.

I was caught up in that as well. I was newly elected. I was at the Westin Hotel, and was not allowed to cross the street. I was told by the Ottawa police in no uncertain terms I could not cross. Now granted, I didn't turn around and do the old, "Do you know who I am?" deal. I suspect if I had it would have gotten me nowhere, such as was the case with many other members.

The scuttlebutt at the time—and I don't know if this is true or not, but nevertheless it's worth addressing—was that the presidential delegation had said that nobody had access within a certain distance, effectively quashing our privilege.

My question is going to be, and this is probably not the place, but maybe at some point, I want to say, "What if...?" As Mr. Christopherson pointed out, this all comes down to when these people visit, heads of state or similar, like the Pope, if they look at, say, the Prime Minister's protocol, or whoever the people are working in the PMO and say they don't want anybody coming into these areas because of security reasons, do we remind them that we as members have a privilege? I'm not looking for an answer now, but at some point I think it should be addressed. What do we respond with? I don't know.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Mr. Simms is right at the heart of the issue.

The other thing I want to underscore is that it doesn't get any more egregious than missing a vote. It makes me wince to think that

someone missed a vote because they couldn't get here, which of course is why MPs have unfettered access, because who knows where that leads, ultimately, if it's okay to physically stop members from getting into the House?

The other thing I want to mention, on a positive note, since we're kind of going backwards and you can that see each time we visit it, it gets worse, up to the point now where we have hours and hours, members who missed votes.... It didn't get to that degree as we move closer to modern time, so it does show that we're making progress, but we're still not there. I have to tell you that I'll be shocked if this is the last time we ever deal with it before we finally get to the point where the planning for the security of guests has a secondary priority, that is, make sure that MPs can get to the House. We have to keep saying that over and over.

It made some gains, given the fact that we just heard that most of the RCMP back in that day and the other police—and probably a whole lot of other people—had no idea that this right existed. Now, we're at least at the point where they know that this has existed, and it's just still being curtailed in ways that are unacceptable. Just to be as positive as we can, we are making some headway. We're getting closer and closer, but "closer" is not good enough when it's an absolute right.

The last thing I want to say on this fight is that one of the things we risk when we do this is having people sitting back and saying, "Bloody MPs who are so special and elite." You know what? That's a risk that we have to run. We need to take that heat, because for everybody who came before us, they were prepared to take their heat to make sure that for the future—for us, who they didn't even know—they were protecting our rights. When we're doing this, it's not just for us while we're here. More importantly, it's for the institution and for members of Parliament in the future. It's up to us on each of our watches to make sure that those rights are preserved. Otherwise, they are lost.

The Chair: Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): We don't know when the bells are going to ring, and you have to suspend when that occurs, so could we get in advance unanimous consent to continue sitting till the top of the hour? That would allow us to continue discussing.

The Chair: Do we have unanimous consent?

Some hon. members: Agreed.

The Chair: Okay. That was a good point.

Mr. Scott Reid: There are two things I wanted to deal with that are utterly different from each other.

The next thing is also a matter where I'm seeking unanimous consent. The matter of privilege we'll be discussing today is one that was brought through an unusual means. Mr. Nater is sitting here with us and it's his motion, but of course it's not his privileges that were interfered with here, and there is no precedent as to whether he should be appearing as a witness, or as a member of the committee, or in any other capacity. I wondered about this. I discussed it with John earlier.

You can correct me if I have this wrong, John, but essentially your preference was to not be appearing as a witness but rather to be sitting here as an observer and perhaps a participant.

In order to make sure that this unprecedented way of handling it does not become a precedent, could we get unanimous consent again so that what Mr. Nater would do would be to sit here, as opposed to appearing as a witness. Would that be satisfactory to members as well?

•(1040)

The Chair: Does anyone have any problem with that? No?

That's fine.

Mr. Scott Reid: Thank you.

Is that okay with you, John?

Mr. John Nater: Yes.

Mr. Scott Reid: Okay.

We've been discussing the substance of the issue here—what Mr. Christopherson and Mr. Simms have been doing—the question writ large.

Turning to the question writ as narrowly as possible, what strikes me is that there are considerable differences between the situation in 2004 with President Bush and the situation on March 21 or 22. Thinking of the more closely proximate or more homologous situations, I wonder if this might not be a question to think about. It seems to me that, basically, this committee administers the relationship between security and the access of MPs to Parliament Hill.

It comes up, although it's an awkward way of doing it, via motions of privilege. It's just the way these things come to us. We have to administer it as circumstances continue to change. One of the most obvious ways in which they change is that visitors coming up here require various degrees of security. We have to dispense with their motorcades. Roadways are blocked. There are weather conditions. We are also shifting what buildings are being used for what purpose, so a year and a bit from now, the House of Commons will be meeting in the West Block.

Having said all of that, what I want to suggest is this. It seems to me that there are some practical similarities that are worth taking note of, one of which is that, in a number of these incidents, people were on a bus on their way to Parliament Hill. The bus got delayed. There was a lack of information about why it was being delayed and whether it was going to be delayed longer. When they realized there was a problem, they then had the option of hopping off the bus, at which point they were prevented from crossing the street. Most obviously, this is the case in Mr. Godin's situation.

What occurs to me is that, at a practical level, we might be able to resolve some of these problems if, when buses are delayed, people can be shepherded up the side of the street. If you get out at the car wash, you can be shepherded up the side of the street, and that doesn't involve crossing a road and potentially getting run over by somebody. That might resolve the situation in a very practical, low-profile way, which doesn't require the education of people from other police forces, or anything except a practice of letting people out so that they can walk up that north side of the little road at the top of the Hill and avoid traffic that might have resulted in about half of these cases. If we could, let's just put that thought into our intellectual baggage as a potential way of resolving this in a low-profile way.

The Chair: Okay, good. When we get to recommendations....

Let's try to get through the report here, if we can.

Ms. Tassi.

Ms. Filomena Tassi: Did the Sergeant-at-Arms or the RCMP provide a written report? The recommendation was that they each provide a report. Were those reports provided?

Mr. Andre Barnes: I will look into that.

Ms. Filomena Tassi: Okay. If so, can we have a copy of those?

Mr. Andre Barnes: Sure.

Ms. Filomena Tassi: Thank you.

The Chair: David.

Mr. David de Burgh Graham: I have a quick question for the clerk and analyst. Do we have a video of the incident that we're going to be viewing today?

The Chair: No.

Mr. David de Burgh Graham: We do not.

Mr. David Christopherson: It doesn't exist.

The Chair: My understanding is that they're not bringing a video, but I don't know if there is one or not. I'm sorry. We could ask them when they get here.

Mr. David Christopherson: You could ask them ahead of time too, if you see them.

The Chair: Yes. The clerk thinks there is a video, but because we asked them to come to talk just about the administrative structure today and not the incident, it may not be here today. It doesn't mean we won't have access to it.

•(1045)

Mr. David Christopherson: I suspect we're going to want to see it. You might want to give them a heads-up, clerk, if you see them when they first come in.

Mr. Andre Barnes: The remaining two incidents, as alluded to by Mr. Christopherson, begin to get a little further away from the problems that members experience currently because we're going back now 20 years and, in one case, closer to 30 years, but nonetheless, there may be information that is of some use.

The next incident, the second last incident, involved a strike by the Public Service Alliance of Canada. That question was sent to PROC to study. I do not know how many meetings were held on it, but I do have a copy of the report. These are not available online because it was back in 1999. I went to 125 Sparks Street and printed off a copy from a book. As for the groups of witnesses, there were the members who raised the questions of privilege, Mr. Reynolds and Mr. Pankiw. There was as a second group, the general legal counsel of the House of Commons and Mr. Joseph Maingot, former law clerk and parliamentary counsel. The representatives from the Public Service Alliance of Canada and the Sergeant-at-Arms also appeared as well as a fourth grouping of witnesses.

As a summary of the incident, I'll try to make it quick. It was kind of a quirky incident. There was an ongoing labour dispute between PSAC and their employer, the Government of Canada. As part of this dispute, early February 17, 1999, members of PSAC set up picket lines at strategic locations on Parliament Hill and the Wellington Building, which, I guess, was open then, and then closed, and now reopened.

During the course of its study, the committee was told that the strategy was to slow down vehicle traffic onto the Hill but allow unimpeded movement of pedestrians. At the Wellington Building, the intention was to prevent employees and members of the public from entering. As members were required to be given access to Parliament Hill, security personnel were positioned in order to help identify members and to allow them to pass unimpeded. Nonetheless, the picket lines resulted in some difficulties for some members in accessing Parliament Hill and their offices.

On that day, the Speaker ruled that these allegations constituted a prima facie case, and the matter was referred to PROC. The committee reported to the House on April 17, 1999. With respect to the matter of contempt, the committee concluded that there was no deliberate intention to contravene parliamentary privilege in this case, that any contempt that occurred was technical and unintended, and that this was not an appropriate case for sanctions.

The committee nonetheless suggested the following preventative measures: that there be greater communication and coordination among the different police and security services responsible for security in and around the Hill; and that the Parliament of Canada Act be amended to extend the definition of Parliament Hill so that all buildings where members have their offices be included in that definition. The committee also suggested that a general level of awareness be raised about security issues and members' access to Parliament Hill. No further action was taken.

Last but not least, to keep it quick, the GST protest of October 30, 1989 was, again, a fairly unusual situation. The question of privilege was referred to PROC. There was no report, and as far as I could tell, having gone through the books in the library at 125 Sparks Street, there was no meeting even held on the matter. At the time, in case you're curious, the meetings in October 1989 were focusing on an order of reference from the House to study all aspects of radio and television broadcasting in the House and its committees.

In December 1989—so even when that study concluded, they did not pick up this study—they embarked on a study of the rights, immunities, and privileges of the members of the House of

Commons that actually did not focus on this. The first meetings in 1990 were on the topic of parliamentary procedure in committees.

I could not find any evidence about the incident from procedure and House affairs. What happened that day, October 30, was a large demonstration. Apparently there were thousands of protestors in attendance on the Hill. Apparently hundreds of cab drivers were attempting to have a procession that would go onto Parliament Hill, do a loop, and come back down. They were prevented from accessing Parliament Hill by the RCMP.

