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Chair

The Honourable Larry Bagnell

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• (1105)

[English]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good morning. Welcome to the 87th meeting of the Standing Committee on Procedure and House Affairs.

For our members' information, we are currently sitting in public.

The first order of business today is the election of a first vice-chair. To this end, I'll now turn the floor over to the clerk.

The Clerk of the Committee (Mr. Andrew Lauzon): Pursuant to Standing Order 106(2), the first vice-chair must be a member of the official opposition. I'm now prepared to receive motions for the first vice-chair.

Mr. Nater.

Mr. John Nater (Perth—Wellington, CPC): I nominate Mr. Richards.

The Clerk: It's been moved by Mr. Nater that Mr. Richards be elected as first vice-chair of the committee.

Are there any further motions? No.

Is it the pleasure of the committee to adopt the motion?

Some hon. members: Agreed.

The Clerk: I declare the motion carried and Mr. Richards duly elected first vice-chair of the committee.

Some hon. members: Hear, hear!

The Chair: Just before we go on to the next item, I want to have the clerk mention the procedures regarding sexual harassment. Sexual harassment is covered in three different mechanisms in the House, and I want to make sure that everyone's clear what those are before we go any further, because each situation has to be dealt with through the appropriate procedure. If the clerk could just briefly mention those three procedures and who falls under each procedure....

The Clerk: I'll try to give you an overview of the sexual harassment regime that exists right now on the Hill, focusing on the House of Commons.

First of all, there is the Code of Conduct for Members of the House of Commons: Sexual Harassment, which is appended to the Standing Orders and applies to members of Parliament. This is the code that was developed in the previous Parliament by the Standing

Committee on Procedure and House Affairs, and took effect at the beginning of this Parliament.

Second, there is what is called the House of Commons Policy on Preventing and Addressing Harassment, which was adopted by the Board of Internal Economy on December 9, 2014. This policy applies to all members of Parliament, including House officers, as employers, and to staff employed by members, House officers, and research officers. Furthermore, interns and volunteers, paid or unpaid, are also covered by this policy. The Board of Internal Economy would be the governing body when it comes to this policy.

Beyond that, the House of Commons has its own harassment prevention policy that applies to employees of the House administration solely, and is not, in fact, applicable to members of Parliament.

The Chair: The only authority we have is the code for members relating to other members.

Filomena.

Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.): Thank you, Mr. Chair.

I'd like to move a motion that has been circulated by the clerk. The motion is as follows:

Pursuant to Standing Orders 108(1)(a) and 108(1)(c), a Subcommittee on a Code of Conduct for Members be established to conduct a thorough review of the Code of Conduct for Members of the House of Commons: Sexual Harassment;

that the Subcommittee be composed of seven (7) members, of which four (4) shall be from the Government party, two (2) from the Official Opposition, and one (1) from the NDP;

that the Whip of each party deposit with the Clerk of the Standing Committee on Procedure and House Affairs a list of his or her party's members to serve on the Subcommittee;

that the Whip of each party submit his or her initial list of members to serve on the Subcommittee no later than February 5, 2018;

that membership substitutions be permitted from time to time, if required, in the manner provided for in Standing Order 114(2);

that the Subcommittee be chaired by a member of the Government party and that the Member for Yukon be named Chair of the Subcommittee; and

that the Subcommittee be granted all the powers of the Committee pursuant to Standing Order 108(1).

Mr. Chair, can I make a couple of points?

I am bringing forward this motion, which I hope we're all going to support, and I anticipate we will. I recognize that in the fall there was a review of the code. However, in the past number of months with the #MeToo movement, with the Canadian Press survey, and with the rapid pace that cases are coming forward and being reported, I think the time is right and the time is now that we have a renewed focus on this code. It is for this reason that I'm moving this motion today.

The Chair: Thank you.

Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you.

As the official opposition, we certainly support the motion. Obviously, no one should ever be facing harassment in the workplace, and we're ready and willing to do whatever we can to help move that forward. We certainly support it.

I have an amendment, though. I'll just read it out, and I can circulate a copy here in both official languages. The first part is actually just grammatical, to facilitate the substantive part of the amendment. I'll read it as I have it here:

That the motion be amended by (a) deleting "and" at the end of the sixth paragraph; (b) adding "; and" at the end of the seventh paragraph;

That's obviously just to facilitate the addition of another clause, which would read:

and (c) adding the following paragraph: "that the Subcommittee have confidential access to the evidence taken by the Committee in camera during its review of the Code in September and October 2017."

This is for obvious reasons. We just recently reviewed this. Members of the subcommittee may not necessarily be members of this committee, and we want to make sure they have access to that, especially given that it's so recent. That's all it is intended to do.

• (1110)

The Chair: The discussion now is on the amendment.

We'll go to Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Not on the amendment.

The Chair: Maybe we can deal with the amendment, then.

Is there any further discussion on the amendment? All in favour of the amendment?

Ms. Filomena Tassi: I thank Mr. Richards for bringing that up. It's a good point, and I fully support that amendment.

