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# Standing Committee on Access to Information, Privacy and Ethics

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Chair: Ms. Rachael Harder





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

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• (1605)

[English]

**The Chair (Ms. Rachael Harder (Lethbridge, CPC)):** I call the meeting to order.

Go ahead, Mr. Kurek.

**Mr. Damien Kurek (Battle River—Crowfoot, CPC):** Madam Chair, I wish to withdraw my motion.

**The Chair:** Thank you, Mr. Kurek.

Given that Mr. Kurek wishes to withdraw his motion on the business that we were in the midst of discussing, he needs unanimous consent to do so.

Do I have the unanimous consent of the committee to do that? I do.

(Motion withdrawn [See Minutes of Proceedings])

**The Chair:** Madam Shanahan has the floor.

[Translation]

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Madam Chair—

[English]

**The Chair:** Just one moment. I have a speakers list, and Madam Shanahan is next. However, if you're calling a point of order, I'm happy to entertain it.

[Translation]

**Mr. Rhéal Fortin:** It's about the motion that Ms. Gaudreau gave us notice of yesterday. I want to introduce it today.

[English]

**The Chair:** I would like to give you the opportunity to do that, but unfortunately that is a point of order, and you are not able to move a motion on a point of order. However, I will add you to the speakers list after Ms. Shanahan, who is next. At that point in time you will be allowed to move a motion.

[Translation]

**Mr. Rhéal Fortin:** As I understand it, Mr. Kurek has asked that his motion be withdrawn and there is unanimous consent to do so. So this is not a point of order. We are actually just following the agenda of the meeting.

[English]

**The Chair:** That's correct. Mr. Fortin, if this isn't a point of order, I'm not able to acknowledge you right now, because Ms. Shanahan is next on my speaking list.

[Translation]

**Mr. Rhéal Fortin:** There is no point of order, is there?

[English]

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** I have a point of order.

**The Chair:** Mr. Fortin, you are on the speakers list right after Ms. Shanahan, and then we'll have Mr. Green.

Mr. Gerretsen, do you have a point of order?

**Mr. Mark Gerretsen:** It's a genuine point of order, Madam Chair. There's something wrong with my device. Could I get that fixed? I can't get amplification, interpretation or anything through it.

**The Chair:** That is a severe problem. Let's get that looked after for you.

• (1610)

Now we'll begin with Madam Shanahan, then go to Mr. Fortin and then Mr. Green.

Go ahead, Madam Shanahan.

**Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.):** Thank you, Chair.

I would like to give notice of a motion at this time.

It reads, "That, in relation to the motion passed on Wednesday, July 22, 2020 to ensure the privacy and security of this personal information of Canadians, the committee adopt the following procedures for the handling of these documents:

"That the documents not be emailed to Members, staff or anyone else;

"That for the consideration of the documents during in-camera meetings, numbered, paper copies be provided to committee members by the Clerk at the start of any meeting at which they will be considered, and that they be returned to the clerk at the end of the meeting;

"That no staff and no mobile or electronic devices be allowed for the duration of the in camera meeting;

"That the documents be held in the Clerk's office, and that outside of in-camera committee meetings, Members may only view the documents in the Clerk's office and that no mobile or electronic devices may be in the room when the documents are being reviewed."

[Translation]

We have the same motion in French.

[English]

**The Chair:** Thank you.

Go ahead, Monsieur Fortin.

[Translation]

**Mr. Rhéal Fortin:** Yesterday, Ms. Gaudreau submitted a notice of motion, a motion that we would like to introduce today, given the current situation. The motion reads as follows:

In view of the admissions of the Minister of Finance to having obtained remuneration from "WE Charity" and to having placed himself in a conflict of interest, the committee requests his immediate resignation.

[English]

**The Chair:** Thank you.

This motion having been moved, we now move into debate on it.

Go ahead, Mr. Green.

**Mr. Matthew Green (Hamilton Centre, NDP):** I feel the need to state what I feel to be the obvious. As a committee that hasn't had Mr. Morneau before us in any capacity, it would be premature at this point for us to call on his resignation, when it's quite within the political rights of the leaders of any party to make those kinds of statements, or any individual members. I just think that as a committee that hasn't had the opportunity to fully explore this with Mr. Morneau, we are ending on a conclusion that we haven't actually explored as a committee. I think it's a bit premature. I won't be able to support this motion at the moment.

**The Chair:** Go ahead, Mr. Fortin.

[Translation]

**Mr. Rhéal Fortin:** Madam Chair, I understand the reservations that my colleague is expressing here at the table, but I would say that the current situation is rather unusual.

I know that we have not yet heard from Mr. Morneau. I am anxious to hear from him as well, because I will have some important questions for him. Nevertheless, a number of facts have already been established and are public, and they cannot be ignored. Mr. Morneau has not said that he did not commit the acts of which he is accused. He said that he did commit them, that he placed himself in a conflict of interest at the meeting where he decided to vote in favour of a contract for WE Charity, and that he apologized for it.

Once that is admitted and the minister has apologized—I really want us to accept the apology—there is a practical consequence. We have an admission of serious misconduct, and it is not premature for the committee to adopt the resolution I am proposing to you this afternoon. I invite you to support it.

• (1615)

[English]

**The Chair:** Ms. Shanahan is next.

**Mrs. Brenda Shanahan:** On the motion that is before us, I feel it's my duty to point out that it's a motion that precludes the conclu-

sion to the study we are going to be undertaking. As such, I cannot support it.

**The Chair:** Thank you.

Is there anyone else wishing to speak?

Go ahead, Mr. Barrett.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** With respect to the motion, yesterday we did hear the finance minister's acknowledgement of receiving in excess of \$40,000 in sponsored travel or as a gift from a third party agency, and we heard that he did repay that yesterday before he gave his testimony at the finance committee. In and of itself, the travel as well as the failure to disclose are multiple areas on which I have written to the Ethics Commissioner to ask for an examination of those facts.

The problem we're faced with as parliamentarians is that we have a member of cabinet who places himself in situations that make it impossible for me to give him the benefit of the doubt, with his having been found guilty of breaking the act on a previous occasion, and on this occasion, in my opinion, giving a cavalier response to a very serious situation.

In the context of the COVID-19 pandemic and on a number of occasions, all parties have given unanimous consent in the House to support unbelievable amounts of money, incredible measures in support of Canadians during the pandemic. This has to be done in the context of having confidence in the people who are executing these actions. The integrity of the institutions and the integrity of the offices we occupy have to be preserved. The occupants of these cabinet positions are there temporarily. They will be replaced by someone else. That next person may be from the same party or another party, and then that person too will be replaced. They are caretakers and they responsible for ensuring the public's confidence.

We have a large sum of money in that \$40,000 figure that was not paid by the minister when he was travelling. The organization he was travelling with said last night that the reason it offered these trips was to showcase its work and to solicit support.

Given the lack of judgment in this situation, as unfortunate as it may be, and as contrite as the minister might be, at this time when we're almost certainly going to be back in the House looking for unanimous consent on support for Canadians, when the situation is viewed through that lens, I don't have confidence in the Minister of Finance. I will be supporting this motion.

• (1620)

**The Chair:** Thank you.

Mr. Kurek is next.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

I hear something often from my constituents, and it's that one needs to take action. Whether that's expressed through in-person conversations, over the phone, or in emails or letters, it's incumbent upon all of us to do just that.

At the onset of the COVID-19 pandemic, action was taken. All parties got together, and although there has been disagreement, and significant disagreement, about aspects of that response throughout the last number of months, action was taken.

Canadians still expect their government to work for them, to deal with the issues at hand and the challenges that they're facing. I know I hear often from members of all parties that there needs to be a clear focus on serving Canadians.

However, we see this Liberal government embroiled yet again in a scandal that is taking away from its ability to do the most basic work it's been tasked to do. With revelations that we heard yesterday, Madam Chair, it is absolutely unprecedented to forget to pay back \$41,000 and to take an illegal trip as a cabinet minister when your position specifically precludes you from being allowed to do that. These are not just serious allegations; they are serious admissions.

Canadians expect their government to work for them. Canadians expect that each and every one of us is willing to take action, and certainly I plan to support this motion. There is no doubt that this finance minister has certainly lost not only my confidence but the confidence of Canadians and that he is distracting from the work that Canadians expect from their finance minister. Regardless of whom they voted for, Canadians expect better. Canadians deserve better.