Certain members, including the member who rose on the question of privilege, Mr. Gray, were present at the protest and saw that the cab drivers were not being permitted to enter onto the Hill, so they entered into the cabs and asked the cab drivers to drive them onto Parliament Hill. The RCMP still did not lift the roadblock, so someone went and fetched the Sergeant-at-Arms in the House, and the Sergeant-at-Arms came down to the roadblock. They had a negotiation with the sergeant of the RCMP in charge, and it was agreed that 30 cabs with members in them would be allowed to proceed. However, the cab drivers said that, if they all didn't get to go, none of them would go. The members got out of the cabs and walked. Eventually, apparently, the cabs were allowed to go up onto the Hill, and corollary to that, apparently a member who was arriving on the Hill in a cab outside of the process was prevented from entering onto the Hill, although the cab had no business with this other procession.

• (1050)

Mr. David de Burgh Graham: Wasn't that the same year as the bus incident on the Hill? There was a bus hijacking that ended on the Hill.

Mr. Andre Barnes: I don't know.

I could let you know what the Speaker said in sending it to the committee, although the committee never studied the matter.

As a final wrap-up of the presentation, I would mention that in the time I had, I did look at other jurisdictions to see if I could find anything that might guide the committee in what is done in other places. I checked the website on Australia's House of Representatives' committee on privileges. It went back to November 1998, and I couldn't find a report on a similar subject matter.

In the U.K., of course, you have Erskine May, which makes reference to the privilege itself and gives you the history of the privilege, but it gives no information about incidents that have occurred recently.

I did check, and there were two very important studies conducted by joint committees in the U.K., one in 1999, and one in 2013. There is a reference to unimpeded access in the 2013 report. About that, they mention that the House of Lords passes an order on the first day of every session to remind the metropolitan police commissioner that the "House be kept free and open and that no obstruction be permitted to hinder the passage of Lords to and from this House during the sitting of Parliament".

Why it made it into the report is that the House had ceased doing that in 2004. The joint standing committee thought they should recommence issuing this order, similar to what the House of Lords does.

I scoured other jurisdictions. I used Google to try to find out if anything had happened in Ontario, and the words “protests, members' privileges, impeded access” produced no hits. That might be a witness worth calling, if members were interested in finding out what has happened in the provinces.

The Chair: David.

Mr. David Christopherson: Thank you very much, Andre. That's a great report, exactly what we expect from you and the excellent standard you have.

I just want to observe that in listening to the whole thing, it seems to me that it's 9/11. It's pre-9/11 and post-9/11. If you look at pre-9/11, the circumstances suggest that things weren't as tight. Most of the matters here, to use your word, were “quirky” situations. They were one-offs. It wasn't this consistent thing that we're seeing, and it really didn't start until after 9/11, when the world changed and security became the absolute priority that it is. I think that's probably a good part of this. We've had all but an overreaction, to the extent that it's such a blanket security mindset. This idea that there's an exception just doesn't fit into that. I get that. I think we all do.

If this were easy, we wouldn't have an ongoing problem. The trick, again I'll just say it—and you're going to get sick of it—is the planning at the beginning. That's what this is all about, making sure that the planners understand where members are likely to be at the time that our guest is here, and ensuring that part of the planning guarantees them safe and timely access, at all times, to the Hill.

That's where it keeps falling down. We just don't get that emphasis. We're getting better, but we're not there. When I look at the history, I really think a lot of this has to do—because we're dealing in big time spans here, relative North American times—with after 9/11. We're getting all of this ratcheting down so tight that we can't even get around.

That was an observation more than anything, Chair.

Thanks.

•(1055)

The Chair: Mr. Reid.

Mr. Scott Reid: Our analyst didn't find relevant examples from the jurisdictions he looked at, which doesn't surprise me. For example, in the case of the Ontario legislature, you would not normally be dealing with people who have the same security issues that we have federally. They do have a security presence, but I think they're able to keep it at a lower level, based on the realistic assessment that they are less of a target for terrorist attack than we are.

I've visited the Australian Parliament. It is a single enormous building with everybody connected through underground passages. Hence, they simply would not have the kinds of issues that arise here.

I think this is a uniquely problematic situation, which has to do with the fact that we have a series of 19th century buildings mostly connected by above-ground communication. People have to cross public thoroughfares. This will never be resolved until we have something that I'm not actually recommending, which is an elaborate network of underground tunnels, at great expense. That, I think, is just the nature of it. We're going to have even more problems, and they will be largely unique to ongoing infrastructure changes.

The Chair: Mr. Graham, go ahead.

Mr. David de Burgh Graham: On the same point as Scott's, I believe that most of the buildings are connected by tunnels; we just don't have access to them. That might be an interesting thing to—

Mr. Scott Reid: Yes.

Mr. David de Burgh Graham: When I was a staffer, they built a new tunnel between Confed and Justice. It's a walkable tunnel, but it's not open even to members to go through.

Mr. Scott Reid: It's interesting, but it doesn't resolve the problem of getting from Justice and Confed to Centre Block.

Mr. David de Burgh Graham: No, but I believe those tunnels exist among all buildings. The reason the East Block tunnel was open, from what I understand, was that a member going through it hurt himself when it was a heating tunnel, so they decided to make it a real tunnel. Perhaps part of the longer-term process would be to open up these tunnels to be legit.

Mr. Scott Reid: That's not a bad idea. That's actually a reasonable recommendation, although if we decide to recommend this direction, we might want to exercise some caution on costs. As you know, the East Block tunnel is panelled in wood and has a few other features that perhaps aren't really necessary. I am told it was inordinately expensive.

Mr. David de Burgh Graham: Also, of most concern in the East Block tunnel is that my cellphones work there, so I don't know how thick that ceiling is under the road.

Mr. Scott Reid: Are you saying the problem there is that it's not secure enough?

Mr. David de Burgh Graham: No, I'm just curious how thick that ceiling is, because my phones work perfectly well in that tunnel.

Mr. David Christopherson: If Elon Musk wanted to build all these really cheap, boring things, we'd be able to do all that tunnel stuff.

Mr. Scott Reid: We'd have pneumatic tubes among all the buildings. It's an excellent idea.

Mr. David Christopherson: There we go. You know what? You go down to the States.... Anybody who's ever been to Congress knows that they have a whole train system underground, literally with the “choo-choo”—not that we are suggesting this. I agree with you about the cost.

Mr. David de Burgh Graham: I think we're going off the rails.

The Chair: Before we suspend for the vote.... When we get the report—if we get the report—from the PPS that was done and that we asked for from the Speaker, and also the video, I would suggest—and they'll probably ask—that it be in camera, because we are giving out security secrets to some extent, so we don't want to reduce our protection by doing that. If everyone agrees, when those two items come up, we'll do it in camera.

Mr. David Christopherson: As long as we give an assurance to everybody that the scope of what we're talking about is going to be very narrow and it's only security.... Having said that, yes.

The Chair: Is there anything else related to this report before we break?

Let's try to get back as quickly as we can after the vote so we can start right away and get as much done as we can.

Mr. David de Burgh Graham: We should learn to prepare as a committee for these things.

The Chair: Okay, the meeting is suspended.

• (1055) _____ (Pause) _____

• (1130)

The Chair: Welcome back to the 57th meeting of the Standing Committee on Procedure and House Affairs. For your information, the meeting is now being televised. We are pleased to have with us today the Honourable Geoff Regan, Speaker of the House of Commons. He is accompanied by the acting clerk Marc Bosc and officials from parliamentary protective service: acting director Mike O'Beirne, and Robert Graham, administration and personnel officer.

On behalf of the committee I would like thank you for making yourselves available on short notice. Your expertise and input in this matter is invaluable. I know you are all very busy so we appreciate your being here today. I'll ask the Speaker for his opening remarks. At this meeting we're talking about the structure of administration and security, not a particular issue at this time but the overall structure.

I would ask committee members when you're doing your questioning to try to exhaust any questions for the Speaker at this meeting. We may have to ask these witnesses back because we got truncated by half an hour, but the Speaker may not come back if we can get those particular questions finished today.

Mr. Speaker, thank you for coming.

[Translation]

Hon. Geoff Regan (Speaker of the House of Commons): Thank you very much, Mr. Chair.

Ladies and gentlemen, I am pleased to be here today as part of your study on the question of privilege regarding the free movement of members of Parliament within the Parliamentary Precinct. Thank you for the invitation.

As you said, Mr. Chair, I am joined today by Mark Bosc, Acting Clerk of the House of Commons and by Mike O'Beirne, Acting Director of the Parliamentary Protective Service.

My understanding is that members of the committee wanted me to take a few minutes to elaborate on the current structure and governance of the Parliamentary Protective Service and its mission throughout the Parliamentary Precinct and the grounds of Parliament Hill.

[English]

Since its creation in 2015, the parliamentary protective service has been working to establish itself as an independent parliamentary entity. As members will know, the PPS is responsible for the physical security of the parliamentary precinct. While the director of the new service is a member of the RCMP, the parliamentary protective service is legally separate from the RCMP, and the director is directly accountable to the Speakers of both Houses of Parliament.

For the House of Commons, it is my role as Speaker to determine the objectives, priorities, and goals relating to the security of the precinct. This is done in consultation with the director of the PPS. In turn, the director works with the House administration to define our security and access requirements. In this regard, the corporate security office acts as our liaison and main point of contact with the parliamentary protective service.

[Translation]

Pursuant to the Parliament of Canada Act, the governance of the new service was given to the Speakers of the Senate and of the House of Commons. Through the memorandum of understanding signed in 2015, it was determined that:

[...] the authority of the Parliamentary Precinct is vested in the Speaker of the Senate and Speaker of the House of Commons, as the custodians of the privileges and rights of the Members.

The Director of PPS is consulted by both Speakers when setting objectives and priorities, and the director is also responsible for planning, managing and controlling operational parliamentary security.

[English]

At the core of its mandate, the parliamentary protective service must provide for the security of all members, while respecting the privileges, rights, immunities, and powers of the House of Commons and the Senate. As indicated in the memorandum of understanding, the parliamentary protective service shall “be sensitive and responsive to, and act in accordance with, the privileges, rights, immunities and powers of the Senate and the House of Commons and their Members”.

Those privileges, rights, immunities, and powers include the right of members of the House of Commons to unimpeded access to Parliament Hill and the parliamentary precinct at all times and for all purposes. In addition, members of the PPS must not deny or delay access to a member and are expected to identify members by visual recognition. In doing so they may rely on the directory of members of the House of Commons or on their own knowledge. Failing this, they are to look for the member's pin, and if not in view, ask to see their House of Commons identification card, or any other piece of identification. I think we can assume that means normally government identification, of course government-issued ID.

• (1135)

[Translation]

While I know the Parliamentary Protective Service is working hard to ensure the protection of all members of Parliament, there is still room for improvement on how best this can be achieved. I look forward to an upcoming report from this committee, so that security services can be improved and long-term solutions can be implemented.