The Chair: Any opposed?

Mr. David Christopherson: Not on the amendment, no.

The Chair: Okay.

(Amendment agreed to)

The Chair: Back to discussion of the motion as amended, we'll go to Mr. Christopherson.

Mr. David Christopherson: Thanks very much, Chair.

If I can, I want to thank Ms. Tassi for the courtesy of the heads-up, because this is an issue that's non-partisan. Starting that way with the

approach makes a real big difference in how these things unfold, so I appreciate the courtesy.

Also, I take note of the fact that Ms. Tassi is also the deputy whip of the government, so, unlike most of us, can be dealing with details of this on a rather ongoing basis sometimes. I take some lead from that, in terms of her experience.

The only thing is, Chair, what I want to propose—and I'll move it—is broadening the mandate to include the following. My amendment reads, "with a view to make sure effective harassment protections are available to members, employees, interns, volunteers, and other people working with members of the House of Commons."

I know we do these things in different segments, so if somebody's got an argument that this isn't the place for it, fine. We are seeking to broaden the protections that would be involved, and I put that before colleagues.

The Chair: Let me just get clarification from the clerk on that.

The clerk is just looking it up again, but as he mentioned in his opening comments, the location for that discussion is the Board of Internal Economy, because their policy covers all of those situations.

Mr. David Christopherson: Understood. I was seeking to see if it's in order for me to broaden it in this one too. The first thing I have to find out is whether you're going to allow it.

The Chair: The clerk is just pointing out here that Standing Order 108(3)(a)(ix) indicates that the standing committee's mandate includes as follows:

the review and report on all matters relating to the *Code of Conduct for Members of the House of Commons: Sexual Harassment*.

That's basically the policy we have now. It's limited to between members. Are you suggesting that there be protections in two different processes? It would be in the Board of Internal Economy code, and we'd have two conflicting codes?

Mr. David Christopherson: I don't know if they'd be conflicting, but the protection that we're talking about would be included here, too, yes. If you're asking if there inevitably would be some kind of a duplication, potentially there could. However, that doesn't mean it shouldn't be in here because we do have, at least, as you've said, three different areas where we do this, and I'm sure there's overlap.

The Chair: Ms. Tassi.

Ms. Filomena Tassi: David, I understand what you're saying, and I agree. We want to reach everyone with respect to this, and we want to ensure that it's a safe space, and also that the process is fair.

The issue is that right now the code of conduct, as has been said, only deals with sexual harassment between members. The policy on harassment deals with members and staff. They're completely exclusive. One deals with one, and the other policy on harassment deals with staff and MPs with regard to harassment.

Right now our jurisdiction in the procedure and House Affairs committee is with respect to the code, which just covers member to member—

• (1115)

Mr. David Christopherson: Right.

Ms. Filomena Tassi:—sexual harassment. All the other things are covered under the policy that falls under the direction of the BOIE. That's the issue.

My understanding is that it's not something that we have taken on as our responsibility. I don't know—and maybe the clerk can clarify—how BOIE operates in making its policy and recommendation moving forward, but that is covered under a different policy. My fear is that if we start expanding this policy, which I don't know if we have the jurisdiction to do, and cover things that are already covered under BOIE.... My approach, rather, would be that we cover this policy separately as the code between members, and then if we want to at some point give input to BOIE, that would be a whole separate discussion. I'm not sure about the process in terms of the jurisdiction and authority for us to do it. It's not that I don't want to do it; I just don't know that this is the place to do it.

Mr. David Christopherson: I'm not taking it as resistance to the idea. We're into a procedural thing right now, and I get that.

Ms. Filomena Tassi: Exactly.

Mr. David Christopherson: No, I'm not concerned.

Can I ask you a question, then? My amendment includes members, employees, interns, volunteers, and other people working with members of the House.

Ms. Filomena Tassi: Yes.

Mr. David Christopherson: Are all of those folks covered under the BOIE policy?

Ms. Filomena Tassi: Yes, that's correct. The clerk can confirm that that is correct. I can give you a copy of it.

Mr. David Christopherson: No, that's fine. I just wanted it clear in my head because these things get confusing in terms of the different jurisdictions.

Ms. Filomena Tassi: Yes, I know.

Mr. David Christopherson: So, none of these folks are excluded at all. They're all captured by the policy of BOIE.

Ms. Filomena Tassi: By the harassment policy, yes.

The Chair: Including interns, as the clerk read out.

Mr. David Christopherson: Okay.

The Chair: Mr. Bittle.

Mr. Chris Bittle (St. Catharines, Lib.): I'm sorry, I didn't catch the last couple of sentences, but I just want to add that the human resources committee is doing an extensive study on Bill C-65, and it just passed a motion to have confidential sessions as well, so that even individuals, interns, staffers, and members of Parliament can come and tell their stories. In terms of that bill, there's movement on those other fronts at this particular point.

Mr. David Christopherson: That's good to hear, because what we don't want to do is to leave something behind that we.... Once again, it's us, us, us looking at our policy, but leaving others behind. If that's happening there.... I'll accept that, Mr. Chair, because I know it's really important that we start off united on this.

