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—
Chair

The Honourable Larry Bagnell

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• (1105)

[English]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good morning. This is meeting number 25 of the Standing Committee on Procedure and House Affairs, of the first session of the 42nd Parliament. This meeting is being held in public for the first part. The second part will be in camera.

I'd like to welcome Mr. Liepert, who is replacing Mr. Reid, and Mr. Lightbound, who is replacing Ruby, more of a regular replacement or fill-in.

Welcome everyone to the East Block. Except for the library, this is the only Parliament building that looks pretty much the same as when it was first built. Those who have been here for a while know this is where the Prime Minister's offices—

Mr. David Christopherson (Hamilton Centre, NDP): The war room.

The Chair: Yes. The Prime Minister's offices were in East Block originally.

In the first part of the meeting we'll go over some outstanding business items and then in the second hour we'll go in camera to look after the draft interim report.

There are a couple of things I want to get out of the way. We might consider asking the clerk to look into our doing a field trip of the West Block because that's where we're going and we're making some recommendations related to Parliament sitting. We might want to see where they are on it and what it looks like, especially the chambers. No one disagrees with that?

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): I was there a few weeks ago with the government operations and estimates committee. There's not much to see other than the chambers. It's still pretty much an open courtyard.

The Chair: Okay.

Mr. David Christopherson: I have a quick question. Would we be allowed to bring any staff on the tour?

The Chair: Sure. I don't see why not.

Mr. Blake Richards (Banff—Airdrie, CPC): The last time that we went, in the previous Parliament, about a year ago, they wanted to keep it reasonably limited because it's difficult with a large group. I think there might have been one or two staff who were allowed. It might have to be limited, but you'll know when you ask, Mr. Chair.

Mr. David Christopherson: At the public accounts committee, when the Auditor General did a thing on the renovation project, it

was chaos all over the place, but even with that we did bring our staff. I would think it's further along at this time. I'm not actually pushing it. I'm just seeking to find out whether or not it would be allowed. You could let us know.

The Chair: We'll find out when we ask.

Mr. Blake Richards: I wasn't trying to indicate anything, Mr. Chair, so whatever—

Mr. David Christopherson: No, I didn't take it that way either.

The Chair: Is that agreed?

Some hon. members: Agreed.

The Chair: The second thing is, someone at one of our meetings asked the Speaker or the Clerk, I can't remember who, how many seats the new room 200, which will be the new House of Commons, would hold. He's written back to us saying 340 individual seats. We need 338 right now. That's bigger than where we are now.

Mr. David de Burgh Graham: No, we have 339....

The Chair: They're not individual.... If the letter is written in correct English, then they're separate seats.

The other thing I want to get on the record is our meeting next week with the delegation from Austria. It's going to be Tuesday, between 4 p.m. and 5 p.m. and it'll probably be in one of the Senate meeting rooms in the Centre Block. You'll get a notice of course.

Mr. David Christopherson: You're going to do a fine job.

Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.): [Inaudible—Editor]

The Chair: Blake and I won't be there so you'll have to chair, David.

Mr. David Christopherson: Nice try.

The Chair: The first order of business will be Standing Order 28 (3).

David has a suggested compromise which we will pass out.

David, you'll have to be persuasive in your presentation.

Mr. David Christopherson: Do you know what? I've decided on a different approach. What's happening is that I'm defending the position of another office. It's actually the House leader's office. We're starting to get jammed here. I'm having trouble breaking it because it's not my file. I'm the conduit.

My understanding is that it takes unanimous agreement to make the change, if that's correct. I thought originally it was just a majority vote.

I see you shaking your head. Could I get clarification, then?

The Chair: We pass it with whoever is here. We make a report to the House with a majority vote. We ask for concurrence in the report, because we have to change the Standing Orders and the House has to agree. If we don't get unanimous consent, we ask a bunch of times. Mr. Preston asked 25 times, I think, last Parliament for approval of a report.

Mr. David Christopherson: There was a reason for that.

The Chair: We ask a whole bunch of times and if we don't get unanimous consent, then we can bring a concurrence motion and have a three-hour debate and then pass it, but unanimously.

Mr. David Christopherson: Given that it's our Standing Orders, that's not a preferred process for making rules.

What I don't want to do is spend a half hour trying to make a persuasive argument for somebody else's case, especially when we're talking about the meaning of individual words.

What I was going to suggest to colleagues is whether there is any chance we could get agreement to ship this to the House leaders and force them to come to an agreement. It's their stuff, their language. Throw it to them. Let them come up to an agreement and come back to us. If they admit defeat, that they cannot come to an agreement, then fine. Then we can deal with it and we'll go through the majority process and life will go on. But for this to be ground zero on this to continue debating, I think we're just going to end up chasing our tail over and over here. I'm not in a position to give concurrence.

Do we really want to spend the next hour debating words that are somebody else's responsibility or would we be better off to ship it back to the House leaders and say that those folks come to a common agreement, advise us, and then we'll do our proper thing. I leave that to colleagues because I'm worried about the alternative and I think that may be fairly practical I hope.

