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Chair

The Honourable Larry Bagnell

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•(1100)

[English]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good morning. Welcome to meeting 40 of the Standing Committee on Procedure and House Affairs.

Today, the committee is studying order-in-council appointments to the Independent Advisory Board for Senate Appointments.

With us today are three provincial members of the advisory board. We have Chief Brian Francis, from Prince Edward Island; Jeannette Arsenault, from Prince Edward Island; and by video conference, Vikram Vij, from British Columbia.

The meeting is being held pursuant to Standing Order 111, which states:

The committee, if it should call an appointee or nominee to appear pursuant to section (1) of this Standing Order, shall examine the qualifications and competence of the appointee or nominee to perform the duties of the post to which he or she has been appointed or nominated.

I would remind the committee to be mindful of this in their questioning of the witnesses. Members can also refer to pages 1011 and 1013 of the *House of Commons Procedure and Practice* for additional guidance.

The committee members know this, but just for the witnesses, we're only mandated to ask you about your qualifications. If someone asks you something else, I may allow them to ask it, but you don't have to answer it if you don't want to.

Quickly, for the record, for committee members, and you can take it back to any committee members who aren't here, there are two things. One is—and I don't want to discuss it now—there's a Kenyan delegation that will be asking for time with procedure and house affairs in the near future. I'm going to suggest we do the same as we did with Austria, and have a meeting that's not in our regular time slot, which would use up our time. If anyone objects to that, get back to me later.

Second, I would just like a motion from the committee to approve the expenses for our witnesses who have travelled, which are roughly.... How much is it?

The Clerk of the Committee (Mr. Andrew Lauzon): It's \$3,900.

The Chair: Anita, you're going to second it.

Is anyone opposed?

(Motion agreed to)

The Chair: What I think we'll do, because we're going to have to come back, is that we'll get all three witnesses to do their opening statements, but we'll concentrate our time on the video conference. Hopefully, we can finish that, because we have to leave for a vote and come back later.

Vikram, would you like to make some opening comments?

Mr. Vikram Vij (Provincial Member, British Columbia, Independent Advisory Board for Senate Appointments): Sure.

My name is Chef Vikram Vij. I am from Vancouver. I was quite honoured to be appointed as an independent member.

We worked extremely hard and went through all the applications by the Privy Council. I was very well notified about everything that took place, what I needed to study, and what I needed to educate myself on. It was a bipartisan-style process. To choose a senator from this province was a great honour bestowed upon me. I'm humbled and honoured by the process. Hopefully, the choices that we have made were and are quite focused and thorough.

That's all I have to say.

•(1105)

The Chair: Thank you very much, and thank you for making yourself available.

Ms. Arsenault, could you give any opening remarks, please.

Ms. Jeannette Arsenault (Provincial Member, Prince Edward Island, Independent Advisory Board for Senate Appointments): Thank you, Mr. Chair.

I also was honoured to be asked to sit on this committee. I will just give you a little bit of background, which you do have in my resumé.

I was born on Prince Edward Island and I've spent most of my life there, except for one year in New Brunswick at a community college and then five years in Toronto working for a firm. After that, I moved back to Prince Edward Island, where I started my own business, which I've been running for 27 years. I've taken a lot of risks in life. There have been ups and downs, and as a result I have a lot of life experience. I've done a lot of volunteering with different committees. My parents brought me up to believe that if you volunteer and you give some of your time, a lot of that will come back and you will learn how to live a good life by doing that.

Thank you for your time.

The Chair: Thank you, and thank you for taking another risk and coming here today. Anita's a really tough questioner.

Voices: Oh, oh!

The Chair: Chief Brian Francis, could you give any opening remarks, please.

Mr. Brian Francis (Provincial Member, Prince Edward Island, Independent Advisory Board for Senate Appointments): Good morning, everyone.

Thank you for having me here. It's an honour to be here. It's an honour to be a part of the whole independent Senate advisory process.

You have my CV, but I want to give you a bit of background on my life journey to where I am today. I was born on a small first nation in the Malpeque Bay off Prince Edward Island. The only way off the island in the summertime was by a small ferry. The only way to get off in the wintertime was by ice. The living conditions were very hard, but we learned some good ethics and strengths from those days. During those times, the residential school era and the sixties scoop both had effects on my small community.