If I could just flag that if I come to evidence or a point of view that's different from what we've talked about here—because it is detailed and legal in some aspects, too, Fil.... It's just a heads-up that

I may come back with that argument, and you can do with it as you will. I'm just one vote here. It's just give a heads-up that I may want to if there's a substantive, good reason that I think there's a retort to what you've presented—and I don't have it right now.

Other than that, I appreciate the feedback, and I'm prepared to support the motion as it is.

The Chair: Okay. Is there any further discussion on the motion?

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

The Chair: Thank you.

Now we will suspend—

Yes?

Mr. Blake Richards: I have a motion to put forward:

That the Procedure and House Affairs committee be fully briefed on all consultations undertaken by the Minister of Democratic Institutions with regards to the Government's proposed creation of an Independent Commissioner responsible for Leaders' Debates, prior to the committee's completion of the report on the study on the creation of an independent commissioner to organize political party leaders' debates during future federal election campaigns.

I would like to move that motion now. I believe it's in order because it, obviously, is in keeping with the subject matter of this meeting.

The Chair: Mr. Richards, would you like to chat about your motion?

• (1120)

Mr. Blake Richards: Thank you, Mr. Chair. I don't need to use a bunch of time, but I certainly would like to explain it.

Obviously, what we're doing here is something that's come up in this committee a number of times in the past in relation to other matters that we've had at hand. There seem to be these parallel tracks that occur. I know that has been of particular concern to Mr. Christopherson, but other members of the committee have also expressed concern about it in the past as well, and it's this idea that somehow the committee will work on a subject matter, and then independently, the minister and the government will be doing something. We've even seen cases in which we haven't completed our work, and yet the government has come forward with legislation on an issue.

I'm not suggesting that's what is happening, that there is any intention of the government to do that in this particular instance, but obviously, where there is work being done in consultation on an issue—it was indicated to us the other day that some other consultation have taken place—it would be helpful for the committee to have access to information on what has been heard.

If the goal of the government is to try to utilize the committee, to allow it to be helpful in informing the government in what it does, which I would hope would be the case, then I would think the government would want to share that information with us. Of course, then, we in turn can provide a report that's helpful to the government, hopefully, in determining what course of action it takes.

Obviously, given the fact these consultations have taken place, it would be good to get some kind of a briefing. I haven't indicated who should brief us, but it should be someone who is knowledgeable. Maybe it's Mr. Fillmore who does that, I don't know. The minister or some other official could give us some sense as to what's been heard. That might help inform some of the things we would recommend as part of our report. That is the reason for it.

Obviously, when you're doing something like this as a committee, you want to make sure you have access to all the information available to you. It's much like the amendment I made to the motion earlier. It was just to make sure that the committee had all the information that's available to it to be able to help it make its best decisions. Being prudent, all of us as legislators want to make sure that we have access to that information to be able to do that.

Simply, all this is intended to do is to get us some information that might be helpful to us in making some decisions toward the report.

The Chair: Okay, thank you.

Ruby.

Ms. Ruby Sahota (Brampton North, Lib.): I like your explanation, Blake, but my initial reaction, even after the explanation, still leans more toward our not doing this because the consultations are over. Our report is done. When all the parties were asked whether they wanted to call more witnesses to this committee, there was very little interest on the part of the Conservatives in calling more witnesses. Our committee's work is our work. In fact, if we wanted to hear testimony from average Canadians or whoever, we had the ability to do so, and we didn't.

Right now we're we're at the stage of finalizing the report, changing a few things around. We might even potentially be done today. That is my hope, but it could take a little longer.

When we set down this task, we were given the option of bringing in whoever we wanted. We chose. We made those decisions. We're at the end of the report. We should complete it and present it to the minister. The role of the committee is to advise the minister, not to call in everyone she may be getting advice from.

I don't even see the purpose of this. It seems like it's delaying getting our report to the minister.

The Chair: Thank you.

Mr. Bittle.

Mr. Chris Bittle: Thank you so much, Mr. Chair.

When the minister came to testify, she said these processes were going to happen. There wasn't any objection to that when the minister was here. Months later we seem to have some objection to that. My understanding is that a report on the round tables will be issued and will be available to the public. There will be a report on online feedback. If members wish to bring a motion to supplement our findings at that point, they can. This just seems to be a way to delay this process. We've had a less than enthusiastic response from our Conservative friends on whether this entire thing should go forward as is. We're getting to a point where 2019 isn't that far away. We want to have something come forward and to have this committee's findings before the minister, because decisions will have

to be made to have processes set up before the 2019 election, if it's the will of the committee to do so.

I can't support this motion, and I hope we proceed to the draft report.

• (1125)

The Chair: Mr. Christopherson.

Mr. David Christopherson: Thanks, Chair.

Could somebody please give me a drop-dead deadline that we have to have our work completed by to accomplish what Mr. Bittle has just outlined? Somebody in the know. There are enough parliamentary secretaries around here, somebody must know something.