Madam Chair, I plan to support this motion put forward by the Bloc because it's time that there's some accountability. It's time that action is taken to help restore trust in the institutions of government, in Parliament.

My honourable friend Mr. Barrett made a very good point. We are caretakers of the offices we hold. Whether that is as a member of Parliament, as a committee chair or a member of a committee, as a member of cabinet or as the Prime Minister himself, we are caretakers, and we must do just that: take the utmost care, because Canadians hold us to the high standards that we should strive for.

It is unbelievable, quite frankly, what we've been seeing in the actions of certain members of the Liberal government.

With that, I plan to support this motion. Thank you.

**The Chair:** Mr. Green is next.

**Mr. Matthew Green:** I do feel compelled to say this and share the sentiments of my friend Tom, who hearkens back to a time when the rule used to be that if you got caught, you fell on the sword. You did the honourable thing. You were expected to do that. I don't think that's going to happen here, because quite frankly, I don't think there are systems for true accountability in place. I hope to get to that in my next speaking slot.

While I agree with the sentiments of the folks who will support this motion, I still don't believe that it's incumbent on this committee to do it. I do think it's incumbent on this minister to consider what the old rule used to be: that if you got caught in situations like this, you would do the honourable thing and step down.

I'll just put those statements on the record, but I will not be supporting the motion.

• (1625)

**The Chair:** All right.

At this time I will proceed to a vote.

**Mr. Michael Barrett:** Can I have a recorded vote, please?

(Motion negatived: nays 6; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** I will continue with my speaking list.

Mr. Green is next. I will add Ms. Shanahan and I will add Mr. Kurek.

**Mr. Matthew Green:** Madam Chair, I'd like at this point in time to table a motion that was presented as a notice on July 14 by my colleague Mr. Charlie Angus. This is a motion for the Standing Committee on Access to Information, Privacy and Ethics:

That, whereas there is a culture of Ethical Permissiveness around the Prime Minister; and whereas the Prime Minister has twice been found to be in contravention of the Conflict of Interest Act and is under investigation for a third potential breach; and whereas the Prime Minister's Office thus appears to lack the capability or inclination to adequately advise the Prime Minister with respect to the avoidance of conflicts of interest or the appearance of conflicts of interest in compliance with Canadian law, the Committee move that pursuant to Standing Order 108(3)(h), the Committee undertake a study of the policies, procedures, and practices surrounding ethical conduct and avoidance of conflicts of interest within the Prime Minister's Office, including testimony from the Clerk of the Privy Council, Ian Shugart and Katie Telford, Chief of Staff the Prime Minister's Office; and that the Committee, upon completion of its study, issue a report with recommendations to better permit the Prime Minister's Office to conduct the business of government with public confidence in its integrity.

Let me take a moment to speak to this. Clearly it's in the purview of this committee, as we've just discussed and debated in the previous motions, to hold members of government accountable for decisions that are made by government. What has also been made very clear throughout this entire debate, however, are the repeated ethical violations and the apparent lack of ethical standards being applied. We have watched this occur at almost every step along the way in this WE scandal, and of course in previous transgressions by not just the Liberal government but by past Conservative governments as well.

What appears to be clear is that there's very little staff safeguarding against these repeated conflicts, that there are no systems and principles in place to ensure that a minister doesn't take a \$40,000 paid trip.

I should note for the context, for Canadians watching, that in my riding of Hamilton Centre, the average household income is \$43,000, just by way of context. It's significant, yet it appears that the rules just don't apply to some people, and that some people with power and access and privilege, it seems, can't help themselves from helping themselves.

It would be a misstep for us to go around the table, time and time again, every time there's a scandal, doing the "gotcha". I'll admit that part of this is about that, about holding people accountable in the moment. I think, however, that it's incumbent on us, through this study—and I hope to get support from everybody—to come out of this committee with clear recommendations and systems and principles in place to ensure that we can restore the public's confidence in the government and in the government's integrity, because that is really, fundamentally, what's at stake, Madam Chair. I'll go so far as to say that in the public discourse, the public opinion of public office holders is so low that it's generally accepted that the transgressions that have happened are acceptable.

Why? Well, Liberals will say it's because Conservatives did it, and Conservatives will say it's because Liberals did it, and so on. At the end of the day, what I'm hoping for and what my colleague Mr. Charlie Angus has led towards in this regard is that as a committee we can come together in the true mandate of our committee, in a non-partisan way, to give very clear direction to future governments, future ministers, future holders of power about where their parameters are so that there could be no ambiguity there.

It is certainly my hope, given the testimony that's been provided by the government side and by the opposition, that we can all be aligned in support of Charlie Angus's motion to create this study, and then come out of it with concrete recommendations for the House to adopt that will strengthen these policies and procedures to ensure that staff adequately provide safeguards against the missteps of elected officials.

• (1630)

The question was put to Minister Garneau, "Have you read the Conflict of Interest Act?" His response was telling. He said, "I believe when I first came into office I would have access to all of those acts." I know that as a new backbench MP in the fourth party opposition, it was brought to my attention that we had to read it and that we had to do an orientation session for it. It's in the mandate letters of ministers. Certainly the Prime Minister, in writing the mandate letters, understands this. I can't accept that these are just lapses in judgment. This is a culture of ethical permissiveness.

I'm calling on the support of the members of this committee. I look forward to hearing their feedback. I'm sure there will be conversations around past judgments regarding our party as well, and how standards are applied to different parties in different scenarios. I'm here for that.

I appreciate the indulgence of this committee and ask for their support.

**The Chair:** Mr. Green, thank you.

Next on my speaking list is Mr. Barrett.

**Mr. Michael Barrett:** I yield my time. Thanks.

**The Chair:** Thank you.

Go ahead, Mr. Ferguson.

**Mr. Greg Ferguson (Hull—Aylmer, Lib.):** I didn't want to speak to this motion. I wanted to speak to another matter. I yield my time as well.

**The Chair:** Okay.

Go ahead, Mr. Lloyd.

**Mr. Dane Lloyd (Sturgeon River—Parkland, CPC):** I thank my colleague from the NDP for bringing this forward.

I will say from the outset that I will be supporting this motion. However, I don't want my support to be construed in any way to say that the Prime Minister can blame a process, or that any public office holder can blame processes or the advisers around them, when it is they who set the standard for their teams. From what I've experienced in my various careers, you can have as good a process as you want, but if you have people who are not committed to upholding that process and to acting in an ethical manner, then they will find ways around that.

I will be supporting this motion, but I don't want anything to detract from the fact that it's the public office holders who need to be held accountable for their own actions.

**The Chair:** Go ahead, Mr. Barrett.

**Mr. Michael Barrett:** Madam Chair, I will be supporting the motion, but I would like to make an amendment.

I won't read the full amended motion. I'll provide the amendment in writing to the clerk, if that's okay.

The amendment is as follows: AThat the motion be amended following the words, "practices surrounding ethical conduct and avoidance of conflicts of interest within the Prime Minister's office", by deleting the words "including testimony from" and adding "that the witnesses must include but are not limited to the following". Then the original motion would continue with "the Clerk of the Privy Council, Ian Shugart" and so on.

• (1635)

[*Translation*]

**Mr. Rhéal Fortin:** Madam Chair, I do not have the text of the proposal. Is it possible to get it in writing? Do we have it in writing?

[*English*]

**Mr. Matthew Green:** I can send it to you.

**The Chair:** Because it's an amendment to the motion that is on the table—

**Mr. Damien Kurek:** That doesn't include the amendment.

**Mr. Mark Gerretsen:** We're talking about the actual motion. If we could get a copy of the actual motion, that would be beneficial for members.

**The Chair:** Sure. The notice of motion was given by Mr. Angus, and it is available within the website for this committee. The clerk has asked that you access it electronically. Because of COVID-19, we are not giving out paper documents. The clerk is able to email it out, if that is the desire.

**Mr. Mark Gerretsen:** Can I speak to it after the amendment, please?

**The Chair:** Speaking to the amendment, go ahead, Mr. Barrett.

**Mr. Michael Barrett:** My staff will bring a printed copy of the original motion with the amendment in about one minute, in both official languages, and I hope members take that into consideration when considering it.