Both I and the Speaker of the Senate will continue to work closely with PPS on any recommendations coming from the committee or the House.

[English]

In closing, I am confident that Superintendent Mike O'Beirne, acting director of the parliamentary protective service, will be more than pleased to make himself available to the committee throughout your study in order to help you with your deliberations and answer any questions you may have.

Mr. Chair, I thank you for the opportunity to appear before you. If you agree, I will give the floor to the acting director of the parliamentary protective service for a few comments. Then, I would be happy to answer questions from members of the committee—unless you want to deal with my questions first and wait to deal with him later, whichever you like.

The Chair: How long are your remarks, Mr. O'Beirne?

Superintendent Mike O'Beirne (Acting Director, Parliamentary Protective Service): Mr. Chair, they are probably about six minutes.

The Chair: What is the committee's will?

Mr. Blake Richards: It's probably helpful to hear his comments first.

The Chair: Okay.

Mr. O'Beirne, you are on.

[Translation]

Supt Mike O'Beirne: I would like to begin by thanking the committee for the opportunity to appear before you today to discuss the parliamentary privilege issue stemming from an incident that occurred on March 22, 2017.

[English]

I'd like to start by stating that the parliamentary protective service remains committed to ensuring that the rights, privileges, and

immunities afforded to parliamentarians remain protected. In the execution of our physical security mandate—

Mr. David Christopherson: I apologize for interrupting. Is there a copy of the remarks?

The Chair: No, we don't have a copy.

Carry on.

Supt Mike O'Beirne: In the execution of our physical security mandate throughout the precinct and the grounds of Parliament Hill, we strive to uphold the doctrine of privilege so as to ensure that the integrity of both Houses is protected from outside influences attempting to alter the proceedings of Parliament.

[Translation]

With that, I will now provide an overview of the events leading up to the incident that has raised the question of privilege, occurring on March 22, 2017.

As you all know, our operating environment is complex, and that is only amplified by the evolving nature of the global and domestic threat environment.

[English]

In the end, I can offer no excuse for the delay, and I accept all responsibility.

On March 22, the PPS was in the process of making necessary adjustments to and operationalizing a security posture to support the tabling of budget 2018 at 16:00 hours. With the primacy of security operations in mind, the PPS was striving to balance the openness and accessibility of the grounds, which included the unobstructed access of parliamentarians and ensuring that the freedoms associated with the press were maintained, with the critical need to ensure that the posture reflected the needs of the global threat environment.

[Translation]

I would now like to focus on the circumstances surrounding the point of order that was tabled by members of Parliament Raitt and Bernier.

The issue of privilege was raised as a result of delays these two MPs experienced because of the temporary closure of the vehicle screening facility on March 22. As a result of this delay, the two MPs were late for a procedural affairs vote that was occurring in the House of Commons.

[English]

It was initially believed that the closure of the VSF and resulting delays stemmed from the movement of the Prime Minister's motorcade; however, it was later concluded, based on documented timings of the Prime Minister's motorcade movements on that day, that the delay was in fact caused by the arrival of the media bus and the security motorcade that was escorting the bus, under the parliamentary protective service escort, on the grounds, to continue and maintain the continuity from the budget lockdown and destined for the budget announcement.

As the media bus was transiting through the bollards at the south street entrance, traffic at the VSF was erroneously paused for approximately eight minutes. According to the communications centre camera footage, this closure impacted the movements of three parliamentary buses arriving between 15:48 and 15:54 and departing the VSF between 15:56 and 15:57. We can confirm that the three buses were impacted by the closure of the vehicle screening facility.

The reason that the vehicle screening facility is paused is strictly for vehicular safety reasons, so as to avoid collisions between the VSF, which is very proximate to the south Sank bollards exit.... That exit was used due to the large media bus that was transiting through. It was a coach bus. It's also used for articulated construction vehicles or larger construction vehicles, as the turning radius and ground clearance at other entrances can be impediments. During these delays, the PPS can confirm that it was directly associated with this event.

On March 24, the PPS undertook a review of the additional footage from the command centre that corroborates the interaction that took place between MP Bernier and the PPS member when the MP approached the PPS to seek clarification as to why the buses were not being permitted through the VSF.

● (1140)

[Translation]

Unfortunately, MP Bernier was told that the causes of the delay were unknown. So Mr. Bernier returned to the bus shelter located on lower drive at the Bank Street extension. The PPS can confirm that this interaction took place between 3:53 p.m. and 3:54 p.m., concurrent to the bus delays owing to the temporary closure of the vehicle screening facility.

[English]

Based on the investigation that the PPS conducted into the question of privilege surrounding this incident, which included a thorough review of OCC camera footage, the acquisition of timings associated with the movements of the PM's motorcades, and interviews with the PPS employees involved, the PPS concluded that the delays experienced on March 22 were due to the erroneous and extended temporary closure of the VSF in order to accommodate the movement of the media bus up to Centre Block in time for the budget announcement that was scheduled for 16:00 hours.

In light of this conclusion, the PPS would like to apologize to MP Raitt and MP Bernier for the delays they experienced and the subsequent impacts that this delay caused, and to reiterate the PPS's commitment to uphold the doctrine of parliamentary privilege by ensuring their unfettered and unimpeded access to their House, especially for votes. The PPS remains committed to ensuring that the rights, powers, and immunities afforded to parliamentarians are protected while balancing the physical security requirements necessitated by the unique needs of our operating environment, which is defined by the evolving needs of the domestic and global threat environment.

I'd now like to take just a few moments to outline the steps that were taken prior to and also after the incident to prevent a reoccurrence.

In addition to our existing training curriculum for PPS personnel, which provides all PPS recruits with an overview of parliamentary privilege and the democratic necessity of ensuring full adherence to this doctrine throughout the execution of our mandate, the PPS has also developed, in consultation with both administrations, a parliamentary privilege pamphlet, which is shared with its partners who are operating within the precinct in support of PPS for major operations. Information on parliamentary privilege is reiterated at all operational briefings and remains included in all operational plans.

However, the PPS remains committed to improvements, and the unfortunate events of March 22 remind us that there exists an opportunity to further enhance our efforts to ensure that all PPS employees are familiar with the doctrine of privilege and its application throughout the PPS operating environment. As such, the PPS continues to develop ways, in partnership with the House of Commons administration, to improve our existing curriculum and to expand on our awareness familiarization efforts, so as to ensure incidents of this nature are prevented in the future. In addition, from an operational perspective, the PPS has also formalized the process that will include an overarching radio broadcast to all PPS personnel on the frequencies to alert PPS members of a pending vote, so that all measures can be taken to ensure unfettered access.

In closing, and as acting director of the parliamentary protective service, I'd like to once again extend my apologies to MP Raitt and MP Bernier, and in fact to the broader institution of Parliament, for the unnecessary delays they experienced. I'd also like to express my gratitude to all committee members for the opportunity to be here today. Despite the circumstances surrounding this appearance, it has provided the PPS with the chance to further enhance our commitment, ensuring that we remain accountable to a mandate that exceeds physical security, but rather encompasses all elements, including privilege, that are critical to ensuring that the integrity of both Houses is protected.

● (1145)

The Chair: Thank you.

Normally we have seven-minute first rounds. Would it possible to have five, so we can make sure everyone gets a chance?

Some hon. members: Agreed.

The Chair: Okay, we'll start with Mr. Graham.

Mr. David de Burgh Graham: I don't have a lot of time so I'll get into it fairly quickly. I'd like to know, Mr. O'Beirne, if you could tell us in your words, under what circumstances may a PPS officer, an RCMP officer, obstruct, detain, arrest, or otherwise interfere with a member of Parliament in the precinct? Is there ever a circumstance where you could obstruct a member?

Supt Mike O'Beirne: I'm sorry, you're asking if there's ever a circumstance that—

Mr. David de Burgh Graham: Yes, from your perspective is there ever a time that a PPS officer or an RCMP officer can stop a member, arrest a member, detain a member, delay a member? Is there ever a time that you can do that?

Supt Mike O'Beirne: For the PPS and the RCMP that is part of the PPS, I would say as acting director, that would be no.

Mr. David de Burgh Graham: In that case, when there's a vote taking place, the buses have to wait in the VSF like everybody else. Why wouldn't they transit the bollards, for example?

Supt Mike O'Beirne: In this particular case, because there was the media bus arriving under police escort from our partners, the Ottawa city police, there was a transference of control of the motorcade to ensure continuity at the south Bank bollards. That bus entered through the south Bank bollards because that's essentially one of the only places that they can enter due to the size of the bus and ground clearance. It was at that point, and only for that reason, again due to vehicular safety concerns, that the VSF is paused. It was intended to be paused for a moment only. It was erroneously paused for an extended period of time which totalled eight minutes.

Mr. David de Burgh Graham: Right, but my point was that I have seen many times where the VSF is delayed because you have a truck sitting there, so the buses simply can't get in no matter what they do. Buses contain members; they're usually trying to get somewhere. Why wouldn't the buses be allowed to go around and use the bollards as a course of practice?

Supt Mike O'Beirne: Certainly we can explore that to make sure that's something we can do. I think we'd have to explore, again, the vehicular safety aspect of it. The VSF can see hundreds of vehicles per day, sometimes up to 800 during a business day, so that's a great deal of vehicular traffic. Our concerns are multi-layered there. There's of course providing the safety and security of the grounds, the security envelope that encompasses all of Parliament Hill. However there is also, as I mentioned, vehicular traffic safety because the exit is so close, very proximate, to the entrance. That is a concern for us.

That's certainly something we can explore moving forward.

Mr. David de Burgh Graham: Could you have it explored that members be allowed to get off buses when they're stopped in the VSF for one reason or another? I know that the bus drivers generally do not let you get off except at a designated spot, which can lead to obvious obstructions. I put the idea to you that we be able to get off anywhere, especially during a vote.

Supt Mike O'Beirne: I would look forward to discussing that with the administration to coordinate that. The buses don't necessarily fall under the authority of the PPS. However, as our concern is always your and everyone else's safety on Parliament Hill, we'd certainly be interested in looking for opportunities there and ensuring that this can be done in a safe and secure manner.

Mr. David de Burgh Graham: In your comments, you mentioned that there's going to be a system in place to warn all PPS officers when there's a vote taking place. Up until now, what has been the practice? When a vote takes place, how are the PPS members informed?

Supt Mike O'Beirne: It was done in a sporadic fashion, if and as required. I have, as of yesterday, passed a command to our forces so that as soon as there is any sign of a vote taking place, we're alerted. As I mentioned, there is an overarching radio broadcast to all PPS personnel so they are aware to take all measures to ensure unfettered access to the House.