Mr. Andy Fillmore (Halifax, Lib.): It's our intent to have the debates commission in place for the 2019 election. Everything we can do to expedite our work here will improve the odds of the success of meeting that goal. It would be my preference—if you're interested in that, Mr. Christopherson—that we would get through the report today so the committee could move on to other business later in the week and next week. The sooner the better is the answer. The odds of having this in place for 2019 decrease with each passing meeting. .

Mr. David Christopherson: Yes, but given what you're saying, I didn't hear a deadline. You guys are as anxious to have it in place as I am, so you're not going to play that on me.

I have been equally concerned about the process, and I did my rant at the last meeting. I won't repeat it, but I think Mr. Richards' points are legitimate, and I don't think this process is.... It's a shame, too. There was no need. That's what I don't understand. It could have been a nice, clean, neat process. Instead, the government muddied the waters by a bit of a parallel campaign through the minister, which is fine, but you needed to say that. Tell us we are one small part, or that we're just feeding into it.

The way it was presented to us and from time I met with the minister alone to the time we agreed to start doing this, the government's idea was that they ran on a platform that committees were going to be more independent than they had been and were going to live up to their role as masters of their own destiny, etc. One of the things in the context of that campaign promise is they would like us to take a look at this issue and see whether this is something we should do, and if so, what might it look like. Okay, fine, that's how this system works, excellent.

We set down to work. Then we start finding out there's this parallel process. Remember the document...? I can't get into details, but Mr. Bittle came in with a document that was just like more tactics.... I felt like it was marching orders coming from the minister. I'm thinking what the heck, if the minister wants to do it, do it, or Mr. Fillmore—I'm sorry, I don't care, Parliamentary Secretary, honourable all.

My point is that this thing has not been exactly as advertised. Having said that, the government knows—and I've made no bones about it—I'm as anxious as anyone to avoid the disgrace that I saw last time, where one of the leading contenders to be prime minister of Canada wouldn't attend the debates. I'm as infuriated as any government member is over there. I want this done, and I want it done in a way that will allow us to have it in place for the next election, but I want to underscore that that's valid. Unless there's a drop-dead deadline, which I didn't hear, why wouldn't we take the time to listen? Or is this really just pro forma, almost like the Conservatives used to do in the last Parliament, but with a nicer face and a better hairdo? The fact remains that it doesn't feel like this is where the real work is.

If it is, then it would make very good sense that if we have advice that the minister has received from Canadians, why wouldn't we introduce that into our thinking? What is so outrageous about that? Having said that, twice now I've heard the government say, gee I hope we get this report passed today. I have to tell you, I look at the report, and to me all we've done so far is very clearly identify what the issue is, what our options are, and some of the decisions that have to be made within those options, depending on which one you decide. The heavy lifting starts after that.

The heavy lifting starts with which option do we want to go with, and then some of those areas that need identifying. I thought we were going to do that kind of work. Again, this is where I'm kind of at sixes and twelves here in terms of what the government's really up to. If we pass the document that is there now, I have to tell you that could almost be done at the staff level—almost. The real work, the political value added is when we start detailing some of those recommendations. It's only our best thinking; the minister still has the power and the right to do everything she's going to do, and that's fine. To me, passing the report the way it is, I see a parallel campaign going on with the minister and her parliamentary secretary. Again, it feels like, oh yeah, House of Commons committee...check.

For those on the other side who think we're done, to me, we're just rolling up our sleeves, and we actually have to get at some of the real work. That's my macro view of things right now.

Thanks, Mr. Chair.

● (1130)

The Chair: Okay.

Mr. Nater.

Mr. John Nater: Thank you, Mr. Chair.

First and foremost, maybe I think it's worth reminding ourselves that the committee is not a tool of the minister. We do not report to the minister. We do not provide a report to the minister. Our role as a parliamentary committee is to report to Parliament, so to hear the language from the Liberal benches that we need to get our report to the minister, that we need to advise the minister... That's not our role. We report to Parliament. First and foremost, we are a parliamentary committee.

The second point, to echo something Mr. Christopherson said, is that we don't take our marching orders from the minister either. At the same time, we know that the minister is operating on this parallel

track. We know that there's been an online portal. We know there have been round tables that have been closed to the media.

We are in a position where there is information available. I strongly support Mr. Richards' motion, because I don't think there's such a thing as too much valuable information. Having the opportunity to have access to the information provided by Canadians through the online portal...I think all of us have seen the portal and know that there is a disclaimer that the information and the names can be shared as appropriate. There have been experts who have attended these round tables, and academics, those involved in the field. It's valuable information. Some of it may be duplicative of what we've already heard, and that's fine.

That information has been collated, I know, and put into a usable form for advice for the minister. I would be under the impression that it would take very little work and effort to have that advice and information forwarded to this committee. I don't think it needs to be a long, drawn-out process. We all know how bureaucratic functions work. We know that information is readily available in a usable format. As for who exactly presents it to this committee, I don't think it matters, as long as that information is provided to the committee.