**The Chair:** I'm sure they will do no less. If it's the will of the committee, I'm happy to suspend for one minute while we wait for those documents.

• (1635) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1635)

**The Chair:** Mr. Barrett would like to clarify his amendment. Go ahead, Mr. Barrett.

• (1640)

**Mr. Michael Barrett:** The circulated document has the amendment highlighted in blue, and the original text is omitted.

**The Chair:** Go ahead, Mrs. Shanahan.

**Mrs. Brenda Shanahan:** I would like to move a subamendment to remove this amendment, because the witness list is determined by the committee. I'm seeing a redundancy and an overlap. I have to vote against this amendment, and I would like at this time to move a subamendment to remove this amendment, and the names of the witnesses, because it's the prerogative of this committee to name the witnesses as we go into subcommittee and so on.

**The Chair:** Go ahead, Mr. Green.

**Mr. Matthew Green:** Can you move a subamendment on an amendment?

**Mr. Mark Gerretsen:** That's the whole point. You can vote against it, and then you can propose—

**Mr. Matthew Green:** This is an amendment to the amendment. That's the whole point.

**Mr. Mark Gerretsen:** It's not to negate. It's dilatory. You can add to a subamendment.

**The Chair:** Mrs. Shanahan, I'm a little bit confused by the subamendment, so I'm going to suspend the meeting and ask the clerk to confer with you.

• (1640) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1645)

**The Chair:** Madam Shanahan, the floor is yours.

**Mrs. Brenda Shanahan:** In the helpful blue highlighting, that the amendment be amended following the words "that the witnesses" by adding the words "be determined by the Committee" and deleting the words "must include, but are not limited to the following: the Clerk of the Privy Council, Ian Shugart, and Katie Telford, Chief of Staff the Prime Minister's Office".

**The Chair:** It's "that the witnesses be determined by the committee", and then how would we finish it?

**Mrs. Brenda Shanahan:** Then delete the next two lines, "but are not limited to the following: the Clerk of Privy Council, Ian Shugart; and Katie Telford, chief of staff, the Prime Minister's Office". Delete to there.

**The Chair:** It's unclear to me. I'm going to need you to state it. I understand the deletion.

**Mrs. Brenda Shanahan:** It's "that the witnesses be determined by the committee". Then it would go to "and that the committee, upon completion" and the motion continues.

**The Chair:** I see. Okay. Thank you.

Are there any speakers to Ms. Shanahan's subamendment?

Yes, Mr. Green.

**Mr. Matthew Green:** Thank you.

While I appreciate the scope has changed from when she first presented, I believe we're doing that right now. We are deciding as a committee on this vote who we want to have before on this study, as we just did in the last vote regarding calling the Prime Minister, and I believe it also to be the case in previous scenarios. Certainly with committees I've sat on, within the main motion we've provided a scope that included certain people we would call to testify. I think the subamendment is allowing for future input, but I certainly stand by the original parameters through which the motion has been put.

**The Chair:** Thank you.

Mr. Gerretsen.

**Mr. Mark Gerretsen:** The confusion for me comes from the fact that if this is a study—and I think the objective of a study like this is a very good thing—most governance boards, most organizations, would undertake this kind of work. I think it's extremely relevant to an organization, and I think it's good, especially if something like this has never been done before. I'll focus on the resolve part of this right now, which is what we seem to be focusing on, where the amendment is.

I don't understand why we would dictate within this motion who the witnesses specifically are to be. If I was going to do a study on conflict of interest policies and setting up that infrastructure to be able to handle monitoring that kind of thing, the first thing I'd want to do is talk to a conflict of interest lawyer. Rather than that, what we see here are political people who are playing politics. If this is genuinely about doing a study, which I think is a really good thing, I don't know why these particular individuals are the first ones listed, completely leaving absent any kind of scholar or expert on this particular issue.

That's why I thought we were trying to propose something through the subamendment that gives the committee the ability to tap into whoever those resources are to bring them to the table so that you can get the best quality individuals and the best testimony, so that you can produce the best possible result to deliver to Parliament. I think ultimately that's what this committee wants to do.

Unfortunately, other than the Clerk of the Privy Council, everybody else named here seems to be more politically motivated than anything else. I would never suggest that was the intent of the motion, but certainly it comes across that way, because you've completely neglected to include anybody who would give some actual bona fide information on how to set up that kind of policy.

Thank you, Madam Chair.

• (1650)

**The Chair:** Thank you.

Mr. Kurek, the floor is yours.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

Regarding the subamendment, the amendment and, quite frankly, the motion, I've heard a number of my colleagues opposite. It's almost as if they've forgotten that their government is being absolutely rocked by scandal.

The amendment broadens the scope, which is exactly the intent that they seem to be painting, by removing a few of the individuals specifically mentioned.

We have, however, moved into some different territory here, because we are in the middle of a massive scandal. To name some individuals who are bringing on the need to see these issues studied, I think, is distracting from the fact that we right now in this country have a government that is totally wrapped up in scandal—in the world, actually. We see foreign press talking about it. We see daily further revelations regarding this WE scandal.

The amendment certainly addresses the scope issue, but the subamendment distracts from what needs to be accomplished by this committee, and that is restoring the trust that Canadians have put in their publicly elected officials.

**The Chair:** Mr. Gerretsen.

**Mr. Mark Gerretsen:** That's not what the motion's about. This is an interesting turn of events, with all due respect, Mr. Kurek.

The NDP introduced a motion that was specifically about doing a study. Mr. Barrett attempted to broaden the scope of it by including more witnesses. We have put forward a subamendment that would increase that even more, and you've completely reverted back to talking about a current scandal that's going on.

That actually supports what I previously said, that it appears as though this is more politically motivated than a genuine study of this report.

This is extremely troubling. Please correct me, if I'm wrong on this.

**The Chair:** Madam Shanahan is next, and then Mr. Kurek.

**Mrs. Brenda Shanahan:** Thank you, Chair.

Maybe because we've had the benefit in the subcommittee of talking about the motion that was passed yesterday and the kinds of witnesses and study that we're going to be doing there, ultimately I can't support this motion because it is redundant to the work we're already doing.

We spoke at length about how difficult it is to work during this time, with the limits put onto us by COVID, and about how difficult it will be to bring witnesses here and so on. It seems to me that these motions were brought at and around the same time. I think they were trying to achieve, maybe in different words, more or less the same objective.

For me, ultimately the motion is redundant to the work we are already engaged to do.

• (1655)

**The Chair:** Thank you.

Mr. Kurek.

**Mr. Damien Kurek:** I'd like to move forward, but just in brief response, there's a government being rocked by scandal. We're seeing that there needs to be a full evaluation, as the motion I think quite clearly lays out, of many things regarding the ethics laws of this country, so that we can move back to restoring the trust Canadians expect to have in their politicians and their public institutions.

I'll leave it at that.

**The Chair:** Thank you.

Mr. Barrett.

**Mr. Michael Barrett:** Thanks, Madam Chair.

Having heard Ms. Shanahan's comments, I don't want to debate at length the subamendment, if the mover of the subamendment is not intending to vote for the main motion.

If the intention is not to get this across the goal line, then I'm satisfied with the intent of the mover of the main motion. I think it's sufficiently broad, with the amendment to the main motion. I will vote against the subamendment proposed.

**The Chair:** Mr. Gerretsen.

**Mr. Mark Gerretsen:** I think it's entirely appropriate to vote in favour of an amendment and then vote against a motion as amended. Sometimes "not as bad" is better than "bad".

I saw Conservatives—Mr. Brassard, as well as a number of others—do it in PROC recently, when we were going on about virtual voting. Conservatives clearly didn't want that, but they were okay with voting in favour of amendments that made things weaker, fully intending not to vote for the motion afterward.

It happens, then, and I don't think there's anything wrong with it either.

Just coming back to the point Mr. Kurek made, I don't think there's anything wrong with talking about what he wants to talk about, but it begs the question of why he withdrew his motion. His motion specifically was about this. Now we're debating something that is actually a genuine policy being brought forward by the NDP, and he would rather talk about what his motion was about during this discussion.

I'm confused with the discussion that's going on at the table today, but I digress.

Thank you, Madam Chair.

**Mr. Michael Barrett:** We're happy to have you, though.

**The Chair:** Thank you.

Mr. Fergus.