• (1150)

Mr. David de Burgh Graham: In 2014, a similar incident resulted in a recommendation that a phone number be created in order to have a member be able to call somebody and say, "There's an obstruction taking place now. Can I get it resolved?" Has that ever been done?

Supt Mike O'Beirne: I could tell you that since the creation of the PPS, as I mentioned in prior appearances to the committee, we went from three operational command centres, which we still try to operationalize on a daily basis.... We're trying to go from three to two to one. What we've been able to do is instead of having parliamentarians, visitors, guests, call three different call centres for potentially the same event, is have all calls for service go to one operational command centre. If there's ever any kind of issue, you are able to call that central number and then we can turn to that with the urgency that it requires.

Mr. David de Burgh Graham: And—

The Chair: That's time, Mr. Graham.

Mr. Reid.

Mr. Scott Reid: Thank you, Mr. Chair.

Superintendent, just to be clear, the media bus was coming onto Parliament Hill, and you mentioned that there was an eight-minute delay in total. I have to assume that most of the minutes of the delay were after the bus had passed through. Would that be correct? How many minutes after the bus had passed through would this have been?

Supt Mike O'Beirne: The delay exceeded approximately six minutes.

Mr. Scott Reid: That was the part after the bus had passed through. Or was that was the total amount?

Supt Mike O'Beirne: The total amount was eight minutes. As a matter of course, what happens in most instances is that if we're receiving a head of a state, let's say, or a large motorcade, and they're arriving by the same fashion, we would close the VSF in the perhaps 30 seconds or one minute leading out to a motorcade arriving, just to ensure that all vehicular traffic has stopped.

In this case, it was a total of eight minutes, yes.

Mr. Scott Reid: Right. Okay. The majority of it must have been afterwards, because the two members who were delayed, Ms. Raitt and Mr. Bernier, were at a bus shelter waiting, with no obvious.... There was no vehicle passing through that would alert them to the fact that this was the initial reason.

Mr. Bernier could hardly have crossed the street to make an inquiry about what was up, had there been a bus passing through at that time or about to do so. When he did cross over and make an inquiry, he was informed that the delay was as a result of the Prime Minister's empty motorcade leaving the Hill.

I assume that was incorrect information that was provided to him. Is that correct?

Supt Mike O'Beirne: Well, the information that we have does not reflect that. So if Mr. Bernier was given erroneous information, then I—

Mr. Scott Reid: Now, I'm not quoting Mr. Bernier here, I'm quoting Ms. Raitt. On March 22 she said the following:

I was told by security at the bottom of the Hill that we were unable to access the House of Commons through our normal transport, because they were holding the buses on account of empty cars for the Prime Minister needing to return in order for us to be brought to the House of Commons.

In all fairness, that's Ms. Raitt's testimony, and I gather that she must have asked one of the other officers. Is that possibly the source of the incorrect information? Perhaps it was one of the officers on that side of the street?

Supt Mike O'Beirne: Sir, that's possible. We don't have information that would confirm that there was an interaction in that regard. The information that we have and the verification of the video shows that it was solely the media bus that created the delay, and the—

Mr. Scott Reid: Right. Understood.

Let me ask this question. Had the motorcade been leaving at this time, would this then have caused a similar delay? Is that how that process works? You understand why I'm asking this: I think we're dealing with one problem, and there may be a second problem out there that could potentially arise in the future.

If the motorcade is leaving, does it take some kind of priority? This is an empty motorcade, of course.

• (1155)

Supt Mike O'Beirne: Again, as a matter of course in daily operations, given that we have 700 to 900 vehicles going through the VSF, quite often the VSF is paused temporarily when we have vehicles leaving. Is it possible that in the future the vehicle screening facility will be paused for any number of things—parliamentary buses, construction vehicles, several other vehicles? It's entirely possible, yes.

Mr. Scott Reid: When you say it's "paused", I assume what that means is that the officers on site are not authorized to allow vehicles through. They have to wait for some kind of command to once again allow vehicles to pass through. Or do they make these decisions at their own discretion?

Supt Mike O'Beirne: It depends on any given circumstance. For instance, if it's an articulated construction vehicle that's of extended length, the vehicle screening facility supervisor can make that determination. It becomes a traffic control issue more than anything else, and—

Mr. Scott Reid: In that case it's local discretion, I'm assuming. What about in this case? Was it their discretion or was the discretion exercised at a higher level?

Supt Mike O'Beirne: Perhaps I can say that the PPS currently has five operational divisions. The uniformed divisions ensure the safety and security of the precinct and the grounds. These divisions are currently operationally led by former members of the RCMP's Parliament Hill security unit, the House of Commons security, and Senate security. They all came together as a result of the creation of the PPS.

On a daily basis, the command framework involves the linkages between those five operational divisions in the PPS. That means that any and all aspects of security are discussed and analyzed, as I

mentioned, against the backdrop of the domestic and international threat environment and based on information and intelligence.

On budget day, March 22, the divisions that were affected by the budget event formed a unified command to ensure that all aspects of the budget security operation unfolded as expected. This unified command oversaw the decision-making process of halting the VSF timings with the Ottawa police, and timings with the PPS motorcade escort that took the bus onto the Hill. They were also responsible for all the moving parts of the rest of the parliamentary operations.

As I mentioned, sir, the delay and the extent of the delay was an error, and it's one that I accept responsibility for.

Mr. Scott Reid: Thank you.

The Chair: Mr. Christopherson, please dispense with any questions you have for the Speaker first.

Mr. David Christopherson: Thank you for being here. It's unfortunate that we're back again.

I want to say right at the top, though, that I appreciate your comments, Director O'Beirne. It's not so much that we need you to demonstrate your fealty by apologizing to us in person, but it goes a long way to establishing, going forward into history, the priority of this. Your comments are just one more piece and they're appreciated, as is the fact that there's no dodging or trying to avoid this. You straight-up said that there was no excuse for this delay, you apologized, and you took responsibility. That's appreciated, and I just want you to know that.

I really only have a couple of questions for the Speaker. Before I get there, I need just one more clarification. In the Speaker's remarks he makes note of the MOU, the memorandum of understanding, from 2015 that says the "authority...of the Parliamentary precinct is vested in the Speaker of the Senate and the Speaker of the House of Commons, as the custodians of the privileges...[and] rights...of the members...".

As we have established in previous discussions, most of which were in camera—and I hope there's no need to go back and rebuild the argument—it needs to be clear that, notwithstanding the memorandum of understanding, you, sir, as a sworn officer of the RCMP, should you receive a direct order from the commissioner of the RCMP, have no choice but to follow that order.

Also, given the fact that the RCMP commissioner takes direction from one person—well, two, but primarily one—at the end of the day on the big things, and that's the Prime Minister, there remains this issue that the control of the security of this House is not in our hands anymore. Notwithstanding this memorandum of agreement, the reality is that the executive branch, through the Minister of Public Safety and the Prime Minister, can give direction to the commissioner of the RCMP, who can give a direct order to the director of our protective service. They are the people who ultimately have the power to control this place, and let's not be under any other illusion.

My question, Speaker, having established that...you know exactly what I'm doing, sir, and probably could have written out how this was going to go before it started.

Here's the thing, though, sir. You are, of course, first among equals. We look to you to preserve our rights. I'm wondering about this lack of detailed planning and giving that planning priority—simple things. For instance, it seems to me that in the past—and I haven't seen it in a while, but I say this for the other veterans, especially Mr. Reid, who has been around longer than any of us here—when there were votes called...We didn't have the car wash then, but as you kind of went through and went up, rather than going all the way around by East Block, if there was a vote on, the bus would hang a quick left and go up the west access to the Hill because it gets you there quicker. This doesn't seem to happen anymore, but that's the kind of thing that, once we know there are issues going on....

I'm wondering, Mr. Speaker—and I put this to you—if we should ask that there be a separate plan for a guest or of anything, which I just labelled as a MAP, a members access plan, that would specify where members are going to come from and how they're going to get in. I don't know. We need to think this thing through. For instance, if we have guests on the Hill and there's an unusual security circumstance, a bell is on, and there are members on a bus, maybe that driver, because he or she has communication, contacts somebody and says there are members on the bus. At that time, some kind of protocol kicks in and—as I think was previously suggested by someone—they suddenly go off the regular path and, rather than remaining stuck in a pause, they take an emergency alternate route that's planned, and the access for that vehicle and for those who are walking....

Maybe, sir, we'd need a sign-off by you. I was thinking maybe you could come here to PROC, though that could get a bit tedious. However, maybe just our knowing that you've looked at the plan and signed off on it, and that ultimately you're responsible—as you are anyway—we'd know our rights have been considered in the planning of this because there was a separate stand-alone members access plan that you personally have agreed covers all the contingencies. Then, in an ideal world, if we get into these kinds of circumstances, rather than having crisis, it would be a matter of modifying plans that didn't work, whereas right now we always seem to be coming back to the beginning and reinventing the wheel.

I throw this out as a couple of things for now, Mr. Chair.

• (1200)

I'm sure, Mr. Speaker, that you want to never be here again on this issue as much as we do not want to be seized of it, but we have to do something different. We're into an Einstein thing here. If you take a look at the presentation we had earlier, if we keep doing the same things over and over again we're going to get the same outcomes. If we want a different outcome, we have to do things differently. That planning aspect, somehow, has to be different than it has been because we're still not there yet.

The Chair: Thank you.

Time is up. I don't know if the Speaker wanted to comment.

Hon. Geoff Regan: Mr. Chairman, through you to Mr. Christopherson, in the same way that you suggest that I might have been able to write your opening comments, I think that when it comes to my desire to not have this sort of thing happen again and not have to appear on this sort of thing, you've read my mind as well.

In relation to the question of the current set-up in terms of the legislation that governs the PPS, that is a matter for Parliament to decide, of course, and not a matter around which I as Speaker, of course, would comment on because it could conceivably be debated in the House of Commons, obviously.

I think that what I can say is that I appreciate your suggestion in terms of what it might mean. First of all, this is largely about the day-to-day management of the PPS, which is under the control of the director. However, I think we can take your suggestion and consider it.

Mr. David Christopherson: Thank you, Speaker.

• (1205)

The Chair: Our next questioner only has one question. Perhaps we could do that and then go on to the witnesses. Is that okay?

Some hon. members: Agreed.

The Chair: Okay, Filomena.

Ms. Filomena Tassi: Thank you, Mr. Chair.

Just stepping back from this particular case, because this is something where we want to go beyond the facts of this case, what I found when I was looking at the reports of the past and the cases that happened, there was some ambiguity as to where the onus lies with respect to identity. That's really the only question I have.