I left the island because I had to go to high school, and I became the first Mi'kmaq person from P.E.I. to get a Red Seal trade certificate. Following that, I worked for a few years with my first nation, and then I went to apply for a job with the federal government. I was at the lowest end, as a CR-2 registry clerk. Nineteen years later, I was in a senior management position, and I worked my way up the ladder, learning as I went. Life has been a learning journey for me. I've gained a lot of skills. I was on many merit-based selection board processes in my time at the federal government. That certainly helped me to do what I have done here on the independent Senate advisory board.

Following that, I became the elected chief of the Abegweit First Nation in 2007, again in 2011, and again in 2015. I'm going into my 10th year as a first nation leader. That's where I'm at.

Thank you very much.

The Chair: Thank you very much.

We appreciate your being here today, and your unique set of skills will be great.

If we're proceeding in the normal rounds, I'm going to cut the time back from seven minutes to five minutes because we're losing some, and I'd like to finish with the B.C. one at least, so that he can go off the video conference.

If people on the first round can limit their comments to B.C., we'll get to the other witnesses when we get back from the vote.

Mr. Graham is first, with only five minutes.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): That shouldn't be a problem.

Thank you, Vikram, for being here. I'm familiar with your recipe book. When my ex and I split up, it was the only thing we fought over.

Voices: Oh, oh!

Mr. Vikram Vij: There is no reason to fight; just share.

Mr. David de Burgh Graham: We couldn't immediately get a second copy.

I appreciate your experience and knowing who you are, because I saw the name and I thought it was familiar, and then I figured out why. Thank you for that.

I want to tie this back into the Senate, which is much more interesting for the purpose of this committee. You have an incredible depth of experience in the food industry, far more than the rest of us, except for eating. I would like to know, in that career have you had a lot of opportunities to choose people? How do you do merit selection in your experience in that industry?

Mr. Vikram Vij: I think the key process, having had businesses and having had a one-man show such as a restaurant and then up to 180 people now, is that you have to choose really solid leaders and people who can see your vision, who are pragmatic, and who can follow through with what you want and what your goals are.

With that experience of having been in the business for 35 years, you can bring that to the table, read a curriculum vitae of somebody, and create a picture of that person in your mind without having to have that person in front of you. It's the way the person writes, the way the person has expressed themselves, the reference letters, what points to look for, how long they have worked at that position, where they have worked, and what they have been. Those human resources skills come to you from being in the business for such a long time and creating your own team of advisers, CFOs, and CEOs.

I was able to apply that pragmatism to the Senate applications and to read those applications and say, "Okay, this person has done this for how long?", and I was able to sift through some of the ones where I thought, "Okay, this is great, but it doesn't fit in perfectly," or, "I think this fits in perfectly". It was a narrowing down process from where we started, a process of elimination and of slowing saying this person doesn't fit or this person fits the bill properly.

That pragmatism comes just from being practical, by being in the business for so long, and by having run your own organizations. How would I want this person to be? I knew exactly what the position required and what a senator's position is supposed to be. I had done my homework on that. I was able to say, "Okay, if I were a senator, what would I want to be done, or what would I do?" I was able to see through those applications and say that this person fits the bill or does not fit the bill.

That comes just through experience, and it comes from being in the business for such a long time.

• (1110)

Mr. David de Burgh Graham: It makes it hard to ask more questions. It's clear that you meet our requirements for being qualified. The purpose of our discussion here is to test the qualifications of those appointed by the Governor in Council.

I don't have any great doubts from that conversation about your CV and your comments.

Do any of our colleagues have a quick question?

Ms. Vandenbeld.

Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.): Thank you very much.

I agree with my colleague. I think all your qualifications are quite remarkable.

In your experience, obviously you've had to be a good judge of character, be able to see people's potential, and see whether or not they're qualified for different positions. One of the most important things in doing that is being able to see past the surface, and look at diversity perspectives, differences in life experiences that people can bring to the table.

Can you tell me a little about how you go about ensuring that when you are selecting people you really are looking at all the variety of things they can bring to the table, including different backgrounds?

Mr. Vikram Vij: One of the things I exercised in my own mind was to never look at the name right off the bat. I looked at the curriculum vitae of the person. I looked at what they had done. I read the reference letters of that person. I built a character of that person. Sometimes I just had a piece of paper there and I would write down points that wowed me a little. If someone said this person has volunteered at so-and-so. I would say this is a great point. I would write that down right off the bat. I would go back to it afterwards and wonder if I had looked at it properly. It was never about where they came from, the colour of their skin, the political affiliation.