[*Translation*]

**Mr. Greg Fergus:** Thank you very much, Madam Chair.

The essence of the main motion that Mr. Green has put forward is very interesting, and Mr. Gerretsen has explained why. The motion is appropriate for the work of the committee. It will give us an opportunity to look at the policies in place, to talk to academics and to people very familiar with this issue. As a result, we can make recommendations and propose a new policy that will benefit not only this current government, but future governments also.

I know there is a bit of politics at the beginning of the motion, but that is fair enough. A number of things lead me to support Ms. Shanahan's subamendment. The subamendment improves the motion and will allow more support than has been proposed so far.

Thank you, Madam Chair.

[*English*]

**The Chair:** Thank you, Mr. Fergus.

I will move to a vote on the subamendment.

**Mr. Michael Barrett:** Can we have a recorded vote, please?

**The Chair:** You may. I will ask the clerk to do that at this time.

The vote is tied, with five voting yes and five voting no. As chair, I vote no.

(Subamendment negatived: yeas 6; yeas 5)

• (1700)

**The Chair:** We'll move, then, to the amendment to the motion as moved by Mr. Barrett. I have no other speakers on the list, so I will move to a vote on the amendment.

**Mr. Michael Barrett:** Madam Chair, can I have a recorded vote, please?

**The Chair:** Yes.

Again we are voting on the amendment as brought forward by Mr. Barrett.

**Mr. Mark Gerretsen:** Is this the part that says "witnesses must include, but are not limited to, the following"?

**The Chair:** Yes. This is the addition of what you see highlighted in blue.

**Mr. Mark Gerretsen:** Thank you.

**The Chair:** Again we have a tie, with five voting yes and five voting no. As the chair, I vote yes.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

**The Chair:** We'll move then to the motion.

**Mrs. Brenda Shanahan:** On a point of order, can we have the speakers list?

**The Chair:** That's not a point of order.

We've covered quite a bit of ground, so I'll definitely give that to you. The speakers list going forward on this motion includes Mr. Gerretsen and Mr. Green. Mr. Fergus has asked to be added to this list as well. Mrs. Shanahan, you will be after Mr. Fergus.

Mr. Gerretsen, the floor is yours.

**Mr. Mark Gerretsen:** When I was speaking earlier to the amendment, I said that I would speak to the resolve part and then get to the "whereas" part afterwards. I will reiterate what I said earlier, which is that I actually think that doing this study is very important. Although I'm not a permanent member of this committee, I hope that some good information comes out of this study, or any study similar to this, that can help inform all elected officials and, in particular, those in cabinet positions, as is being sought out in this motion.

I say this with all due respect to the NDP, but I see this time and time again in the House. We get a motion that has a pretty decent resolve clause that gives the direction to do something pretty well, and that I don't disagree with, but then we end up with preceding whereas clauses that become problematic. These are the ones that really don't even mean anything other than to put a statement on the record, because it's the resolve clauses that are the ones that really give direction to proceed. In the whereas clauses, there is only one that is factually accurate and two of the clauses are opinions.

Basically, and I say this with all due respect to the NDP member, but I saw this for four years in the last session of Parliament. I could not vote for something because of the whereas clauses. You wonder if it's actually being set up that way as a bit of a poison pill to tempt you into voting for something but then leaving it open to the fact that you might end up voting for a whereas clause that you don't necessarily agree with.

If the NDP member would be interested in removing those whereas clauses that specifically go after particular individuals, strip all of that out of the motion and just have the resolve clause that actually gives direction, it would definitely be a lot more palatable in terms of my being able to vote in favour of it and supporting what could actually end up being really good work going forward.

However, in the current form that it's in, with the three whereas clauses, two of which are really just opinions, I have a very difficult time supporting this motion. I do want to reiterate that this is really important work, and regardless of the outcome today, I hope that we can see substantive work come from this committee on this topic.

• (1705)

**The Chair:** Next on the speakers list is Mr. Green.

**Mr. Matthew Green:** To provide an opportune response, I am a substitute for Mr. Angus and would never want to pretend to speak on his behalf, nor would I want to impugn his motives. It is very clear and contextual from where we're at today, from where I sit, that there are some factual statements that have been made that go beyond opinion in terms of results from previous transgressions.

While I appreciate the challenges the member might face in terms of the content of the preamble, I'm also confident that the results that will be had from successfully moving this motion here today will help us get to a better place in governance, because we have to have accountability. Saying I'm sorry is not good enough. Quite frankly, it just does not cut it. Saying I'm sorry is not being responsible.

Being responsible means learning from your transgressions and changing. This is elementary stuff. None of this stuff is overly complicated in terms of allegations that have been made or things that have been made public. This is very clear-cut stuff, things that I would hope learned and honourable members...

I should say this on the record now that I'm reminded of it, Madam Chair. I misspoke. I believe I said, "Garneau" hadn't read it. Of course, it was "Morneau". I believe Garneau might speak a few languages and is probably pretty well read. It was Morneau who made the admission by omission that he probably hadn't even read the Conflict of Interest Act, even though it was in his mandate. That's where we're at. There's far too much at stake to simply sidestep this.

I hope that all members will recognize that as we walk through what will be, no doubt, a very delicate situation, balancing the privacy rights of private citizens with the need for openness, accountability and transparency at this table. As New Democrats—and I'm sure I can speak for my colleague Mr. Angus on this—we will always work to respect the private and delicate nature that we find ourselves in. This is actually about getting to somewhere where the hope is that future governments don't find themselves in the situation that this current government finds itself in. That's where we're at.

Again, I'll ask for the full support of all members. If we don't get it, I ask that this passes, and we get into the work of this committee to provide the types of recommendations that will help improve the governance and help improve democracy and accountability for all Canadians, quite frankly.

My apologies to Mr. Garneau for misspeaking his name earlier. I don't want to have to stand up in the House of Commons and suggest that I misled this committee. For the record, I'm quite clearly stating, it was Minister Morneau who suggested he hadn't read the act, when asked by my colleague Mr. Angus.

• (1710)

**The Chair:** Mr. Ferguson.

[Translation]

**Mr. Greg Ferguson:** Thank you very much, Madam Chair.

I apologize to the listeners at home. They do not know that I just spent a few minutes with the clerk trying to find some information. Unfortunately, I do not have the information I need, but I will say

this anyway. If any of my points are wrong and someone corrects me, I am prepared to withdraw my comments.

In my opinion, the main motion we are debating today substantially mirrors the motion we adopted yesterday, on division, in this committee. It talks about essentially the same study and the same witnesses. In essence, it is in fact the same motion. I can be corrected if I am wrong, but I think that is what it is. So there is a problem here. In my opinion, we cannot pass two motions that call for the same witnesses, who will discuss the same topic and come to the same conclusion.

In that regard, I hope to defer to your analysis, Madam Chair, but it seems to me that the issues we want to bring to the committee's attention are very similar. With regard to the rationale, I would like to get an opinion, some advice, from the Chair or the clerk.

My colleague has very kindly sent me this information, which I will read.

[English]

I think the last motion that we passed—and please correct me if I'm wrong—was "That, pursuant to Standing Order 108(3)(h), the Committee review the safeguards which are in place to avoid and prevent conflicts of interest in federal government procurement, contracting, granting, contribution and other expenditure policies; and that, to provide a case study for this review, an Order of the Committee do issue to Speakers' Spotlight for a copy of all records pertaining to speaking appearances arranged, since October 14, 2008, for Justin Trudeau, Sophie Grégoire Trudeau, Margaret Trudeau and Alexandre Trudeau—including, in respect of each speaking appearance, an indication of the fee provided, any expenses that were reimbursed and the name of the company, organization, person or entity booking it—provided that these records shall be provided to the Clerk of Committee within one week of the adoption of this Order; and that the clerk provide these records to the members of the Committee and the Ethics Commissioner for study; and that any examination by this Committee of the documents referred to be done in camera; and that this Committee calls upon Prime Minister Justin Trudeau to appear to give testimony relating to these matters."

[Translation]

Madam Chair, I think that is indeed what we are debating today. The only difference here is that we want to add two or three names. Also, we are throwing the door open to other witnesses who could appear before the committee. I think it's the same thing.

I would like to invite the members present to think about it. We may come to the conclusion that it is essentially the same thing, a duplication in fact, which is contrary to the procedure and the Standing Orders.

Thank you, Madam Chair.