In the 26th report, there are mixed messages there. One says that the security official should be able to identify the member, that they should have a book. At the same time it says the member should have ID or a pin.

My question is, where does the onus lie with respect to identity? If you have a member.... In that particular case, in fact, there was knowledge that the member was a member, but there was refusal to let that person go because they did not actually have identification on their person.

My question is this: From the security perspective, where does the onus lie with respect to identifying a member? Is it with the security official? If the member has no identity, doesn't have a pin, doesn't have their card but they are in fact a member, and the security official blocks them, who's at fault there? Is it the security official who doesn't have the book and have the pictures memorized, or names and identity, or is it the member of Parliament who does not have ID?

Hon. Geoff Regan: I think I should take this for a moment. Normally, as I understand it, members of the PPS have with them, if they're at a point where members are going to be passing, the directory of members with their photographs. You'll recall that I said in my opening comments that it's up to members of the PPS to recognize members, to be familiar with them, and if they don't recognize a member, to look for the pin, and if they don't see the pin—because we don't always wear them, obviously, as you know—then to ask for ID. Frankly, I believe that at the same time, we as members ought to ensure that we either wear our pin or have a card with us. However, it is the responsibility of the PPS to recognize us, and I'd expect they would have that directory with them, but I'll let the superintendent better inform us on that.

Supt Mike O'Beirne: I'm not familiar with the exact circumstances that you outline of a few years ago, but what I can state, to reiterate Mr. Speaker's point, all efforts at any time are made to identify visually the members of Parliament. Again, it's kind of a sequential thing. If they don't readily visually recognize, then they try to look for a pin or they look for the ID card. If not that, then a respectful interaction takes place to determine who they might be. In the unfortunate circumstance that they wouldn't visually recognize them, the members are to have on their person a booklet that identifies the members of Parliament by picture and by name. That's a matter of course, and if that isn't happening I would turn myself to that and be very interested in resolving that issue.

The Chair: If it's okay with the members, Blake has a very short question.

Mr. Blake Richards: Thanks, Mr. Chair. I appreciate the indulgence there.

I have a number of questions for the other witnesses, but I'll save them for when they return.

Mr. Speaker, in your ruling you refer to a couple of reports you had received. One was from the deputy sergeant-at-arms, and I think the other one was from Mr. O'Beirne, the acting director of the parliamentary protective service.

Did you commission those reports, or were they provided to you unsolicited? Also, could you provide copies of those reports to the committee for our work here?

Hon. Geoff Regan: It's a normal procedure to provide those to the Speaker.

Did I hear you request that they be provided to the committee?

Mr. Blake Richards: Correct.

Hon. Geoff Regan: I would be happy to do that.

Mr. Blake Richards: Thank you.

The Chair: Thank you for coming.

I think we'll probably ask some of you to come back.

Mr. Bosc, could you get back to the committee in some way on Mr. Graham's question about whether buses could let members off at different locations on occasion?

Mr. Marc Bosc (Acting Clerk, House of Commons): We're happy to work with the PPS on that point, but I should point out that

we want to keep members safe, and it's not always safe to let members off just in any old location.

This is a question that has arisen before, and drivers are very careful to keep people safe. We'll look at it for sure, but it's not a matter of stopping a bus any time a member wants to, unfortunately.

•(1210)

The Chair: Thank you.

Thank you all for coming today. I know you're busy.

If we could quickly have our next witnesses, Ms. Raitt and Mr. Bernier, come so we don't lose any time, that would be great.

Thank you all.

•(1210)

_____ (Pause) _____

•(1210)

The Chair: Colleagues, so we don't lose any time for the witnesses who are very busy these days, we're continuing meeting 57 of the Standing Committee on Procedure and House Affairs. This meeting is being televised.

As we continue our study of question of privilege, we are pleased to be joined by Lisa Raitt, MP for Milton, and Maxime Bernier, *député de Beauce*.

I would like to thank you both for making yourselves available to the committee on short notice. Thank you very much for coming.

I'll now turn the floor over to Ms. Raitt, who moved the initial motion to refer the matter to PROC.

Hon. Lisa Raitt (Milton, CPC): Thank you very much, Mr. Chair. I appreciate the invitation to appear today. I will be brief because the facts are brief.

I did find it necessary and important to rise on the issue in the House, not only because it was about a vote, but also because it was budget day, and there was uncertainty as to whether or not I would be able to get to the House in a timely fashion.

I appreciate the committee taking this to consideration. I appreciate the Speaker's ruling as well.

The main reason is that I truly believe that if you don't measure something, then you can't manage it. What I see from the testimony this morning is that that's exactly what you are all doing. As a member of Parliament, I really appreciate what you're doing here.

I do know there is a balance that needs to be struck in terms of safety and security, and the ability for members of Parliament to move freely within the precinct. In this case, I do think it was imbalanced, and that's why I rose on a question of privilege. I hope that, having learned the lessons we may be learning now, we'll have a better outcome next time.

In short, I arrived at the foot of the Hill and waited in the bus shelter for a couple of minutes. I spoke to a member of House of Commons staff. My colleague from Beauce, Monsieur Bernier, came over, and we chatted a little bit more. We noticed that the buses were piling up at the checkpoint. They were not being released. Max said we should figure out what to do. He went over and inquired as to the reason why. A reason was given. He came back and said that they were not going to be moving the buses, and we ended up taking our leave and proceeding up to the Hill.

When we arrived, I was able to see the presentation of the budget, and after that I rose on the point of personal privilege. That's where it ended for me, except for what happened in terms of procedure in the House, and I'm grateful to be here today.

The Chair: Thank you.

Mr. Bernier.

[*Translation*]

Hon. Maxime Bernier (Beauce, CPC): Thank you very much.

The facts are very clear, and our parliamentary privilege was breached on March 22. I completely agree with what my colleague, the member for Milton, said.

I arrived around 3:50 p.m. to take the bus to go vote. We waited for a few minutes and could see that there were many buses waiting at the gate before they could come through. I went to talk to a security officer, and I asked him what was happening. He told me that he was waiting for the escort of the Prime Minister's motorcade, which was coming in without passengers. Not knowing when the gates would be opened and realizing that time was running out, we decided, around 3:54 p.m., to walk to Parliament. We arrived late for votes, and that is why my colleague the MP for Milton and I rose on a question of privilege at the end of debates.

Today, I am very happy that you are assessing what happened to ensure that other colleagues of ours do not have the same experience in the future.

Thank you.

• (1215)

[*English*]

The Chair: Thank you very much.

Ms. Sahota.

Ms. Ruby Sahota: Thank you, Mr. Chair.

Thank you for being with us today. It sheds a little bit more light on the facts of what happened that day. My question is about how we just heard from the director of the PPS that according to their information, they had no knowledge that there was anything to do with the Prime Minister's motorcade and the motorcade leaving, and that they are unaware of who may have told you about that, and that in fact it was actually a press bus that caused the delay in the VSF. Can you explain to this committee how you became aware that it was the Prime Minister's motorcade, or how you were informed of that, and why you were led to believe that and say it in the House that day?

Hon. Lisa Raitt: Max was the one who had the face-to-face conversation so I'll let him talk to what he heard directly.

[*Translation*]

Hon. Maxime Bernier: Yes, absolutely.

When I talked to the security officer, he was not sure what was happening or why the gate had been closed for a while. I did not talk to the RCMP people; I really talked to the House of Commons officer. He was not sure what was happening and told me that it should be the Prime Minister's motorcade, which was empty, but he also told me that he would find out.

When we saw that the information on what was taking place was vague and that the gate was still closed, we decided to walk to the House of Commons.

However, you are correct in saying, after this morning's testimony, that we were rather made to wait because of journalists. However, according to the information given to me at that time—as the clerk clearly indicates in his decision—it was due to the Prime Minister's empty motorcade. But the employee was not 100% sure and told me that he would find out.

Since we had no further news, we left to go vote as quickly as possible, but we arrived late, as you know.

[*English*]

Ms. Ruby Sahota: Just to clarify, you were told this by an officer in the VSF area?

Hon. Maxime Bernier: Yes.

Ms. Ruby Sahota: So they were uncertain and unclear as to why they were causing delay at that point.

Hon. Maxime Bernier: They were guessing at that time I imagine, because at the end that person told me they would ask for more details.

Ms. Ruby Sahota: Was this the driver on the bus? No, it was the actual officer on the ground who you had walked up to.

Hon. Maxime Bernier: It was an official on the ground.

Hon. Lisa Raitt: We weren't on a bus, we were in the bus shelter.

Ms. Ruby Sahota: They had allowed you to get out there.

Hon. Lisa Raitt: No, we were not on the bus at all. We just approached from the road. We came across from Confederation and there's a little bus shelter on the bottom of the hill. So we were not on a bus. That's why we were able to escape and make our way to the House because we weren't held on the bus.

Ms. Ruby Sahota: I'm confused. So at no point were you ever on a bus.

Hon. Maxime Bernier: No.

Hon. Lisa Raitt: No, we were trying to get on the bus. We wanted the bus to come and pick us up at the bus shelter across from Confederation on the Hill.

Ms. Ruby Sahota: Yes, understood. That bus shelter is right in front of the VSF area.

Hon. Lisa Raitt: That's right.

Ms. Ruby Sahota: Okay.

Hon. Maxime Bernier: What I did is I crossed the street to go see an official and ask what's happening.

Ms. Ruby Sahota: Where were you arriving from before you got to that bus shelter? What was your previous engagement?

Hon. Lisa Raitt: I was at a meeting and stopped off in an Uber at the bottom of the Hill on the corner where the Confederation Building is and Wellington.

Hon. Maxime Bernier: Before that I was in my office in the Confederation Building.

Ms. Ruby Sahota: So you were waiting for a bus and the bus hadn't arrived because the buses couldn't get through and then you walked up.

Hon. Maxime Bernier: The buses were there but we didn't know why they were not coming through.

Ms. Ruby Sahota: I understand.

This has clarified quite a lot for me because I thought that you weren't allowed off a bus. It was being delayed at the time.

I'm going to share my time with Ms. Tassi.

• (1220)

Ms. Filomena Tassi: Thank you both for being here today.

We're trying to think of prevention, how to stop this from happening. When you got to that bus shelter, you thought you had sufficient time to get to the House if a bus were to pick you up.

Hon. Lisa Raitt: Yes.

Ms. Filomena Tassi: Then you looked over and you saw they were being stopped there. So at that point you walked over to the security person, and I presume you said you were a member of Parliament and needed to get to the House.