My position was to find the best person for that job. I was not going to allow anybody to make me make a decision, saying they are Indo-Canadian or Indo-French or Indo-this or Indo-that or any of that stuff.

I was just in South Africa and I gave a speech to some of the House of Commons people there. I said I came from the largest democracy, India, but I live in the best democracy, Canada.

The Chair: Thank you very much.

Mr. Richards, you have five minutes.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

I'll apologize to our witnesses because I have something else I wanted to touch on briefly. It's a notice of motion that I wanted to give to the committee. I'll do that very quickly, then I will have some time for some questions for you. I apologize that I'll use a little of our time.

The motion that I am putting on notice here is:

That the Committee invite Paul Szabo, Sven Spengemann, Veena Bhullar, Jamie Kippen, and a representative from the Parkhill Group to appear to answer all questions related to the correspondence sent to the Chair of the Procedure and House Affairs Committee on October 28, 2016, regarding alleged breaches of the Canada Elections Act in Mississauga-Lakeshore.

I just wanted to put that verbally on notice, Mr. Chair. Obviously we would return to that at a later date.

I appreciate the witnesses' indulgence for that.

I'll move now to some questions for you. My understanding is that you want us to focus on our B.C. representatives.

•(1115)

Ms. Ruby Sahota (Brampton North, Lib.): Will you be sending us that motion in writing?

Mr. Blake Richards: Yes. I've just read it in, of course. I can provide you a copy if you like.

Ms. Ruby Sahota: Thank you. That would be great.

Mr. Blake Richards: How did you find that process to work in the interface with the other members of the committee? You mentioned how you evaluated, but then of course you have to come to a decision as a group. Do you have any recommendations as to how it might be improved in the future?

The Chair: To the witness, just remember we're only here to ask about your qualifications. You can answer this if you want, but you don't have to because it's not in our mandate.

Mr. Blake Richards: I appreciate what the chair has just said. It would be helpful to Parliament to know those things. If you think you can answer, that would be appreciated.

Mr. Vikram Vij: Chair, and Mr. Richards, the process was very simple but very well done. We were versed beforehand on one of the initial meetings when we all met. Everybody from Prince Edward Island to New Brunswick, to everybody else, we all met. We were all given a nice binder to read and studied what it constituted. We all read it. We all had time to ask any questions of the chair of the independent council, the three independent ones. We were given enough information to study and go through it to see if there was something that stood out and we were not comfortable with. First of all, I should say that.

Secondly, when the process took place, we were sent, in confidentiality, all the information, which was only read by us. If I had a question about something, I was allowed to call up my counterpart, Anne Giardini, and have a conversation with her about it, but I didn't have to because it was quite well put together. The flow chart worked really well.

There were a couple of questions I had at first about the computer when I wasn't able to figure it out. I was able to get somebody on the phone in Ottawa, and they were able to guide me through the process right off the bat.

Then once we met, once we had made our decisions, we all sat—British Columbia and the national committee—and went through the process. We went through each and every name, basically, and had points, and discussed. It was a full-on, full-day conversation within this process. The conversation took place on why we felt this was a great qualification, what we felt about it, and we had some conversations between each other. The chairperson asked us enough questions, saying things like, “Why do you think this person is qualified?”

They were also asking us why we were choosing who we were choosing. Anne Giardini chose so many, and I chose so many. Then we convened on that again.

It was a very thorough process that took place. Again, we were aware of what was required of us and we wanted to deliver the best candidate possible, or the best five candidates possible. When we walked away from that room, we did not know which individual it was going to be at the end. It depended on the PMO basically to make that decision. We had done our job of making sure that we presented the top five we felt qualified as such.

The Chair: Mr. Richards, you have just a minute.

Mr. Blake Richards: Was that something you found a struggle with, the fact that, as you just mentioned, the Prime Minister's Office would make that decision?

• (1120)

The Chair: Ms. Sahota, on a point of order...

Ms. Ruby Sahota: I guess the bells are going, but even if we come back to that line of questioning, I think we've given a lot of leeway here on the questions about process. We're not here to ask them about process.