• (1110)

The Chair: Before we open debate on that, let me just give you a bit more background on your amendment.

Mr. David Christopherson: Sure.

The Chair: One is you have "House Officer" in it, and there is no such standard term. It's not used in the Standing Orders. We don't know technically who that means.

Mr. David Christopherson: Excuse me, Chair, to tell you where we are, I haven't been part of that discussion. I don't know about anybody else here. Maybe they have more control over their House leader than I do. But I get told by the House leader how these things are going to go as opposed to I tell him.

Right from the get-go when you say there's a particular problem, that's House leader stuff. I was a House leader at Queen's Park. This is exactly the kind of stuff they deal with. Having us do it makes no sense.

Sorry to interrupt, but it's better to provide context.

Mr. Blake Richards: Mr. Chair, as much as I have complete faith in Mr. Christopherson's ability to carry a debate for an hour all on his own if he needed to, I think what he's saying makes some sense. That seems to have been the approach. We've also often decided that we want to go back and consult with our House leader, and if that's what we're going to continually do—

Mr. David Christopherson: Exactly.

Mr. Blake Richards: —let's just let them have a discussion and see if they have something they can recommend to us and then we can look at it.

The Chair: Mr. Chan.

Mr. Arnold Chan (Scarborough—Agincourt, Lib.): I'll be quick. I agree.

The Chair: The consensus is we will defer to the House leaders. If they can't come to something, we'll come back here and vote, remembering that it's by majority here and in the House eventually if we have to do a concurrence debate.

I was just going to report back on the response from the minister. The response was something like she's not available over the next few weeks. At that point I wrote a letter, or the clerk did under my instructions, again saying that we really want her and here are the available dates, here is when our meetings are, and we really want to get this done before the summer. That just went. We'll see what response we get. Obviously, she's dealing with the Senate right now on that bill, but we'll see what response I get to that.

On the conflict of interest, I think we can deal with this fairly quickly because I just put this on as a sort of update of where we are. As you know, we had some problems, a lot of people on our committee had some problems with the suggested wording. First of all, we had a problem with understanding what the gifts.... It wasn't clear enough in the conflict what was a gift, what wasn't, what we're allowed to do and what we're not. We asked the Conflict of Interest and Ethics Commissioner to do guidelines, which she did, but in terms of the guidelines, there are a lot of questions or items for debate on our committee.

We had an informal dinner meeting and at that time we came up with some ideas. Because Mr. Christopherson couldn't make it that night, Mr. Reid was going to put them down and then discuss them with Mr. Christopherson. Depending on that, once that happens, they may or may not have something to bring back to us. So we're going to leave it at that for now. I'm just giving the committee an update on where we are.

Mr. David Christopherson: Yes, that's fine. Thanks for that.

The Chair: That one's dealt with.

Other than the report on committee business, which we're going to shortly, which I will introduce, was there anything else that people think we can do, now that we're on a roll? It looks as if I got everything on my list.

Now on this report, which you all got yesterday, we're going in camera, even though there's almost no one here.

[Proceedings continue in camera]

• (1110) _____ (Pause) _____

• (1130)

[Public proceedings resume]

The Chair: We're in public.

Jamie.

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

I want to speak to what you said before we broke for the in camera session, about the Minister of Justice not being able to attend committee.

The Chair: They didn't say they weren't able; they just said they weren't able in the next few weeks.

Mr. Jamie Schmale: In June, I think that was the goal. We wanted to deal with this hopefully before we rose by the end of June. I think it's quite upsetting. We gave her lots of notice. We gave her weeks in advance of the meeting. We meet for an hour. I don't think that's a whole lot of time. Bill C-14 is dealt with; it's through the House, anyway.

For her to give us an hour of her time on an issue the governing party feels is a priority to get off the plate, or on the plate, depending on if there's something there.... The fact that she has decided she can't meet before the end of June goes contradictory to what we've been talking about. Let's deal with this. Let's find out if there's

something there, and if there is, let's deal with it and let's get through it as fast as possible.

To keep this on the agenda over and over again and drag this out.... Now it's going to go on through the summer, and we'll have to deal with it in September and October when we return. That we just can't find an hour is pretty disappointing, I think.

The Chair: I may not have been clear. They didn't say she couldn't meet in June. They just said for the next few weeks, and they're looking for a date. I wrote back to emphasize that we want the meeting to deal with this before the summer. We're waiting for the response to that. The letter just went out.

Mr. Blake Richards: Mr. Chair, to make it clear, this is exactly the issue I was raising a number of weeks ago, that we needed to give some advance notice because we've had these kinds of excuses before from Liberal ministers. I'm getting a little tired of it. It's grown old already. There's no excuse. She's had advance notice.

I'm certainly willing, and I hope all members would agree, if her schedule is really that tight that she can't find an hour within our normal meeting schedule, we'll meet outside of our normal schedule if we have to, within some reasonable hours. She has to have one hour somewhere in June for this committee. If not, we kind of know how seriously the government is really taking this matter, and that would be a real concern. Let's press this issue. This is not acceptable.