Hon. Maxime Bernier: I asked him why we were waiting and why the buses were not going through.

The official told me he thought it was because of the Prime Minister's motorcade but he wasn't sure; he'd ask. The official spoke to an RCMP officer at the time but I left. Time was running on, and we decided to walk to Parliament.

Ms. Filomena Tassi: How long did that take from the moment you stood at the bus and looked over and said they're not coming through?

Hon. Maxime Bernier: Maybe two or three minutes.

Hon. Lisa Raitt: I was there before Max.

Ms. Filomena Tassi: So at that point, you realized—did the security person say to you, they had no idea how long this was going to be, you might be stuck there? You just made a decision on your own that you had to get moving.

Hon. Maxime Bernier: Absolutely.

Hon. Lisa Raitt: I don't know if Max was there at the time. I saw the media bus pass me by as I was standing at the bottom. The media bus hadn't passed through before I started waiting for the bus at the bottom of the Hill.

Ms. Filomena Tassi: I see.

So the first bus to be stopped was the bus that you wanted to get on?

Hon. Lisa Raitt: Yes, for sure.

Then the media bus went through.

To be honest, I think it's fair to say that perhaps somebody in the protective service knew that it had to do with the motorcade and perhaps the person made an assumption it was the Prime Minister's motorcade and not the motorcade associated with the media bus that was preventing the buses from going up on the Hill. That's a fair mistake.

But what we were told is what we were told.

Ms. Filomena Tassi: Hearing the new evidence certainly makes sense to you, and you wouldn't dispute that. Okay.

Hon. Lisa Raitt: I don't dispute the facts but I do dispute the decision that was taken to not let us onto the Hill.

Ms. Filomena Tassi: What suggestion would you make to prevent that from happening?

Hon. Maxime Bernier: First of all, the communication between the security agency and the security on the ground and the RCMP was not very conclusive. They didn't know and I was waiting for a real answer. The official who asked a question didn't get an answer. Nobody was able to answer why they were waiting. I think the communication between the House security people and the RCMP is lacking.

Hon. Lisa Raitt: I don't know what happened on the buses. I assume there were members on the bus because that's what I heard in the investigation report. I would assume a conversation with those who were either waiting and were visible to the officers...because we were clearly visibly waiting in a bus shelter for them to explain to us that there was not going to be access to the Hill through the bus system.

However, that being said, I don't know whether or not they knew there was a vote and the importance of getting to the vote.

I would suggest that the committee think a little about education on that side of it; the importance of a vote and what it means. I'm hoping that this kind of discussion prompts that awareness.

The Chair: That's your time, Filomena.

Mr. Richards, you're next.

Mr. Blake Richards: Thanks, Mr. Chair.

It's an exciting day for this committee because potentially we have the future leader of the Conservative Party here with us today, one of these two members, and probably the Prime Minister of Canada in 2019. It's a great start because you're being far more open and accountable than the current Prime Minister by being here and answering their questions fully and completely.

This is wonderful. Here would be a great start for our future leader and a future Prime Minister.

Mr. David Christopherson: Which one? Which one are you endorsing?

Mr. Blake Richards: Well, I guess that remains to be seen. I've sent my ballot in, and both were on my ballot. I won't say in which order, but both were on my ballot.

There are a couple of things I want to ask.

First, I'll get into some logistics, but I want to talk after that—just so you are prepared—a little bit about what breach of parliamentary privilege means. Obviously, what it means is, it's not just your rights, it's the rights of your constituents that were prevented from being exercised when you were prevented from voting. I want to get to some logistics first, but I want you to maybe have an opportunity at the end to tell us about the impact that had on your constituents, if you have heard concerns from constituents about the fact that you were prevented.

First of all, I want to follow up on some of the questions already. In regard to the media bus, I know, Lisa, you mentioned already that you had actually seen the bus.

• (1225)

Hon. Lisa Raitt: I did.

Mr. Blake Richards: I'll ask you and then Maxime to tell me if you actually saw the bus as well. Was the bus coming in or was it exiting?

Hon. Lisa Raitt: The bus turned off... I don't know the name of the street that comes off Wellington that you go on in order to come up to the Hill, but it turned off of that street, and it just went right past us. The bollards came down, and the bus proceeded up onto the Hill.

Mr. Blake Richards: So it was entering onto the Hill.

Hon. Lisa Raitt: It was entering in, and it was full of reporters and journalists.

Mr. Blake Richards: It seems a bit odd that there was some confusion about... They were talking about the PM's empty motorcade leaving, and then what you saw was the media bus entering. I'm just wondering if maybe there isn't more to this than we realize. I'm not suggesting there is, and something we might want, Mr. Chair, is get the video footage from whatever angles exist so we can actually see if there was, in fact, anything outside of the media bus that was interfering, because it does seem like there was some confusion amongst the parliamentary protective service as to what did occur. I'll mention that we should maybe request that video.

Max, did you see the bus as well?

Hon. Maxime Bernier: No, I didn't see the media bus. I arrived at the bus shelter just a little bit after my colleague the MP from Milton.

Mr. Blake Richards: Now, Lisa, when you saw the bus enter, there was obviously a delay after that and prior to the gates being opened, so you don't know exactly how long it was before they were opened. You decided to make your way up the Hill on foot, but from the time you saw that bus go through until the time that you would have arrived at the members' doors to enter the Parliament Buildings, how long was that?

Hon. Lisa Raitt: Seven minutes.

Mr. Blake Richards: That was about seven minutes?

Hon. Lisa Raitt: Yes, and I know because I have my Uber receipt.

Mr. Blake Richards: Okay, so you're quite certain it was seven minutes.

Hon. Lisa Raitt: Yes.

Mr. Blake Richards: It does seem a bit odd for those gates to remain closed seven minutes after the bus entered.

Hon. Lisa Raitt: Yes, and that's what I couldn't figure out. I couldn't figure out why I could see the bus at the checkpoint. I didn't understand why it wasn't coming to us, and I guess I could have approached the folks, but my colleague from Beauce was far more energetic, I would say, and I was wearing heels so I wasn't walking much further than I needed to walk that day, and he went over. He said, "I'll find out what's going on," because it was a long time.

Mr. Blake Richards: Clearly, the time that you would have gone over there, Max, would have been after the bus because you weren't there when the bus passed through.

Hon. Maxime Bernier: Absolutely.

Mr. Blake Richards: You were given that information by the officer, and it just all seems a little odd to me. There's something kind of off on it. That's why the video would be helpful, because you were told that it was the motorcade. The bus had already gone through, so why they were keeping the gates closed... There's something there that's odd. I'm not saying that anything malicious occurred, but it just seems like something didn't work. The procedures didn't work, or there's some information we don't seem to have. The video would probably be quite helpful.

Hon. Maxime Bernier: I must add also, the official was not so sure. He told me that must be the empty motorcade from the Prime Minister, but he wasn't sure. He said, "I'll ask". He went to an RCMP officer, and they were on their walkie-talkies to try to find out what was happening.

Mr. Blake Richards: Did either of you see the Prime Minister's motorcade or any evidence of it being on the Hill or exiting the Hill?

Hon. Lisa Raitt: I did not.

Hon. Maxime Bernier: [*Inaudible—Editor*]

Mr. Blake Richards: Maybe if I have a little bit of time I will return to what I mentioned at the beginning, which is, obviously, this is a serious matter, and I think it's good for both of you to be here. You have the opportunity to express what it means when your privileges are breached and to talk about your constituents, if you want to speak to that. Have you heard from constituents who obviously are disappointed in the fact that you were prevented from being able to vote on their behalf? You could speak to that.

Hon. Lisa Raitt: I will, very quickly, and then I'll leave it to Max.

The reality is that budget day is a very high-profile day. Despite the fact that we are running for leader of our party, it was extremely important to be there that day. I had left enough time, and Max had left enough time, for us to get up on the Hill, even with the extra vote in between that and the four o'clock announcement, and we did not get on the Hill to watch the minister rise and give the speech. That would be a really big issue, not only because of our constituents, but because of the fact that we are seeking the leadership of the party and we need to be there on those big days.

I was beginning to get more and more worried as time went by, and when Max came back and said that it had to do with an empty motorcade of the Prime Minister's, I thought this made no sense. I've never heard of this security issue before, about buses not being allowed on the Hill because of a prime ministerial motorcade, and I grew concerned. Max said, "Let's walk", and we were able to walk up.

I was just very concerned about getting there in time for the budget. I was also very much afraid of the whip yelling at us for missing the vote, quite frankly, because it was an important vote. When I saw Gord, he was extremely agitated, but he just said, "If you were withheld from coming, then you need to rise on a point of privilege". I consulted with the whip when I first came in, to explain why I was late, and he said, "Then you should proceed to think about a point of privilege".

• (1230)

[Translation]

Hon. Maxime Bernier: I would just like to add that we are all members of the House of Commons and that we are here to represent our constituents.

It is true that, during this leadership race, I have already missed several votes because I was travelling across Canada to meet with Conservatives. However, important votes are held on certain days, and we have to be there. On that budget day, there were several important votes, and I wanted to fulfill my duty as a member of Parliament. People from Beauce and from my riding expected the member they have elected to be able to vote and represent them well. The people of Beauce are well aware that I have been absent this year a bit more often than usual. That was due to the leadership race, and they forgive me for it.

However, on that day, I was here and I wanted to exercise my right to vote and represent my constituents. That is why we say that the vote is a privilege of the members of the House of Commons. It is a privilege to be elected, to vote and to represent our constituents. I was unable to exercise that privilege, that right to vote. This is why we rose together and raised a question of privilege: our privileges had been breached. It is important for members to be able to vote and represent their constituents, and we were unable to do so.

Today, I am very happy that we have had an opportunity to clarify all this and to consider what can be done in the future. However, I personally believe that a communication problem arose between the RCMP and the House of Commons officers. That is why the buses were left waiting for several minutes before the gates were opened. I will carefully read the recommendations you will issue to assure myself that, in the future, other members will not have to go through what Ms. Raitt and I experienced on March 22.

[English]

The Chair: Thank you.

Mr. Blake Richards: Thank you to both of you for being here, and best of luck as we lead up to May 27 and choosing the next Conservative leader and the next Prime Minister of Canada.

The Chair: Mr. Christopherson, go ahead.

Mr. David Christopherson: Thanks for taking the time, given how busy you both are. Hopefully, we've been helpful in trying to

accommodate your schedules because we're very sensitive to the added pressure of running for leader.

I want to start by saying that I agree. We do need to review some of the security aspects that are on the video, and I accept that we may need to do that in camera.