• (1715)

[English]

**The Chair:** Thank you, Mr. Ferguson.

I have Madam Shanahan next.

Then, Mr. Green, I will hear from you.

[*Translation*]

**Mrs. Brenda Shanahan:** Thank you, Madam Chair.

I agree with my colleague. Could my colleagues tell me the difference between the motion that we studied at length and passed yesterday and the motion before us today?

Of course, a few weeks ago, everyone was preparing their own motions. I understand that. Sometimes motions may go in the same direction. This is an important issue, and I think it is up to the Chair to check the content of the motions. As we said earlier, these are the same witnesses, and the same issues will be dealt with. I think that our work will already fully cover the purpose of the motion before us now.

[*English*]

**The Chair:** Thank you.

Mr. Green, the floor is yours.

**Mr. Matthew Green:** Thank you very much.

Now, let's be clear: The motion, and the original intent, that we passed here earlier was one particularly related to the complexities around the WE scandal. The WE scandal is so complex, with so many layers, that we're going to have so many documents and people pertaining to that one particular point in time that my colleague's response here....

This is the fourth ethical violation by the Prime Minister. You'll remember that there was cash for access. You'll remember the ministerial rules that have been broken. In fact, it is the Prime Minister's responsibility, as I understand it, to enforce ministerial rules, but they're not being enforced. The motion before us will, I would imagine, take into context past ethical transgressions by all governments, most certainly and notably the three that have been lined up by this current Prime Minister.

What happened to the recommendations made under the Trudeau report? What lessons were learned? That was a question, Madam Chair, that I asked in question period. I wanted to know, in terms of accountability, what lessons have been learned by this government. I firmly believe, based on what I've seen roll out over the last three weeks on the WE scandal—how soon we forget—that there's going to be more than enough documentation for that particular study for it to be zeroed in on at that particular point in time.

What my colleague Mr. Angus is trying to bring here is an opportunity for us again to come to a point where we can look at all of the policies and procedures, having reference to all of these other reports, all of these other instances. Based on the discussion we had at this committee, the focus of the other motion is particularly around WE and all of the various aspects in which the governing party and its cabinet have transgressed lobbying rules, ministerial mandate letters, conflicts of interest—very significant things—while refusing to recuse themselves.

I think that's what makes this a unique, stand-alone motion. The previous motion is looking at the WE scandal specifically as it re-

lates to documents and the conflict of interest pertaining to the Prime Minister. The motion we have before us is looking at how we got here and, in fact, at how we continue to get here time and time again with this government. That's the difference.

It's unfortunate that it has happened so often that we have to have two looks at it from different perspectives. To suggest, though, that somehow—unless the members opposite have some kind of telepathic knowledge such that they know—we're going to be asking the same questions in both meetings to these people.... That is in fact a difficult thing for anybody to do. If you could do it, you'd probably be in a different position.

I'm still strongly urging members to support this, notwithstanding that we have many motions to come forward that we can work on about how we want to work together to get through the first motion and then hopefully get into the second one.

Thank you.

• (1720)

**The Chair:** Thank you.

We'll move over to Mr. Gerretsen.

The floor is yours.

**Mr. Mark Gerretsen:** Thank you very much.

I appreciate the comments made by Mr. Green a few moments ago. I genuinely respect and believe that the intent here is to produce a good study that can be referred back to Parliament to offer ways of doing things to improve the process we have for everybody.

In that light, I'm going to go back to what I said previously. I raised an issue about my only issue with this being the preamble, and Mr. Green's response to that was that he didn't want to do that because this is really Mr. Angus's motion and he can't be here today. However, I would suggest that he is here in place of Mr. Angus today and I'm sure that Mr. Angus has put his full faith and trust in his abilities to represent him while he's here. It would be so much easier for me to vote in favour of a motion such as this and to support something such as this if that preamble weren't there.

We're talking about the culture of ethical permissiveness. These are subjective opinions, and people rightly hold those opinions, but it doesn't mean they are accurate. More importantly, those opinions do not impact the direction that this motion is providing to the committee to undertake its work. As a matter of fact, it will mean nothing in that respect.

I would suggest to Mr. Green, as he just asked for all the committee's support in voting in favour of this, that he would equally agree that the preamble does not contribute anything to the work that needs to be done, which will be given through the direction of the resolve clauses of this motion.

Therefore, I would move that we remove the preamble—that the motion be amended by removing the words "whereas there is a culture of Ethical Permissiveness around the Prime Minister; and whereas the Prime Minister has twice been found to be in contravention of the Conflict of Interest Act and is under investigation for a third potential breach; and whereas the Prime Minister's Office thus appears to lack the capability or inclination to adequately advise the Prime Minister with respect to the avoidance of conflicts of interest or the appearance of conflicts of interest in compliance with Canadian law"—so that it would read, "That the committee move: that, pursuant to Standing Order...the committee undertake", and so on.

It's just my opinion, if I could speak to it very briefly, that if Mr. Green's intent is genuine and he would really like to see all of the committee support this, he can definitely understand why, as a member who sits on the government side of the House, I would have a difficult time voting in favour of a motion that had all of that preamble in it. If his intention really is to see more people on this committee vote in favour of this motion, he would be in favour of removing that preamble, because it offers nothing in terms of giving direction and will in no way whatsoever impact the work that will be done by this committee. In my opinion, it just takes out some political cheap shots that are clouding what otherwise would be a really good study for this committee to undertake.

**The Chair:** Thank you, Mr. Gerretsen.

Mr. Gerretsen has now moved an amendment to the motion. Does anyone wish to speak to that amendment?

Go ahead, Mr. Green.

**Mr. Matthew Green:** Thank you.

I find it most curious that the rationale the member puts forward in terms of making something palatable to accept is then assaulted by suggesting that my colleague was using political cheap shots, which, of course, would preclude me, based on his own logic, from supporting his amendment. Therefore, from that perspective, clearly I will not be supporting the amendment. We'll keep everything as is and we'll let it go to a vote.

• (1725)

**The Chair:** Thank you, Mr. Green.

I'll now move to a vote on the amendment as presented by Mr. Gerretsen.

**Mr. Michael Barrett:** Madam Chair, could we have a recorded vote?

**The Chair:** You may.

The committee has voted, and it is once again a tie, with five voting yes and five voting no. The chair votes no.

(Amendment negated: nays 6; yeas 5) [*See Minutes of Proceedings*])

**The Chair:** I move back to the original motion. I have no other speakers on the list at this time, so I will move to a vote on the motion.

**Mr. Michael Barrett:** Madam Chair, with my regrets to the clerk, can we have a recorded vote, please?

**Mr. Mark Gerretsen:** I was going to ask for it.

**The Chair:** You'll recall that this is the motion as amended. I will now give it to the clerk to take a recorded vote at this time.

The vote is five for and five against. As the chair, I vote yes.

(Motion as amended agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

**The Chair:** Returning to the main speaking list as I have it here, I have Madam Shanahan next, followed by Mr. Kurek.

Madam Shanahan, the floor is yours.

**Mrs. Brenda Shanahan:** Madam Chair, I would like to move the motion for which I gave notice earlier.

It reads, "That, in relation to the motion passed on Wednesday, July 22, 2020, to ensure the privacy and security of this personal information of Canadians, the committee adopt the following procedures for the handling of these documents:

"That the documents not be emailed to Members, staff or anyone else;

"That for the consideration of the documents during in-camera meetings, numbered, paper copies be provided to committee members by the Clerk at the start of any meeting at which they will be considered, and that they be returned to the Clerk at the end of the meeting;

"That no staff and no mobile or electronic devices be allowed for the duration of the in camera meeting;

"That the documents be held in the Clerk's office, and that outside of in-camera committee meetings, Members may only view the documents in the Clerk's office and that no mobile or electronic devices may be in the room when the documents are being reviewed."

**The Chair:** I have Mr. Barrett, Mr. Fergus, Mr. Kurek and Mr. Green.

Mr. Barrett, the floor is yours.

• (1730)

**Mr. Michael Barrett:** Thanks, Madam Chair.

When we dealt with the motion that was passed yesterday, it was the will of the committee that the review of the documents requested would be done in camera. I find it ironic that while the integrity of some members of the cabinet has been called into question in recent days, to my knowledge the integrity of the members of this committee has not. Unless it is the suggestion of government members of the committee that all matters dealt with in camera must be done in such a fashion, which I think is unnecessary and dramatic, I'll be voting against the motion.