The Chair: David and then Arnold.

Mr. David Christopherson: Thanks, Chair.

I can appreciate my colleague's frustration. I said to the government we went through this, and I took a chance on the government's word, back when we were bringing in the democratic reform minister. I forget the details. They could be gotten quickly if we need them if someone wants to refute my point.

The essence of it was the government wanted language like "reasonable" and "available", but all kinds of commitments went with it; it wasn't part of the motion.

I ended up voting for that, and I said at the time I'm taking a bit of a risk. I'm taking these government members at their word, and I'm hoping I won't regret that.

Then, in my opinion, we got jerked around. The minister did not come before us in that timely fashion. It was well after the fact, and the appointments as I recall had been made. We had questions about that process.

As one member of this committee, and it's just me over here in the NDP corner, I did back the government, and I gave them the benefit of the doubt, and they let me down. We're in the same kind of thing again, and therefore, I'm going to give the balance of my opinion to my colleagues in the Conservative caucus when they say this is not acceptable. There's a bit of a track record going on here, and I will join them and say it's feeling like a dodge.

This is a matter of privilege. Let's remember, when a matter of privilege comes up in the House, if the Speaker believes there's a prima facie case, the Speaker stops everything else and takes a motion with regard to that privilege. It seizes control of the House until the House has disposed of that motion.

Then when it comes here, we make it a priority, and we say that's privilege. We went through it last week when we had the other privilege that we dealt with very well.

To say this is not an extreme priority on the part of Parliament—not the opposition; the opposition didn't send it here, Parliament did. For the minister to now say similar to the previous minister that she's sorry but she's not available in the next couple of weeks....

The next couple of weeks covers how long we're going to be sitting, and that means we get outside the sitting area. You don't have to be here as long as I've been here, and as long as Blake has been here, to understand that's what it looks like. The government has a bit of a track record, and it's not a good one.

I want to add my voice to the position of the official opposition, and I would also lend my support to the idea that if it takes meeting outside our regular hours for us to accommodate a matter of privilege, if the minister's willing to meet with us before the House rises, then that's exactly what we should do as a part of our obligation on a matter of privilege.

What I do not think is acceptable is we get this "I'm just not available; my schedule doesn't fit", and we're supposed to take that legitimately. We did the first time, and we ended up wearing it, but not the second time. I'm from Hamilton. You don't do that to us twice.

• (1135)

The Chair: Arnold.

Mr. Arnold Chan: I appreciate my colleague's comments. We did this on good faith and asked for the minister's availability. There may just be a misunderstanding.

We're meeting on a Tuesday. Typically, that's when cabinet meets when we're meeting as a committee.

The suggestions of coming off-hours, we will go back to the minister and make it clear that we would be prepared to meet at a time that would be convenient for her. We will push it from the government members' side as well.

The Chair: Okay.

Mr. Jamie Schmale: We don't want to get burned twice.

Mr. Blake Richards: Nothing less than a yes answer at some time when she's available will be acceptable.

Mr. Arnold Chan: I understand your position. At the end of the day, I don't control the timing of members of the executive council, but we will push it.

I also want to go back to some of the comments Mr. Reid made in the last meeting. He noted that this particular minister, along with the Minister of Health, are pretty busy, given this week's agenda and the compressed time schedule they are dealing with right now. He did note that notwithstanding that, we would like her to appear as urgently as possible. There is a lot on her plate right now. I am mindful of their difficult schedules.

Maybe there's a misunderstanding. If they are willing to meet us off-hours, it might give us a lot more options.

Mr. Blake Richards: Again, I'll make it very clear.

I don't think there's a single person in Canada who will believe that the minister cannot find one hour in two weeks anywhere in her schedule. Certainly no one here will believe it, and I don't believe any Canadian will believe it. I certainly hope the government is going to try to take this seriously.

I understand the position you're in. You can't speak for her, but I think it will be quite clear how this government treats matters of privilege and how this government considers the importance of this Parliament and taking it seriously. If she doesn't appear here, people will know that this government is not serious about this Parliament and being accountable to it. That will be very clear.

The Chair: I see a consensus around the room that we will let her know that we will adjust our time, if necessary.

Jamie.

Mr. Jamie Schmale: Yes, I am the same. I agree with what Blake was saying. As a matter of privilege we need to go with it. I appreciate what everyone on the other.... I saw a lot of nodding heads, which is a good sign. As David said, we would appreciate this not happening again.

I agree, Arnold, you're going to do the best you can, but that's why we gave the advance notice.

Mr. Arnold Chan: Agreed. It's notice.

I'll be frank, I'm just as surprised, but we will follow up.

• (1140)

Mr. Jamie Schmale: I agree with Blake. You can't speak. But I don't think anyone would agree that she can't find an hour somewhere in the clock.

Mr. Arnold Chan: That's what I'm saying. I think there might be some miscommunication.

Let's just clarify. Give me an opportunity to clarify.

Mr. Jamie Schmale: Absolutely.

The Chair: Okay. Are we done?

The meeting is adjourned.

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