I would support Mr. Richards' motion. I don't think it would draw out this process much at all. As Mr. Christopherson mentioned, we didn't get to the recommendation portion of this report yet. It sure would be nice if we could do that in the next hour and a half, but I don't think an important matter such as this will necessarily come to a conclusion within the next 90 minutes or so. I do think it's worthwhile to have the information provided to this committee.

The Chair: Mr. Bittle.

Mr. Chris Bittle: Thank you so much, Mr. Chair. I don't understand the delayed outrage on this.

The minister was here before this committee on November 21 and testified that this was going to happen. There was no outrage then. She said she was looking forward to the committee's report but was also going to engage in other activities. We discussed the timetable of this report. There was no mention of this being brought up. There was no concern. There was no call for additional witnesses.

It seems to me that this is just another opportunity to delay, and that's fine, but let's call it what it is. These reports will be made public and the committee will have the opportunity to review them, as every Canadian will, but I don't understand why, two and half months later, after hearing it directly from the minister, we're now in a state of feigned outrage about this.

If you were really outraged about it, you would have questioned the minister about it. I can't support this motion.

The Chair: Ms. Sahota.

● (1135)

Ms. Ruby Sahota: I agree with a lot of what David was saying earlier, that there is some need for detailed recommendations as to how this process would move forward for debate, but I thought that's what we were supposed to be doing here today—I have some details that I would like to insert into the report—and that's when we were going to start having this conversation. Hopefully, you can excuse me from thinking that, because I've provided quite a bit.... I have a lot of things to insert.

Maybe this conversation will take longer than a day. That's fine if it does, but that's the part we're at right now: to get those recommendations into this report. I think we should discuss what we've heard from all the witnesses we called and now try to make this report as meaty as possible. The analyst put this together and did a really great job, but now it's our part, to insert our thinking into it, and I would just request that we move on and get to that.

I also feel that there is a bit of exaggeration as to how much more desire there was on the part of all the members on the committee—not everybody—to have more witnesses come forth and to have more information from those witnesses. We ended early with the last witness we had because there were no more questions. I felt that we were moving along the path where we all developed an idea of where we were going and what we wanted to recommend. That was the feeling I was getting at that point when we got to the last witness.

That would be my only request: let's move on to the report and see what comes out of it, before we pass it, of course.

The Chair: Thank you.

Mr. Richards.

Mr. Blake Richards: Thank you, Mr. Chair.

I want to respond to some of the discussion that's been happening. There's this idea that somehow this is meant to delay. I don't understand where that one comes from. I don't understand how anyone would really credibly argue that there's going to be a huge delay based on this. We hear this idea of outrage. Well, I don't know who is outraged, because I'm certainly not, and I'm the person moving the motion. Although I'm kind of starting to get there, because these accusations are a bit odd that we're somehow delaying all of these things.

This is the party over there that talks about wanting to do everything based on evidence and all the information. Well, that's what all this is about, simply to make sure that we have all of the information and evidence that's available to us to make decisions about what recommendations we might make as a committee, knowing that these consultations are taking place and are under way.

I had a look just now, and those online consultations close on February 9, so when I think about that, and we talk about this idea of delaying, well, obviously, the minister isn't going to be moving forward with anything she is going to do before February 9. I'm sure she wouldn't do that without having all the information and the feedback from Canadians. It's Thursday today, and some members have suggested that maybe we could have completed a report today. I don't know, it may be possible. I will say from my perspective that I'm certainly prepared to deal with the report as written, to have a look at it, knowing that we haven't had it for a great deal of time—a couple of days I guess it is.

In terms of making recommendations, some members may be more prepared on that than others, but I think we can certainly get started on that, but personally, I think, why wouldn't we want to have all the information that's available? The consultations close on February 9, so if we were able to get a good start on the report today, we'd get the briefing on Tuesday, and we'd finish, hopefully, at that point on Tuesday or thereabouts, assuming it could be done within the course of that meeting and that there aren't great arguments about

what should be in the report. We're talking literally about going from today, if people were to believe that we could finish today, to Tuesday, and that's still prior to that February 9 end of the consultations.

It's not as if the minister is about to bring forward a bill, so if this is something the minister would like to have access to to help inform what she does, I don't see how this would prevent it from happening. It's not as if we're talking about six weeks to get some information on what was said in the consultations. As indicated by other members, I would assume that's probably quite readily available and probably in a spreadsheet or something like that. It could just be provided to the committee verbally, or however folks want to do it.

Why couldn't we just have that happen on Tuesday? We could still get started on going through the report today. It's not going to prevent that from happening. I fail to understand the logic. I don't get it, I just don't get why the government has such a problem with sharing the information with this committee, because the only conclusion I can draw is that's the problem here. They don't want to share the information, and why wouldn't they want to share the information? That makes me suspicious now. I wasn't before, but now I am. I can't imagine what the reason would be.