Thank you.

**The Chair:** Thank you.

Mr. Fergus is next.

**Mr. Greg Fergus:** Thank you.

Madam Chair, first I'd like to thank the committee for its collective wisdom in agreeing to keep the matters in camera. Specifically, I'd like to thank the members from the NDP for supporting that motion. As I mentioned yesterday, I really did feel—and I still do feel—that we've opened the door to a practice that I believe, sooner than any of us think, will be regrettable. We might want to close that barn door later.

That said, the committee chose to adopt this motion. I salute the committee, in particular the NDP, for agreeing to try to limit the scope of the information that is going to be collected from private individuals. I think, Madam Chair, that this is giving us an opportunity.

Mr. Barrett raises a fair point. I'd like to reassure him that no one is calling into question the rectitude of members to respect the in camera process. What Madam Shanahan has actually raised is, frankly, nothing more than spelling out the practice. It's making explicit what usually has been implicit in the practices of the House, in terms of dealing with in camera material.

This way, you're really ensuring that this kind of information doesn't, through whatever means, get distributed beyond the members around this table, and it doesn't impede us in any way, because it allows us to continue to do the work. It allows us to examine the material that has been requested. It allows us to make a report, and to make that report known. You can accuse me of many things, but I think one thing you can't accuse me of is not being consistent. I remain consistent on this point. This is now politicians investigating politicians, and I think this could lead to some real trouble down the line.

I'd be happy to engage with any members who would at least give this a fair listen, fair consideration, to see if this is something that we can agree to. We should take the time that is necessary for people to have the opportunity to consider this and to consider what we're trying to do.

Madam Chair, if someone wanted to consider this and set forward a time by which we could come back and make a decision on this shortly, I'd be open to that. We would need to make sure that before this information comes in and gets distributed around.... We really should think about what we want to do here and try to preserve the integrity of our committee. As I said, it could start off with this particular situation, but this could easily—

• (1735)

[Translation]

This can easily get out of hand, Madam Chair, and we could start investigating a lot of things, such as the private lives of members or their families. That is not desirable.

If the committee decides that this is the route it wants to take, we will do so, but we can at least set up some guidelines, some safeguards, so that we stay on the rails. It needs to be explicitly stated that we must work in camera. I think that would be a good thing. No one would talk about it and all privileges would be maintained. The precedent that we are going to set must be crystal clear for the future work of various committees.

Thank you, Madam Chair.

[English]

**The Chair:** Thank you.

Mr. Kurek, the floor is yours.

**Mr. Damien Kurek:** Thank you very much, Madam Chair. I will keep my comments very brief.

The motion is certainly quite extraordinary. To hardly allow a calculator into the room is quite something when we are dealing with the issues that I believe Canadians have tasked Canada's Parliament and its political leaders to deal with. I have great concern that these limitations would be put on proceedings of this committee or would so specifically dictate what a specific outcome should be with respect to a committee's direction. It's very limiting. It puts a stranglehold on how this committee would be able to proceed within the context of dealing with a motion that was passed just the other day.

Mr. Fergus has referred to trying to preserve the integrity of this committee, and I agree, but I think that it's incumbent upon all members to ensure that the integrity of this committee is preserved and that there is a trust associated with that to do what's right. Ultimately it's Canada's Parliament that has to hold its government to account. Suffice it to say that I won't be supporting the motion, but I would say very clearly that in relation to the data, the information, that's been asked for, within the full scope of the motion that was adopted yesterday, it should be treated with respect, just as we should treat all aspects of the work we do in this committee with the utmost respect and care for the offices that we hold.

**The Vice-Chair (Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.)):** The next person on the list is Mr. Green.

**Mr. Matthew Green:** Thank you.

Through you, Madam Chair, to the clerk if I'm able to ask, what is the precedent for this? It strikes me as a precaution that would be saved for a national security interest. I think of my honourable colleague Don Davies, who, when he was appointed, shared with me the level of security they have around those meetings.

Is there a precedent, in anybody's recent history, from the clerk's perspective, that you would lock down the ethics committee in that type of way? Has that happened here before?

• (1740)

**The Vice-Chair (Mrs. Brenda Shanahan):** The clerk has just told me that it's not unusual. It has been done in the past, particularly when this committee has dealt with personal or sensitive information—

**Mr. Matthew Green:** But we would have no staff and no phones?

**The Vice-Chair (Mrs. Brenda Shanahan):** —and it's done—

**Mr. Matthew Green:** Is it done by a motion, though?

**Mr. Damien Kurek:** I have a point of order on the speakers list.

No, I'm just kidding.

**The Vice-Chair (Mrs. Brenda Shanahan):** Indeed, the speakers list is moot.

Madam Chair, we just had a question from Mr. Green regarding whether this is a usual practice.

**Mr. Matthew Green:** I'll save the agony of even going down that road and just suggest to you at this point that without having been able to confer with my colleague to be able to bind him in one way or another in terms of future meetings, I'm not comfortable moving forward with this motion and would suggest that there be a tabling of this motion until such time as we have the opportunity to confer, given that it was put here with relatively short notice, although we are in committee business.

I'll just share with the mover of the motion that I'm not comfortable at this point without conferring on where I'm going to go on this, so it would probably be in their best interest to table it.

**The Chair:** Ms. Shanahan, the floor is yours.

**Mrs. Brenda Shanahan:** The purpose of this motion is, indeed, to give us the parameters within which to deal with the request that was adopted yesterday for the documents. In fact, it is in the spirit of remarks that were made by our regular permanent member from the NDP when we adopted the Standing Orders, particularly the addition to the standing order that stipulated that any motion to go in camera should be debatable and amendable and that the committee may only meet in camera for the following purposes:

- (a) to discuss administrative matters of the committee and witness selection
- (b) examine draft reports
- (c) briefings concerning national security and;
- (d) to discuss matters involving an individual's private information; and furthermore, minutes of in camera meetings should reflect on the results of all votes taken by the committee with the exception of votes regarding the consideration of draft report; including how each member voted when a recorded vote is requested.

I have here some of Mr. Angus's remarks from that meeting of February 19, 2020, wherein he says:

I think the intention of my colleague is fair. I think we have to trust each other that we're not going to abuse that. I'm fair with the language; I think there's an understanding here. We do not want to damage someone who has not done anything wrong but there may be information, so I think it's just fair. I'm willing to accept it. I don't think we can anticipate all the ways in which it will be used, and the language may get harder and harder, so I would agree with that. Also, I certainly think the amendment...is excellent.

I think it's in that spirit, and I certainly have seen with other committees that I participate in that the actual consultation on documents and so on is done in that way. Perhaps with the chair's permission, the clerk could speak to us about some of the ways in which the privacy of sensitive documents is safeguarded. I think that's what the motion is stipulating, so that it's very clear. Things have happened in the past, and that's part of the reason I am looking forward to having a briefing by the law clerk on what our duty of care is here, what we can and can't do. I don't think any member here wants to be treating sensitive information in a way that is harmful.

I wonder if my colleague would agree that our request for the documents—and I will ask the clerk for the email to see what the distribution looks like—should not go out if this is not resolved by the time the documents have been received by the clerk. I think we need to have clarity on how to handle these documents. Is this something that my colleague from the NDP party would agree to?

I'm sorry if I mixed up Green and NDP. I tend to do that with your name. Does that happen to you, Mr. Green, that we say you are from the Green Party?

• (1745)

**Mr. Matthew Green:** Green is the new orange, and orange is the new green. It's all good. I've been called a lot of things.

I don't know whether I have the ability, through the chair, to respond to that or not.

**The Chair:** Mr. Green, normally I would stick to the speaker's list, so I will continue with it, but you are on the list.

**Mr. Matthew Green:** Thank you.

**The Chair:** The speaking list is as follows: Mr. Lloyd, Mr. Gerretsen, Mr. Scarpaleggia, Mr. Fergus, Mr. Barrett and Mr. Green.

Mr. Lloyd, the floor is yours.

**Mr. Dane Lloyd:** This is a very interesting topic. I don't wish to preclude any members from bringing this matter up again, but given that my colleague from the NDP isn't comfortable with the wording of this motion, as he has stated, I would move that we adjourn debate on this motion.