I think all of the committee members appreciate Mr. Vij's contribution to explaining how thorough the process was, but we're here to ask him about his competence, his skills, and qualifications.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Chair, on the point of order as well, let's deal with the bells first. We have to get unanimous consent to keep on going for a while, including Ms. Sahota's intervention. Let's deal with that first and then we can come back to her.

The Chair: Okay. Is there unanimous consent to—

Mr. David de Burgh Graham: We are quite far from Centre Block.

The Chair: There is no consent.

Okay, we'll come back as soon as the bells are over. I'll mostly ask the opposition members. Do we need the witness from B.C.? Do you have any specific questions? Your time was almost up.

Mr. Blake Richards: I still had some time and still had a question I wanted to ask. I'd like to have him here.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): For our part, I would like to ask a question of our witness from B.C.

The Chair: Okay.

Mr. Pierre-Luc Dusseault: I understand there's no unanimous consent to go forward. I would entertain to ask for it again so that I can ask a question or two.

The Chair: Okay.

Mr. Pierre-Luc Dusseault: I need unanimous consent.

The Chair: We'll try to get you back here. We'll be at least a half hour before we're back.

Mr. Vikram Vij: I'm sorry. I didn't hear what happened there.

Mr. David de Burgh Graham: We have to go to a vote in the parliamentary chamber right now, so we'll be back in about 45 minutes to an hour.

Mr. Vikram Vij: Okay. Will I just keep waiting?

Mr. David de Burgh Graham: There's a vote called in the House so the bells are ringing.

Mr. Vikram Vij: Right.

The Chair: Are you available in 45 minutes or an hour?

Mr. Vikram Vij: I'm available until 10 o'clock. I was told 8 a.m. to 10 a.m.

The Chair: If you could do some other work for 45 minutes or an hour. The technicians will be in touch with you.

Mr. Vikram Vij: Okay, thank you.

The Chair: We will suspend.

• (1120)

(Pause)

• (1210)

The Chair: We're back.

We were just in discussion on a point of order when we broke. We will call Mr. Richards to reply to the point of order that was being made.

Mr. Blake Richards: Thanks, Mr. Chair. I appreciate the opportunity to respond.

Although I appreciate the attempts being made by the Liberal member to prevent the questioning, I think it is quite relevant to the witness's qualifications, and I'll explain why.

A very standard and typical question on a job interview—and this isn't exactly a job interview, but it's assessing someone's qualifications so it's a similar type of situation—and a very common question, which I use and many people use in job interviews, is to assess the candidate's ability to deal with conflict. You ask them how they deal with a conflict situation. It's very typical. I know Mr. Vij would have hired many people, and it may even be a question that he himself uses to assess a candidate.

Given that, what I was obviously asking about is a situation with potential conflict, or it may even be a situation that has already occurred and in which there has been real conflict, because they have actually undertaken some assessment of potential senatorial candidates already.

What we're faced with is a situation in which I'm using this to determine the candidate's ability to deal with a conflict situation, whether it be a perceived one or a potential one, by virtue of which the PMO would not choose to appoint the candidate who had been recommended by him and other members of the board; or it may be, a situation that has actually already occurred in respect to which he may be able to tell us how he addressed that situation in reality.

Maybe the PMO didn't choose to appoint the people who were put forward. It would be about my ability to assess the ability to deal with that potential conflict, or what may have been a real conflict already, if the PMO has not appointed the candidates who were recommended by him or his fellow board members.

I think it is a very pertinent question to be able to assess the candidate's qualifications. Frankly, Mr. Chair, as much as I respect your position and I like you as a person, I think if you choose to rule anything other than to allow the question, it would seem to me to show a lack of impartiality here and something that would be seen to protect the government. I really hope, Mr. Chair, that you'll allow the question to proceed.

The Chair: I'm not going to allow this debate to go on too long and take time from the witnesses, but we'll have Ruby respond.

Ms. Ruby Sahota: I think what should be appreciated is the leniency shown on the first question. There was a point of order right there as well, but some leeway was given. There was a good response that I think was beneficial to this committee.

However, the question, if we go back into the record, that Mr. Richards has asked was not, “How would you deal with conflict in any situation?” The question was a lot more pointed at what has happened in the process, and it was very particular to what the PMO did or did not do.

This is not the place for a question of that sort. This is not under our mandate—what we have according to the Standing Orders—which is asking about their qualifications.