Again, there's this idea that somehow a delay is happening here. We're talking about Thursday to Tuesday to be able to get a little bit of briefing, and that's even assuming we could otherwise finish today. That's a maybe, an if, a possibility. It may not delay it at all, and if it did, it would be literally three business days, still prior to the conclusion of the minister's consultations, so, obviously, nothing would be moving forward before that.

I fail to understand this idea that it's an unreasonable delay or will prevent something from occurring prior to the 2019 election. We're talking three business days, Mr. Chair, and I just don't understand why there would be such difficulty in getting some information to the committee, which would help it to make its decision, from a party that claims that it's important to have all of the information and evidence before making decisions.

● (1140)

The Chair: Okay.

Mr. Christopherson.

Mr. David Christopherson: Thanks, Mr. Chair.

I have no doubt that if the Conservatives could delay this so that it does not happen, they would. That's why the first question I asked was about whether there is a drop-dead deadline.

However, I thought that the request for the information made sense. If it's available, it's more information, but again, that's assuming that what we're doing is real as opposed to just make-work or a cover for what the minister really wants to do.

To me, if it fits our time frame, let's not give the Conservatives any phony targets to go after on the process, because I really think this is important. This is close to my heart. When the minister said to me that this is what she wanted to do, I was elated. I was so thrilled because what happened is obscene. It's such an affront to democracy.

That said, again, I keep bringing this back to the government. The Liberals ran on a platform that committees were going to matter. The Liberals were the ones who said that there would be no parliamentary secretaries on standing committees, and I'm looking at two of them. And then—I wish I could go into the details—there was a meeting, an in camera meeting. I think it was Mr. Fillmore—I stand to be corrected—as parliamentary secretary, when we were talking about the initial directions for this report, and he had written pages. Well, I don't think that just came out of something he thought of the night before. When I was a parliamentary assistant to the provincial minister of finance, I didn't do an awful lot on my own. That's a career-limiting move.

Therefore, I have to assume that that's what the minister wanted. That was my first alert because up until then I was naive enough to believe that we actually were doing what the minister said and asked us to do.

To recap, I don't want to delay this. I, more than anything, want this in place so we never again see that happen, but I want to make sure that we've followed a proper process. I don't want to give the Conservatives, who I believe do not want this, for obvious reasons... I believe they would try to delay, and that's why I asked about the deadline. However, if it doesn't delay the ability of the government to have this in place for the next election, why wouldn't we at least take it into account? It's the public. The money was spent. The minister wanted to hear what the public had to say. If it's available, in a timely way.... If not, then fine, leave it, but if it's available in a timely fashion that still allows us to meet a deadline that lets the minister bring in the legislation that we need, then why wouldn't we? That's my point.

I'll end on a positive note. I was very pleased to hear Ruby's comments. I watched you. I saw you sort of pass the nod test; as I'm talking, you're nodding. We really do have a lot of work in here. The real work is still to be done, but if this other information can help inform our final report, why wouldn't we? That's my only point.

Thanks, Mr. Chair.

The Chair: Thank you.

Mr. Kmiec, welcome back to the committee.

• (1145)

Mr. Tom Kmiec (Calgary Shepard, CPC): Thank you, Mr. Chair. It's so nice to be back. There are so many friendly faces. It's nice to see nothing has changed here, as well.

Some hon. members: Oh, oh!

Mr. Tom Kmiec: I remember most of you from the late nights as well, so thank you for having me back.

Mr. Christopherson, I missed you.

Some hon. members: Oh, oh!

Mr. David Christopherson: I missed you too, buddy.

A voice: On division.

Mr. Tom Kmiec: On division, that's right; beautiful words.

I don't want to belabour the point here, but when “outrage” was mentioned, I think one of the great losses in the Hansard of the committee when it's printed is that the tone of words isn't conveyed. I don't think there's any outrage on this side. I don't think anybody's outraged; we're all pretty reasonable individuals at the table. Hansard won't show that, but I just want to make sure I say that nobody here was hollering or yelling or pointing fingers in any way.

Some hon. members: Oh, oh!

Mr. Tom Kmiec: Mostly, Mr. Christopherson. That's why I miss this committee sometimes.

I think the point of the motion is just to have more information, which is perfectly reasonable. My experience on other committees—I sit on the Standing Committee on Finance—is that more information, especially for committee members, is always useful, especially for those of us on the opposition side. It helps us figure out better recommendations that we can try to input into the committee report. At the end of the day, the committee report is tabled for members of the House of Commons to consider, including the minister, who in this case is a member of the House of Commons, but not solely in the relevant duties that she has. Our purpose is always to try to influence the government through our recommendations and to improve the decisions in the legislation it proposes.

My experience has been, so far, especially on pre-budget consultations, that the government tends not to listen always to all the great ideas that we have and include in our reports. This sometimes seems odd because the government caucus members have a majority, so I would think they would be able to discuss it with their relevant ministers. That just goes to show that there are sometimes differences of opinion among caucus members on what should be done.

To a point that Mr. Christopherson made, he doesn't know what I think on this particular issue, and I don't even know what I will think on this particular issue yet, until I see what this committee has determined to be the right set of recommendations to suggest to the House of Commons.