**Mr. Mark Gerretsen:** Madam Chair, can we suspend for a few minutes just to caucus on this?

**The Chair:** I have a motion on the floor. I will suspend for one moment.

• (1745)

(Pause)

• (1755)

**The Chair:** I call the meeting back to order.

A motion to adjourn the debate has been moved by Mr. Lloyd, so I will now move to a vote on that motion.

Would you like that recorded, Mr. Lloyd? *Technical difficulty—Editor*

(Motion negated [*See Minutes of Proceedings*])

**The Chair:** Since we will continue to debate the motion in front of us here today as presented by Madam Shanahan, I will continue down the speakers list. The speakers list is as follows: Mr. Gerretsen, Mr. Scarpaleggia, Mr. Fergus, Mr. Barrett, and Mr. Green.

Mr. Gerretsen, the floor is yours.

[*Translation*]

**Mr. Rhéal Fortin:** I would like to raise a point of order, Madam Chair.

Yesterday, we adopted a motion as amended. The motion sets out the process for producing documents by deciding whether it would be in camera or otherwise. We decided all that yesterday.

It seems to me, Madam Chair, that it is contrary to the rules of procedure for us to go back on yesterday's decision today. I do not think we have any basis on which to continue to debate this proposal. In fact, it amounts to an amendment to yesterday's proposal, and it is too late for that.

[*English*]

**The Chair:** Thank you, Mr. Fortin.

Go ahead, Mr. Gerretsen.

**Mr. Mark Gerretsen:** I'll withdraw. I don't need to speak, Madam Chair.

**The Chair:** Mr. Scarpaleggia, you have the floor.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** I will as well.

**The Chair:** Mr. Fergus is next.

**Mr. Greg Fergus:** Madam Chair, may I ask a point of information?

**The Chair:** That's not a thing, but you may ask a question.

**Mr. Greg Fergus:** You're right. I'm sorry.

I would like to know if it is possible to put this debate on ice for this particular motion until the next meeting.

**The Chair:** That was the motion that Mr. Lloyd just moved. Just to be clear, the motion that Mr. Lloyd just moved was one that would have adjourned this debate.

**Mr. Michael Barrett:** I thought that would have gone straight to a vote.

**The Chair:** No. If you wish to move that, Mr. Fergus, you are welcome to move that.

**Mr. Greg Fergus:** May I have a minute, please?

It takes nothing away, Madam Chair, in terms of when the motion can be considered?

**The Chair:** The motion would have to be moved again by Madam Shanahan, and then we would resume debate on it.

**Mr. Michael Barrett:** But it remains on notice, Madam Chair?

**The Chair:** It remains on notice. It's tabled in this committee, so it can be considered at any time Ms. Shanahan decides to move it.

**Mr. Michael Barrett:** Madam Chair, that's not just during meetings at committee business now that it's—

• (1800)

**The Chair:** That is correct. Since notice has been given, Madam Shanahan can bring this motion forward at any point in time when this committee is meeting.

**Mr. Greg Fergus:** I was just getting ready. I didn't mean to interrupt.

**The Chair:** I need to respect the speaking list.

**Mr. Greg Fergus:** Can you just give me a second so I can read this?

**The Chair:** Yes.

I'm going to suspend the meeting for two minutes and then I will come back.

• (1800)

(Pause)

• (1810)

**The Chair:** Before giving the floor [*Technical difficulty—Editor*] who held the floor just before we suspended, Mr. Fortin, I will return to you. My apologies; I misunderstood. You did raise a point of order and you were asking for a ruling, so I will deliver that.

Your point of order was with regard to the motion that had been put forward by Madame Shanahan, and I believe the point you raised was that you felt this was similar and had already been covered within the motion that was passed yesterday in our discussions having to do with the meetings being in camera when the documents are being discussed. That was an amendment made and accepted yesterday.

Therefore, you feel that that amendment and this motion before us today are essentially the same. Am I understanding you correctly?

**Mr. Rhéal Fortin:** They're not the same.

[*Translation*]

Moreover, it is contradictory. Yesterday, we discussed how to protect the information contained in the documents and we made a decision. We debated for a few hours and came to the conclusion that the documents must be protected. As for how to do that, we all agreed that we would work on the documents, by examining them in camera.

Today, some are saying that this is not enough and that they want more. I am saying that it is too late. Yesterday, we decided how the documents would be protected. We cannot go back to that today. Furthermore, even if we were to pass this motion, we could start all over again next week and say that cameras will be allowed after all. Then there will be another amendment the following week, when we say that only Apple cameras will be allowed, not Samsung. There will be no end to it.

We had to protect the documents and yesterday we decided how we would do it. Now we are moving on. At least, that's the way I see it. That was my point of order.

[*English*]

**The Chair:** Mr. Fortin, thank you.

I'm going to suspend for one moment while I confer with the clerk. Thank you.

• (1810)

(Pause)

• (1815)

**The Chair:** With regard to the motion that is currently in front of us and how it compares to the amendment that was made to yesterday's motion, which has been accepted by this committee, I would rule that the motion in front of us is acceptable. The reason is this. Yesterday the amendment dealt with the capacity in which we would meet, whether it would be in public or in camera. The motion before us today deals with process, the process that will be upheld while we meet, whether that meeting happens in camera or in public, and so I would deem those to be two separate things.

With that, I will move to the next person on the speakers list, who is Mr. Fergus, as he had the floor before we suspended.

**Mr. Greg Fergus:** I would like to thank the chair for allowing me the opportunity to caucus and to discuss this issue. I beg the forgiveness of my colleagues around the table. I will, as a result, withdraw and I will cede my time.

**The Chair:** Thank you, Mr. Fergus.

We will move to Mr. Barrett then.

**Mr. Michael Barrett:** I'll cede my time.

**The Chair:** We will move to Mr. Green.

**Mr. Matthew Green:** Thank you. I do appreciate the opportunity to provide comment on this. We've heard, from the government side, rationale referencing my colleague, and I would suggest that the references that were provided, just for the purpose of people watching, were in the context of whether or not we go in camera. I believe we held that up yesterday when we supported going in camera, so I don't believe that would be my rationale for supporting this motion.

I recall how, when I was visiting this committee with my colleague Mr. Angus, he argued for the need to have discretion and privacy around the sensitive nature of the information that would come to this committee. I'll suggest to you, Madam Chair and members of this committee, that I would have hoped we could land in a better situation from the get-go in terms of having more support from the governing side with regard to the Prime Minister being before us. We didn't get that. However, what we did get clear about was that we wanted that kind of privacy. I think what this motion does, in fairness to my colleague from the Bloc, is beg the question of what constitutes an in camera meeting. When is an in camera meeting not an in camera meeting?

Having said that, and just drawing on my own experience, I would never want to be accused, in a situation as sensitive as this, of leaking information, nor do I think it would ever be the intention of my colleague to leak information from an in camera meeting. I think that would be a grave violation of the trust that we have among our members. I'm also not so naive as to not know that this does happen from time to time, and particularly around these sensitive issues. For that reason, I'll be supporting the motion to have these "extra suspenders" on the in camera meeting, for lack of a better term, the extra protections, so that we can never be accused of leaking this sensitive information.

What we ultimately want to get to, I believe, is the truth. I believe we will get there. I believe we will be able to communicate to our constituents and Canadians what that truth is, notwithstanding the salacious details that may come forward in this in camera meeting. I'll also go on the record to note—because I don't know if I'll be here next week—that the extent to which the government is going to provide these extra cautions around the information also, to me, suggests just how sensitive the information may turn out to be, so that will certainly unfold.

I want to give this full rationale so my friends to the much-farther right of me, physically in this room as well as ideologically, understand why I've come to this decision to support the government in this motion and also to let the government know that I believe my colleague's original intention was to provide a protection to Margaret Trudeau and the private family members of the Trudeau family.

My hope, to go on the record for the last time, is that in future consideration—because I would agree that this is only the beginning of an ongoing process—parties will treat people's family members with the same kind of consideration and privacy that is being afforded to the Prime Minister's family, because, quite

frankly, what I don't want the public to think is that the Prime Minister's family is getting a special kind of privacy consideration. That is not the case. That is not what is happening here. Should any member of any person's family be brought forward, we would also fight to have these types of protections in place so that these types of details aren't exposed for the media and whatever ensuing circus comes our way.