Here's something that troubles me as we're going through this. My first elected position ever, when I was 22, was to become chair of the health and safety committee at my workplace. At a very early age I became aware of the fact that we are all temporarily able-bodied, those of us who are; and that ultimately we're all going to be disabled, even if it's the final act that makes us totally disabled. When I hear, well, it was okay because they can disembark from the bus and walk, I say not everybody can walk.

I just went through the last five or six weeks of hell with sciatica. It finally has subsided now. Anybody who's had that knows how painful that is and how debilitating it can be. I'm used to being physically healthy, I've been very fortunate in my life, but I actually had to make some changes in my routine working with my staff because I could only walk so far. I remember another time, and it didn't get recorded, but we got stopped again, and nobody decided to make an issue of it because it was only for a moment, but the answer was that we all walked across the field. At that time, Diane Finley, our colleague, was in a leg brace, and there she is marching across the front lawn of Parliament to get to the House to vote because the bus had been stopped.

I don't think we quite picked up enough on this issue about disembarking and walking out. We have problems with walking access, where people have been stopped, and we need to deal with that. I really think that accepting, oh, well, just get off the bus and go, that's not an answer for a lot of people. You have your partisan stuff; and I have my digs in about the buses not being frequent enough, about staff and members, late at night, having to walk across, and the security of it. It just makes no sense to me. I haven't seen any move by the new government to reinstate those buses or hire back the drivers who were laid off.

This issue is important.

Can I get your thoughts, colleagues, and any solutions you have on the fact that saying you can get off the bus and walk is not necessarily an answer for everybody?

• (1235)

Hon. Lisa Raitt: Sure.

It's not sciatica, but as I did mention, I was wearing inappropriate walking shoes that day, I have to admit, that went into the calculation of whether or not I was going to walk up to the Hill. Quite frankly, it's more than just comfort; it is about walking long distances in inappropriate footwear and those kinds of things. Yes, it was my choice for that footwear that day, but I should have the ability to rely upon the transport and make the according plans to go with whatever I was feeling that day, and be able to depend upon it. That was the reason that I ended up staying there so long. If I had had more appropriate footwear, I probably would have taken the opportunity, when I realized they were taking so long to go up to the Hill, to go under my own steam.

That being said, Dave, what I do appreciate very much is the fact that in some cases when we get close to the votes you can notice that those buses are moving a bit more frequently in their time frame, and I commend the House of Commons for making sure this happens. But for this absolute stoppage for no real reason, even if it was an empty motorcade belonging to the Prime Minister or an empty motorcade that was guarding a media bus, I don't think either of them are good enough reasons to prevent people from being able to access the Hill in a form and a manner that they are used to and deserve to have, regardless of the reason that you're on it. It doesn't have to be about whether we have a debilitating injury that day. It can be whatever reason the person may have, quite frankly.

Mr. David Christopherson: And the weather.

Hon. Lisa Raitt: Yes, because then we talk about my hair. Absolutely.

Hon. Maxime Bernier: Well said.

Hon. Lisa Raitt: It's part of the game.

Mr. David Christopherson: You can't show up looking like a drowned rat.

Go ahead.

Hon. Maxime Bernier: I must admit it was a bit frustrating for us because we were waiting and we could see the bus. You wonder, can we wait a little longer or will they come? They were over there so we waited and waited. I went over and asked what was happening. What they told us at that time was not decisive. They didn't know what was happening. That was the frustrating part of all that. After that we decided to walk.

We were waiting because we could see the bus and thought it would come. After two, three, four minutes, we said, okay, let's go.

Mr. David Christopherson: Thank you so much.

The Chair: Mr. Simms.

Mr. Scott Simms: Thank you to our guests. It's good to see you again.

I know this is very busy for you because, as your system dictates, like ours, in a leadership you pretty much have to get to all 338. So good luck. It is not easy with the point system that you have, and it calls for a lot of travel.

Hon. Lisa Raitt: Yes.

Mr. Scott Simms: I'm listening to the conversation going on, and the one theme that seems to be coming through time and time again is uncertainty. Am I reading this correctly, that when you asked the person why are we stopped here, I really have to go to the House and why are we stopped, which is a legitimate question, it seemed to be accompanied by a shrug? It was like, oh, a motorcade. Was that the impression you had? Was it the level of uncertainty that was uncomfortable?

Hon. Maxime Bernier: Yes. They didn't know what was happening.

Mr. Scott Simms: Right. That goes back to the situation we have now, where we have the RCMP on the outside, we have the fairly newly created PPS on the inside, and the communication back and forth. As my colleague pointed out, when I come to the House, and I

want to know how much time is left, I find the most reliable person is the person who drives the bus, because they do radio in.

● (1240)

Hon. Lisa Raitt: Yes.

Mr. Scott Simms: I get the feeling that our security don't have that same luxury, or at least are not informed of such, which I think is a big problem, because I think they should be in tune with it. We also have a situation now where there's a lot of stress in the system. We have a new system, and with all newness comes a level of stress. It's unprecedented. We now have someone in charge, who's from the RCMP, over a service in this House. That was never the case until two years ago. And we see a lot of new faces; a lot of new Mounties, a lot of new PPS. There are a lot of new faces, and they look pretty stressed. I think at this point that communication, that uncertainty, is probably going to get worse, if that's the case, unless we do something about how we communicate.

In the testimony that you heard earlier—I know he's acting, but obviously he has to give his best advice to the new director—what would you say to him?

Hon. Lisa Raitt: In the uncertainty piece, having gone through what we went through in 2014, your first thought is: is there something wrong on the Hill? Have they stopped the buses for a reason other than a motorcade, meaning, is something going on up there that we don't know about and therefore they're sealing the Hill off? That's a valid concern, having gone through what we went through. We were in this room when that gentleman approached. That's the first thought I had: is the Hill being shut down? Is there something wrong? Max went over and found out what it was, so that uncertainty went away.

The advice I would have is this. Yes, you are here to protect a precinct, and it does have geographical boundaries. But it also has a very unique set of circumstances in how it functions, and you should be aware of the function, and that certain functions supersede decisions that you may normally take in pursuit of security.

Mr. Scott Simms: Do you feel they are aware?

Hon. Lisa Raitt: They had no clue there was a vote going on, and of the importance of it or if it mattered or not. Maybe they understand it's a vote, but they don't know what it means. As I said to Filomena, I think what makes sense is to have more awareness as to what it means. You're doing a great job right now, as a committee, of making sure that people are aware of it and the importance of it.

Hon. Maxime Bernier: Yes, I agree, a little bit more education. I think they didn't understand the importance for us of being in Parliament at that time, so that will be important.

Mr. Scott Simms: And that would be your advice in this particular situation where there seems to be uncertainty. But circumstances change, too. Mr. Christopherson pointed out earlier that when we first got here in 2004, the buses did take a different route when the bells were ringing. I was in Confederation, I think you were in Confederation as well, and they would go along and just go up the west side. Now, obviously, there's a lot of construction in the way. The second element to that now is that, for lack of a better term, our buses are playing in traffic. They never did back then. Now we go out there on Wellington. We stop in front of Wellington. I don't believe we did that back then. What do we do there? That's a big problem, I think, and it just leads to the uncertainty of it.

The piece about the communication and the function of the PPS, and how it relates to our privilege, which is why you're here, I think should be addressed. The current leadership right now seems to be so new that maybe some of this should be changed. That's just my thought.

Anyway, thank you very much.

The Chair: I'm not sure why we couldn't have had the bells or the lights flashing at the car wash there, so that everyone knew there was a vote coming.

Mr. Reid.

Mr. Scott Reid: It's funny you say that, Mr. Chair, because the same thought had occurred to me, and in fact formed the basis of the first of my two questions. I'll first advise you that as I'm likely to be the last Conservative slot, according to the clerk, I'll divide my time with Mr. Schmale.

It occurred to me that, in the event you had known how much time you had, you might have made the decision to start walking at an earlier point in time, so I'll just ask this question of each of you. If you had just made the decision, when you got to the spot you got to, "I'm just going to walk—forget about buses", would you have made it in time?

Hon. Lisa Raitt: Yes, absolutely.

Hon. Maxime Bernier: Yes, for sure.

Mr. Scott Reid: All right, so effectively, the lack of knowledge about how far away the vote was, coupled with the lack of knowledge about how fast the buses were going to be, were the two things that had to happen in order to cause the MPs to stay there, thinking the buses would be faster. At each individual moment, had the buses behaved as appropriate, you would have made it.

• (1245)

Hon. Lisa Raitt: Yes.

Mr. Scott Reid: It was a bit like that nightmare where you're trying to get to an exam and you're late. Everybody's had that nightmare. It feels a bit like that.

The second thing I wanted to ask is about the RCMP. The director gave us a very long-winded answer. When I asked him whether the decision was made locally—at the car wash security point—or centrally, he basically took a long way of saying it was made centrally. It sounds like your testimony confirms that, because it appears that the people on the spot literally had no idea why they

were doing what they were doing. They were waiting for an order, almost certainly.

Hon. Maxime Bernier: Absolutely, yes.

Mr. Scott Reid: Could I ask one last question? We didn't get a chance to ask him, but he's going to come back and we will then get a chance to ask him.

I've asked myself, why would they stop you after the bus was already through? Is it possible they were concerned about something like off-loading all the journalists and that tying up the entrance area? Could that have been it? Maybe that's not a fair question to ask.

Hon. Lisa Raitt: You know, I could never figure out why it mattered that the bus went up on the Hill, and why that would stop MPs or the buses from flowing up on the Hill. It doesn't make any sense to me at all, Scott. That was the reason given, and there was much confusion.

Mr. Scott Reid: Okay. Thank you.

The Chair: Mr. Schmale.

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Thank you, Chair.

I have a couple of observations, just listening to the testimony from you two and the security detail. First, I think what we see is that this incident happened, regardless of the reason. The fact is it happened and it shouldn't have happened. Whether it was a media bus or whether it was the Prime Minister's empty entourage, it doesn't really matter. The fact is it happened and should not have happened.

You were in the position that you were able to walk up. Uncomfortable footwear excluded, you were able to do that. Had you not been able to walk up, that would have been another problem we would be dealing with. That's something we need to deal with, because if it were someone else, this would be a bigger problem.

There are a couple of other things. The fact that the traffic was stopped for a media bus concerns me. Not that I don't like the media, but the fact that they had to stop the actual buses and the members from going up is questionable, because I think that's a bit extreme. I would love to see that video footage if we get a chance. It just seems extreme that you would stop MPs from getting up there, just for the media bus. Again, not that the media is.... I have friends in the media. That is questionable.