I don't believe the committee will be able to do this issue justice unless it has all the information available that the minister has, if it is to provide her with the best recommendations. Just as Mr. Richards said, we're only talking about a few extra days, not that many sitting days of the House, that we would have to wait in order to get this information. That's not delay; that's just careful deliberation. You also have an entire session that we could complete, and you have many opportunities to meet. This committee is master of its own domain. You could choose to sit more often. Evenings, I've heard, have been used in the past; early mornings as well, especially by this committee. Then you could provide a fulsome report to the House of Commons on what we believe are the best recommendations for the House of Commons to consider on this particular issue, and then the minister would have them. You can hold as many meetings as you wish for careful consideration of this.

Delay is not an excuse, and this motion is not delaying the committee. It is simply calling for full information to inform the committee's deliberations on an issue for its recommendations. I don't see the problem with having more information. It's an issue of transparency. After all, the minister runs a portfolio, not gifted, but set upon her by the Prime Minister, with the Governor General's acquiescence, and the content of her duties are really up to us to determine and to hold her accountable for.

We also shouldn't only be holding her accountable for task set in her mandate letter, based on the Prime Minister's view of her job, but also upon the recommendations this committee provides on particular issues, and seeing whether those are taken up in the report, including any potential dissenting reports, maybe. You probably saw a dissenting report being tabled today from the heritage committee. That can also happen.

I'm just suggesting there are good ideas, including potential consultations that are now undertaken by the Minister of Democratic Institutions, that you may want to avail yourselves of in order to know everything there is to know on a particular issue, so you're not in a situation where you're suggesting things on which the minister has heard opposite views, which might be well informed, by an expert or a group of Canadians who have thoughtful recommendations for the minister.

Those are just my words. As I said, I don't want to belabour the point. I've done that already on this committee.

It feels as if there's been way more than the number of meetings, Mr. Chair, that you have mentioned, but I'll leave it at that and look forward to the rest of the debate on this.

The Chair: Some of them were long.

Mr. Tom Kmiec: Yes, they were indeed.

• (1150)

The Chair: One of them was a 30-day meeting, actually.

Go ahead, Mr. Fillmore.

Mr. Andy Fillmore: Thanks, Mr. Chair.

I would like to come to the question of timeline because it's a very important one. I think most of us share the objective of getting this in place as quickly as possible. As we know from when the minister visited us in November, we do have the web portal, so that all

Canadians can weigh in on this. You made reference, Mr. Christopherson, to campaign promises. We also campaigned on a promise to include Canadians through consultation in the decisions that impact their lives. That, of course, is what this is all about.

The web portal is open until late next week. As committee members will know from their lived experience on committees, it takes four or more weeks for a sensible, credible, and legible summary report to be created, so we're into March. As well, the output from the round tables needs to be worked into a credible report, which we can assume will be some months away as well.

We're not talking about a delay of a couple of days; we're talking about a delay of three or four months as a result of this motion. While we don't have an exact deadline, Mr. Christopherson, for sure the exact deadline whatever it is, is within those two and half months, and we would miss it.

The final point I'll make is that the output documents from the round tables and from the web portal will be completely available to members, as it will to the public. Knowing the minister, I know she will always welcome and value any feedback and put to good use any feedback that any member of the committee would have, based on their review of those documents.

I think the path we have before us already achieves the goals that the mover of the motion is trying to achieve, but if the motion is passed, it will frustrate your goal, Mr. Christopherson. I believe we should just proceed with the work as we've already agreed to.

Thank you.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Thank you, Chair.

I'm listening carefully because it's an important file to me personally, as well as to my caucus.

Could any of the information you have be made available? Help me out here. Is there's something that's still timely, because I stand by the time thing. I hear you, and I agree. That said, I would just ask if anything is available that we could still get, even if not in its entirety.

Mr. Andy Fillmore: Unfortunately, there's not.

Mr. David Christopherson: You're not helping.

Mr. Andy Fillmore: The portal is still open. The summary report for the round tables is in process. A tremendous volume of information was received. It will take some months to turn that into a legible report.

However, as I've said, as soon as that is available, it will be provided both to the committee members and to the public at large.

Mr. David Christopherson: All right.

Well, Chair, I've pushed this as hard as I can. It seems to me from my perspective that it is reasonable to talk about how long it would take to turn that information around if they're still gathering it.

Chair, I'll say to my Conservative colleagues—not that we have the majority—in this case I'm sure the government would like to have the cover of at least one of the opposition parties with it on any major decisions, especially on a file that involves our elections. That's why it matters. Otherwise you guys win every time. That said, I'm willing to listen to anything my Conservative colleagues have to say now. I'm supportive of the idea of having as much brought forward. I'm cautious of you guys because I think you would delay it to kill it if you could. That's just my opinion. I would do the same thing if I were opposed to it—make no bones about it.

I give you a chance to convince me that the government's arguments are not legitimate on of the information this motion seeks. That's where I am for what it's worth, Chair.

Thank you.

The Chair: Thank you.