If the question is “What would you do in a conflict situation?”, go ahead and ask that question. But that was not the question asked.

Mr. Blake Richards: Mr. Chair, if you could give me an opportunity to respond, I would need, obviously, an equal opportunity.

The question was obviously driven to determine the ability of the candidate to deal with conflict. That is a very typical question. In this case, the reality of the matter is, Mr. Chair, that the board has already undertaken some of the work we're doing of assessing their qualifications, so it may be in fact that this situation has already occurred; or it may be something that's hypothetical. Either way, I would want to be able to have the witness's take on how he has or how he would deal with the situation.

The Chair: Mr. Reid.

Mr. Scott Reid: Mr. Chair, we've dealt with this in the past. On the previous occasion, it was me rather than Mr. Richards who found himself being denied the right to ask a question.

If a witness chooses not to answer a question, that's the witness's business. But the rules, as far as I'm aware, do not preclude our asking questions. I would recommend to you that you could pass that advice on to the witnesses, that if they choose not to answer, that's their business. But that does not, as I say, extend to prohibiting the freedom of speech of members of Parliament.

•(1215)

The Chair: I did pass that on to them at the beginning.

Mr. Richards, you have one minute left. I'm going to give you a chance to rephrase the question. We'll see whether it's acceptable, and then I'll rule.

Mr. Blake Richards: I have a point of order on that as well, Mr. Chair.

This leaves me with a limited amount of time, given that you've asked me to rephrase the question. I know that you were lenient with the time allowed for the witness to respond to the Liberal member who asked the first set of questions, so I would assume you'll be giving the same leniency to allow the witness to fully respond, given that there won't be a lot of time left for him to respond. I assume that would be correct.

The Chair: Sure.

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

What I'm asking, and I think you have a pretty good sense of what it is—

Hon. Ginette Petitpas Taylor (Moncton—Riverview—Dieppe, Lib.): On a point of order, if I may.... For the record, I've been timing our rounds and in actual fact, Mr. Richards used up over his five minutes. He used a minute and 20 seconds for his point of order, and that wasn't counted.

Mr. Blake Richards: A point of order is not part of my questioning time. I was responding to a point of order that your side made. That does not count as part of my questioning time. The chair had indicated I had a minute or more at the time that I asked the question, so I know there is time left.

The Chair: I'm going to rule against that and allow you to get your question in. We have to have some respect for the witnesses here, guys.

Mr. Blake Richards: Of course. Exactly.

The Chair: We can do points of order when they're not here.

Mr. Blake Richards: I appreciate that, Mr. Chair.

I think you have a pretty good sense of what I'm trying to ask here. It's judging your ability to deal with a conflict situation. It may have arisen already. If so, you can respond to how it has arisen. If not, how would you deal with it if it did arise?

If the PMO has not chosen, or does not choose in the future to appoint the people you have recommended as part of the board, how would you deal with that situation? What would your advice be on that?

Mr. Vikram Vij: Fortunately, there was no conflict that arose from our deliberations.

As a true leader, if I were asking somebody to do something and they didn't agree with me, I would still want to have the last word, because I am the leader of what I'm doing. In a true democracy, that's what it takes.

If I gave my recommendations and the PMO was not accepting them, then I would humbly accept their decision. At the end of the day, I would know full well that my job was to give the recommendations, to narrow it down to five people. That's what I did and that's what I gave him.

There was no conflict at all, and as a person of integrity, I wouldn't want to have conflict, even if I disagreed. At the end of the day, it is a democracy and the right is his and his office's to choose.

The Chair: Thank you.

Before we go to Mr. Dusseault, now that we're back, you can ask your questions of any of the witnesses.

You have five minutes.

[Translation]

Mr. Pierre-Luc Dusseault: Thank you, Mr. Chair.

I thank the witnesses for being here this morning. We apologize for the setback. This was due to a vote in the House.

Let's get back to our topic, starting with Mr. Vij, in British Columbia.

Why do you think you were chosen for this position? Did you propose your name when you heard about this process, or did the government contact you? Why do you think you were approached for this?

[English]

Mr. Vikram Vij: Thank you for the question.

I believe my role as an immigrant who came to this country, having started as a commoner and still as a common human being who was a chef and now has done entrepreneurial work, has given me the way of thinking, of understanding somebody who is in the grassroots of our communities in northern British Columbia, or in British Columbia, and has gone through those ranks.