Also, there is the Speaker's report. I don't have it in front of me, so I won't quote directly. He said, I believe, three buses were stopped and held up, and his report alluded to other MPs being on the bus. Did you happen to see any, just out of curiosity? No one else has come forward.

Hon. Lisa Raitt: No.

Hon. Maxime Bernier: We were able to see the buses, but I don't know who was inside.

Mr. Jamie Schmale: You had mentioned, Mr. Bernier, the security being on their walkie-talkies and the telephone, trying to figure it out. One thing we were dealing with as a committee before, in our review of the PPS, is the fact that they are all on different communications systems. They're on three different communications systems, and that might be a significant problem we need to deal with as a committee. As you said, no one really seemed to know what was going on, or had any clue. I believe they just knew they had to stop traffic, they had to stop the buses. Nobody could get through, and they were not sure why.

Hon. Maxime Bernier: Yes.

Mr. Jamie Schmale: They were all trying to, on their different frequencies....

I agree with whoever said that about the bus drivers. I have noted before that the bus drivers know when a vote is coming. My office is in the Confederation Building. I leave via the back. The bus driver once picked me up at the back, looked to his left, and saw some members coming out of the Justice Building. He looked around, saw that there were no other buses, and went back to pick up the Justice people. We did a U-turn and went right up there. I thought it was very forward-thinking of that driver to realize that there was a vote and that he had better go back and get those members.

I think there's a lesson there. These drivers must know something. We need to move that to the security detail as well, so that everybody knows it. The people in the Centre Block know it because they'll say that it's 10 minutes to the vote and we have a lot of time and that kind of thing. I think we do need to move forward.

• (1250)

The Chair: Thank you, Mr. Schmale.

Ms. Sahota.

Ms. Ruby Sahota: Thank you.

I agree with my friend Mr. Schmale. The bus drivers do have a great communication mechanism by which they know how many minutes are left to get to a vote. I've been in a similar situation. They're able to update you while you're on the bus, because you're very worried at that time and you want to make it for that important vote. I sympathize with the situation.

However, I also know that it is incumbent upon members to give themselves a certain amount of time. I'd like to ask you how much time you think should be allotted for any given member to leave from down below on the Hill, or from their office, for access to the House of Commons. That's a question that I sometimes wonder about. How much time should I leave myself? Is 15 minutes enough? Is 20 minutes enough for me to make it or can I do it in five minutes?

How much time do you usually give yourself?

Hon. Lisa Raitt: Having been here since 2008, I have never missed a vote because of a timing issue. I know where I am and I know my surroundings, so I build in the travel time. It depends on where you are in the precinct. When I had offices on the other side, in Gatineau, I knew how much time I needed to get here. It's the same as being in the Justice Building. I know how much time I need.

If I may point something out to the members of the committee that we haven't talked about specifically, but that I did tell you in my

testimony—and I don't know whether or not you followed up with the officials—the bus did not go through security, right? The bus didn't go through the security at all. Perhaps that's the reason the Hill became sterilized at that point and they didn't let anybody else up on the Hill: because that bus was not secured. No one inspected the bus. No one identified the people on the bus. That's why there was a motorcade with the bus: in order to bring it up onto the Hill.

If that's the case, then you should have a conversation with security about checking that bus, because the expediency for journalists attending a budget on the Hill should not be greater than it is for members going to the Hill for the presentation of the budget. If it's too much work to investigate everybody on the bus or to look over the bus, or to do the little mirror thing under the bus, that's their calculation, but it seems to me that it was in the balance of convenience for security as opposed to the balance of our privilege as members.

That's the key point that I wanted to bring out today.

Hon. Maxime Bernier: When I'm in my office in the Confederation Building, 12 minutes is enough to go to the House and be able to vote. I did the same thing at that time.

Ms. Ruby Sahota: How many minutes late for the vote were you?

Hon. Lisa Raitt: Oh, not many. It was under way when we got there.

Hon. Maxime Bernier: Yes.

Hon. Lisa Raitt: We wanted to go in, but it had already started.

Hon. Maxime Bernier: Yes, it was four or something like that....

Hon. Lisa Raitt: Yes.

Mr. David Christopherson: Your votes were denied as a result of this?

Hon. Lisa Raitt: Yes. We couldn't get in. We didn't vote.

Hon. Maxime Bernier: Yes. We didn't vote.

Hon. Lisa Raitt: We voted on the budget, but not on.... We missed that vote.

Ms. Ruby Sahota: I don't know about the security checking that happened with the press bus, because up until very recently we were led to believe that it was the Prime Minister's motorcade, so I did not have information about that. This helps inform the committee's further investigation as to what can be done.

The bells are a great idea. I was wondering if you would like to leave any other advice with this committee as to what can be done in order to avoid this situation. I know myself that we don't have access to buses all the time at any given second of the day. It has happened many times for all of us that we have had to walk our way up to the Hill for a vote because the bus is en route somewhere and we're not going to make it at the right time. We have to allow ourselves that time to get up there.

Are there any other recommendations you can leave with this committee as to what can be done by either party?

Hon. Maxime Bernier: It would be great if people at the security gate knew that there was a vote. As you just said, the bus drivers for the members of Parliament know that, so I think they must also know when there is a vote. That will help also.

However, the communication between the RCMP and the officials of the House must be better.

Hon. Lisa Raitt: The access of the members to the Hill has precedence over any security measures or plans that have been put in place for whatever odd thing was happening that day. I don't think this would have happened on a normal day. I think it happened because it was budget day, and we had strangers on the Hill.

• (1255)

The Chair: Thank you.

We have some more time for Mr. Schmale if you want.

Then, I want to talk about what we do at the next meeting.

Mr. Jamie Schmale: I think Mr. Nater has a question.

Mr. John Nater (Perth—Wellington, CPC): I have just one question, and it's more to seek your comments.

The process of this privilege debate took a unique turn. It actually stands in my name, rather than your names as it ought to have. Privilege is an ancient concept. We can trace it back to 1689 to the English Bill of Rights, and certainly our British North America Act, the Constitution Act, 1867, section 18 preserves it.

If you review the journals from the day of the Speech from the Throne, there is an elegant statement of the Speaker reasserting privileges of Parliament to the crown, to the Governor General of that day, so it's an important concept.

There was this unfortunate incident where both of you were denied your right to vote because of these matters. Then the issue was never dealt with in the House of Commons. The ability to vote on your initial question of privilege was denied by a vote to proceed to orders of the day, which is unprecedented in Canadian history, causing us to revive it through an alternate means.

I would like your comments on that, that is, how that affected your thinking on this matter. Your privileges were violated, and then they were almost further violated by the inability to vote on this important question of privilege.

Hon. Lisa Raitt: When you rise on a question of privilege, part of it is because you're personally affected; therefore, you feel the need to bring it forth to the House of Commons. The second part is that you don't want it to happen again. You rise as a member of Parliament to ensure that whatever procedure or process caused it is redressed and that you can move on.

I'm grateful, Mr. Nater, for saving us and making sure that we could have this discussion today. I think we'll have very good outcomes if only for having notifications on the timing that is left for those who work for us and protect us at the security checkpoint. In this way, there will be a greater awareness that there is not only a place or people to protect but also a process and an institution to protect.

Hon. Maxime Bernier: You're right that it is too bad that we were not able to have this debate in the House. However, we're having this debate here, so that's very important. I'm looking forward to your recommendation.

What's most important for me is that my privilege, as a member of Parliament, has been denied. We must know what happened, and I

don't want that to happen to another member of Parliament in the future.

The Chair: Are there any other quick questions from anybody before we go?

Thank you very much. I think this has given us the exact details we need to make good recommendations. We appreciate your taking the time during this busy leadership race. Good luck to you both.

Hon. Lisa Raitt: Thank you very much.

We didn't cut a deal. That was no deal.

Some hon. members: Oh, oh!

The Chair: I want to make sure of what we do at the next meeting. It looks like we can have the estimates a week today. Next Tuesday both the Speaker and the CEO from Elections Canada can make that, so Thursday we'll go on with this as planned.

We'd like to get the reports. The Speaker said we could have the reports, so we'll have those. Hopefully we can get the video, as Blake asked for from PPS. I assume we want PPS to come back on Thursday.

Maybe with all of that, we could give some—

Ms. Ruby Sahota: Shall we do three hours on Thursday then?

The Chair: Would that be possible? Maybe we can give directions for a report after that if we start at 10 and go to 1 again.

Mr. David de Burgh Graham: Can we do 11 until 2?

Mr. David Christopherson: I'm subbing for somebody else.

Mr. Blake Richards: The one o'clock time frame is when many members have question period preparations to do and whatnot, so that's a bad idea.

Ms. Ruby Sahota: So 10 to 1?

Mr. David Christopherson: I can't do that. I'm filling in for somebody else on another committee.

Mr. Blake Richards: Mr. Chair, I would think there is a high likelihood that there could be other witnesses as well, so I don't think we're going to get to our report.

I think two hours might be sufficient for what you've described anyway. Why don't we just do that? Then if we need another meeting, we'll have another meeting.

• (1300)

Ms. Ruby Sahota: We could fit more in on Thursday in that one hour.

Who knows? I mean most of the people we want to talk to are on the Hill anyways, so it's a lot easier to get here without notice.

Mr. Blake Richards: But we don't know who those other witnesses will be yet. That's the thing. We won't really be able to fit them in on Thursday. It will probably require a different day, right?

Mr. David Christopherson: It went fairly smoothly today timewise, so let's give the two hours a shot.

We're probably going to need at least one more after that anyway.

The Chair: Do we want PPS for the whole two hours?

Mr. Blake Richards: Yes, I think that makes sense.

I mean, even though we may be viewing video or looking at a report in part of that time, there may be questions that arise from the video or from the report that they can help us with. I think it makes sense.

The Chair: Because we're going to be hopefully looking at the video and the report, maybe we'll start in camera, as we agreed earlier today, because of security reasons.

Mr. David Christopherson: As long as we're doing security, that's fine.

Is that when we would be viewing the video too?

The Chair: Hopefully, yes.

Mr. David Christopherson: Sure, that makes sense.

The Chair: We'll start out with the video, and the reports—

Mr. David Christopherson: Then, if we can, we need to get back out into public.

Mr. Blake Richards: The only clarification I would make would be much the same as that.

If it's required to watch the video and required to view a report, fine, but there needs to be a commitment that as soon as that is completed, there won't be anything else occurring in camera. It would only be for the purpose that it's absolutely necessary.

The Chair: Is that okay with everyone?

Some hon. members: Yes.

The Chair: Okay, the meeting is adjourned.

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