Mr. Nater.

Mr. John Nater: Thank you, Mr. Chair.

Thank you to Mr. Christopherson for his comments as well.

I have an incredibly difficult time accepting that there is no information available in a usable form from the round tables and that it would take a series of months. I spent time working in the public service. I worked as a policy analyst with Treasury Board Secretariat and I was a grievance analyst with Correctional Service of Canada so I have worked on the public service side of things. I've actually worked in academia as well. Frankly, a couple of graduate students on a couple of late nights I'm sure could turn the information from the round tables into a usable format pretty darn quickly. I'm sure I could find a handful of graduate students who would be willing to do that work if Her Majesty's public service needs that help.

The fact that the public service or the minister's staff can't turn the transcripts of meetings into a usable format in a short period of time frankly shocks me. I've very certain that notes were taken of the meetings, potentially even transcripts of those meetings; and that this can't be translated and provided to the committee, shocks me. I have great faith in the public service. I think we have exceptional public servants who work hard every day. I'm very positive their internal documents, transcripts, and interim briefing notes on each of those round tables have been provided to senior public servants and to the minister's office. The fact that we're being told that there's no usable information available on a relatively small number of round tables shocks me. It honestly shocks me that no information is available. I will just leave it at that.

If the department needs some graduate students who are looking for a few hours of invaluable real-life experience in the public service, I'm willing to give an extensive list of those people who'd be willing to help the minister's office out on that.

Thank you, Mr. Chair.

• (1155)

The Chair: Thank you for your offer of assistance, Mr. Nater.

I have no more speakers.

Mr. Christopherson.

Mr. David Christopherson: Mostly, I just want to ask the government to respond to what they just heard, because there's some reasonableness to that.

Given the fact that the government came in and said, well, we want to try to pass this today, and Mr. Fillmore told me that there are important deadlines and then at the same time said it's going to take the minister months and months to get her information and her act together, again, I'm sorry, but things just aren't hanging together here, and the government is not being helpful.

The Chair: Mr. Fillmore, do you want to respond to Mr. Christopherson?

Mr. Andy Fillmore: Ever so briefly, and I'm sure the public service appreciates the fine and well-deserved compliments that Mr. Nater offered.

In the case of the online portal, it will be the analysts who prepare that report. As we know, in the case of the round tables, it's the Institute for Research on Public Policy that is conducting that report, not the public service.

I just wanted to make that clarification.

Thank you.

The Chair: Mr. Richards.

Mr. Blake Richards: I am going to quickly address some of the stuff that has been said. This idea of delay, that somehow this is the Conservatives trying to delay things, I think having Mr. Kmiec here is a good reminder of exactly how capable we are of delaying things for a vast amount of time if we choose to. The fact that we're not filibustering or doing long, lengthy speeches here should be evidence enough that this is not our intention. If that were our intention, we could certainly do that, but we're not trying to do that at all. We simply want to ensure that the committee has all the information available. I don't need to reiterate the points made by my friend Mr. Nater, because I think he outlined it pretty well.

I don't buy the argument that nothing could be provided to this committee. Maybe the full report in a hardcover book would take a few months to come up with, but there has to be something that is accessible now, something that would provide us with at least some general information as to what was heard through those consultations. There has to be some information provided to us. We've heard a lot of testimony. From what we heard as a committee, I don't think there was a consensus on how this should look going forward. Maybe some further information would give us some idea of what that consensus is.

Just to summarize, this is not an attempted delay. If that was what it was, you'd know it. It wouldn't be very hard to figure out. I don't understand or buy the argument that there isn't some information that could be provided here. I don't understand why the government is so reluctant to provide it. Hopefully, they'll think better of this and provide something that could be helpful to this committee. That's all this is about. I hope we can all agree that we should have all the information.

I would think as parliamentarians each of us should take a look at this and say, "Hold on. Our job as legislators is to try to make sure that we're making the best decision possible". I don't like the idea that we have to rush to make a decision today rather than wait until Tuesday or whenever. It wouldn't take long to get that information to us. The information could probably have been presented in the amount of time or less than we've spent arguing about it.

I appeal to those on the other side to try to do their jobs as legislators and make sure we have all the information required to make proper decisions, as opposed to rushing to make our decisions a few days earlier without the information we need. I can't understand why anyone wouldn't want to do that.

• (1200)

The Chair: Thank you.

Mr. Christopherson.

Mr. David Christopherson: Thanks, Chair.

Any rookie can delay things by doing theatrics, but it takes some political skill to delay and not make it look like you're delaying. That said, I'm still not persuaded by the Conservatives. Although I have some sympathy for them and continue to have criticisms of the government and the way this has been done, the priority for me has to be getting this report done and trying to get the legislation in place and not seeing again what happened before in our democracy. For what it's worth, my one little vote is going to be opposed to the motion.

The Chair: I think we've heard everyone at length. Could we have a vote on Mr. Richards' motion?

(Motion negated)

The Chair: We'll suspend now so we can go in camera and start discussing the report.

[Proceedings continue in camera]

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