Thank you.

• (1820)

**The Chair:** Mr. Gerretsen, the floor is yours.

**Mr. Mark Gerretsen:** I don't have anything to say. I'm looking forward to the vote, Madam Chair.

**The Chair:** Excellent.

All right, then, we will move on to the vote.

Mr. Barrett.

**Mr. Michael Barrett:** Could we have a recorded vote, please, Madam Chair?

**The Chair:** Mr. Barrett, I'm so glad you asked.

Perhaps I'll take this opportunity to clarify for the committee, as I just confirmed with the clerk, that should the motion as it reads here, which we are going to vote on, be successful, should it pass, it will be for this study. It does not set a precedent or a way of being for this committee for every single study. It is just for this study, according to the motion passed yesterday. That's just to clarify.

(Motion agreed to: yeas 6; nays 4 [*See Minutes of Proceedings*])

• (1825)

**The Chair:** I will return to the main speakers list.

Mr. Fergus, I will add you to it.

**Mr. Greg Fergus:** Thank you.

**The Chair:** You're very welcome.

From the main speakers list, I will move to Mr. Kurek at this time.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

It has been a very productive meeting. In the spirit of that productivity, there are two things I would mention. I will be moving a motion that is similar in spirit to what I moved yesterday. However, after consulting with colleagues and hearing from the clerk, and in light of much of the testimony that has taken place over the last number of days, I want to make sure that the motion is perfectly in line with what the mandate of this committee is in relation to the Standing Orders and all aspects of what we are attempting to accomplish here to rebuild—I keep using this word—that trust that seems to have been shaken, in regard to this government.

I will keep my comments very, very brief. Members or anyone watching can look at my comments from yesterday. This is substantially or very much the same, with just a few small adjustments to honour what has been discussed and following further collaboration, as I mentioned, with the clerk and my colleagues.



Madam Chair, I would move this motion. I do have copies to be distributed in both official languages.

That pursuant to Standing Order 108(3)(h)(vi) and to the committee's current study to review the safeguards which are in place to avoid and prevent conflicts of interest in federal government procurement contracting, grant contribution and other expenditures, the Chair be instructed to write a letter to each member of cabinet requiring they disclose whether they had knowledge of the personal relationships between those listed and WE, ME to WE Corporation, WE Charity, WE Education for Children Limited, WE Villages, WE Schools, the ME to WE Foundation, the WE Charity Foundation, ME to WE Asset Holdings Inc., ME to WE Property Management Inc., ME to WE Style Inc., or any other entity created by Mark Kielburger, Craig Kielburger or both of them prior to the cabinet's decision to award the administration of the Canada student services grant to the WE Charity Foundation:

- a) Justin Trudeau and his family;
- b) Bill Morneau and his family;
- c) Katie Telford or Seamus O'Regan.

“Additionally, the letter should require that all members of cabinet disclose whether they, their families or their relatives have connections to WE, ME to WE Corporation, WE Charity, WE Education for Children Limited, WE Villages, WE Schools, the ME to WE Foundation, the WE Charity Foundation, ME to WE Asset Holdings Inc., ME to WE Property Management Inc., ME to WE Style Inc., or any other entity created by Mark Kielburger, Craig Kielburger or both of them;

“That a response be ordered within a week of the receipt of this letter but no later than two weeks after the adoption of this motion.”

I believe, Madam Chair, that in light of my comments yesterday and in the spirit of shining light on the ever-developing situation the government finds itself in, especially with the cabinet, about which we keep learning, seemingly by the minute, more and more, this would be extremely relevant in getting Canadians the answers they deserve from their government on this very, very important issue.

With that, I thank you and members of the committee for entertaining this motion and look forward to the following debate and what I hope is an expeditious passing of this accountability measure.

Thank you.

● (1830)

[*Translation*]

**Mr. Rhéal Fortin:** Excuse me, Madam Chair.

[*English*]

**The Chair:** Is it on a point of order?

**Mr. Rhéal Fortin:** Yes, it is on a point of order.

[*Translation*]

I would just like to point out that there is an error in the French translation. “ME to WE Style Inc.” is missing in the listing in the first paragraph. I know it's just a typo, but it should be corrected.

[*English*]

**Mr. Damien Kurek:** I'd be happy to have that adjusted accordingly. I apologize to my French colleague.

**Mr. Rhéal Fortin:** No problem.

**Mr. Damien Kurek:** My French is less than adequate.

**The Chair:** The motion now has been moved by Mr. Kurek to be considered by the committee.

Mr. Barrett is first on the speakers list.

**Mr. Michael Barrett:** I will just make some very brief remarks and let the chair move on with the speakers list.

With respect to Mr. Kurek's motion, I believe that in light of the work the committee has decided to undertake with the motions that have been passed over our last two meetings, having responses from members of cabinet will ease the work of the committee and will also ease the work of cabinet. I won't presuppose the work of the subcommittee with regard to who this committee will decide to call as witnesses. However, this motion will likely shorten the list of ministers that the official opposition will seek, and having those responses duly received by the clerk and provided to the committee will allow us to focus on the witnesses decided on by the subcommittee, but I do think that it will then be a shorter list.

For that reason, I will be supporting Mr. Kurek's motion.

**The Chair:** Thank you.

Mr. Fortin.

[*Translation*]

**Mr. Rhéal Fortin:** It was just a point of order.

[*English*]

**The Chair:** Okay.

**Mr. Rhéal Fortin:** Do you understand?

[*Translation*]

I said there was a typo in the French translation. I know that Mr. Kurek told us that he was going to correct it, but I just want to make sure that the French version matches the English version.

[*English*]

**The Chair:** Absolutely.

Thank you. We will make note of that. The clerk will make sure that's changed.

We have Mr. Gerretsen, and then Mr. Fergus.

**Mr. Mark Gerretsen:** If I understand this correctly—and I realize that it's similar to the one that was moved before—what you're requesting is that within one week, every cabinet minister disclose whether they, their families or their relatives have connections. What kind of connection do you mean? Is it whether they know somebody or they volunteered once? My mother's family has seven brothers and sisters. The number of cousins I have and the number of their children is endless.

By the way, usually when you word something like this with a genuine intent, you say, “to the best of their knowledge”, but you haven't even done that. You've said “to disclose”, full stop. You're not even saying to the best of their knowledge. You're saying it will be disclosed.

You didn't even say a financial connection or financial relationship, so you're doing one of two things, in my humble opinion—although many will argue it's not humble. You're either trying to set up a scenario in which people are not going to be able to deliver this information, in which case you will then attempt to find vulnerabilities and weak spots in what they've delivered to you, or you're creating a scenario in which you know cabinet will reject this so that you can then say they refused to give you the information. In either scenario what you're doing is not being genuine. Again, that's in my opinion.

I would have thought you would have some relatively decent language in this to define what a connection is, what a relationship is. I would have thought you would use language to the effect of “to the best of my knowledge”, and I would have thought you would give more time to compile this information. It's extremely cumbersome for somebody who, perhaps, has a large family to deal with that.

I'm not a permanent member of this committee, Madam Chair. I am here substituting for somebody. I've had a great time.

**Some hon. members:** Oh, oh!

**Mr. Mark Gerretsen:** I would really love to tuck my kids into bed tonight. I have a two-hour drive ahead of me, so with that I move that we adjourn the meeting.

● (1835)

**The Chair:** Mr. Gerretsen has moved that the committee now adjourn.

**The Chair:** Mr. Barrett.

**Mr. Michael Barrett:** Just for my situational awareness, Madam Chair, on a point of order, can you advise what happens to the motion that's on the floor once the meeting adjourns? Is it then at the next sitting of the committee for any purpose?

I think you know where I'm going. I'm just looking to find out what happens with this motion. Can it just be picked up the next time the committee meets or can it only be resumed when the committee meets for committee business?

Thanks, Chair.

**The Chair:** Thank you, Mr. Barrett. Let me confirm.

Mr. Barrett, similar to what we've done in the past, if the committee wills to adjourn this meeting, we will pick up debate at the next committee meeting where we do committee business.

I will call the question at this point in time. We are voting on the motion put forward by Mr. Gerretsen to adjourn this meeting.

(Motion agreed to)

● (1840)

**The Chair:** All right, ladies and gentlemen, we are now adjourned.







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