For me, I felt that honour was given to me because I had done, pragmatically, a service to the nation and I was going to do a service by making sure that the best candidate would be put forward by me. Bestowing the honour upon me was, I think, in recognition of my contributions to Canada and to the community, and also to my ability to siphon through the best people who would apply for this honour and this great position.

• (1220)

[Translation]

Mr. Pierre-Luc Dusseault: Thank you.

I would also like to ask the witnesses who are here why they think they were chosen.

Did you submit your candidacy? Do you know someone in government who could have recommended you? Do you have any idea of how your name came up and why it was put forward?

Ms. Arsenault, do you want to begin?

Ms. Jeannette Arsenault: I received a call from the provincial government, from the office of our minister. I was asked to answer a few questions and then I read in the newspaper that five names had been submitted to your committee. That is how I was appointed. I took no steps personally, as I did not even know that candidates were being sought. I am one of the people whose names were put forward.

Mr. Pierre-Luc Dusseault: I presume that the same thing happened in the Mr. Francis' case.

What do you know about the Senate and the work of parliamentarians here in Ottawa, in our federal institution? What do you know about the Senate in order to prepare yourselves to propose the names of persons who are qualified to become senators?

I would like to hear Ms. Arsenault's reply and then Mr. Francis.

Ms. Jeannette Arsenault: Does Mr. Vij understand French?

Mr. Pierre-Luc Dusseault: I think he has access to the interpretation service.

[English]

Ms. Jeannette Arsenault: I can answer in English. It might be just as easy. As for working with the Senate and that, I have never been a government employee, so I don't know all the rules and regulations that they all have. But as a citizen of Prince Edward Island, I can tell you that, if you look at my resumé, you'll see that I have been on many different boards, from a chamber of commerce

president to a lot of different boards and committees that have prepared me to look at a lot of the policies and things that happen in government. For sure, I keep aware of what's happening.

I know that the Senate is a very important House that should continue, because the work they do is very important for Canada. We need that second House that looks at the bills to make sure that things are not just put through because a group of people want them. If it's debated and everybody agrees with it, then I know it's good. It has to be good for all of Canada. It can't just be good for a little group. By all these committees and things, that's how I kept abreast of what happens in government.

Mr. Pierre-Luc Dusseault: Mr. Francis—

The Chair: I'm sorry, your time has expired.

Mr. Pierre-Luc Dusseault: Already...?

The Chair: It's a little over.

Ms. Petitpas Taylor, go ahead, please.

[Translation]

Hon. Ginette Petitpas Taylor: Thank you very much, Mr. Chair.

Thank you once again for appearing before this committee today. Thank you for the time you are granting us.

My questions are for Ms. Arsenault.

Ms. Arsenault, it is always nice to welcome an Acadian from back home. I thank you once again greatly for your presence.

In preparing for this meeting, I read your resume. It is extremely impressive and includes a lot of community work. I will do a brief overview of it.

I see that you own a small business in your region.

Regarding your volunteer work, the list of your achievements and the efforts you have put into your community is incredible. I am impressed.

You have done a lot of work at the chamber of commerce, as you mentioned, with small and medium businesses. You are also the spokesperson for the Acadian and Francophone Chamber of Commerce of Prince Edward Island, an organisation that is very important to maintain our francophone and acadian culture. I am happy to see that.

I also see that you have done a lot of work in the area of tourism, which is extremely important for your province, and for all provinces.

You have been the director of the Acadian and Francophone Community Advisory Committee.

You have worked in the arts and culture sector.

We see that you have an impressive resume and that you are well positioned to do the work for which you have been chosen.

How have all of your achievements, all of your professional work, as well as all of the volunteer work you have done, equipped you to become a member of this committee?

•(1225)

Ms. Jeannette Arsenault: Thank you very much for your comments.

When you do a lot of volunteer work, you can learn a lot. Whenever I sat on a committee, I left knowing more than when I arrived. When you work with a lot of people, you find out what they do, how they do it, what works and what doesn't. I think I have a lot of common sense and intuition.

If you have to advise the Prime Minister on Senate appointments, clearly you have to determine if the candidates will be capable of making the right decisions for Canada. After all, every decision that is made ultimately affects us. I think that all of my experience has given me what I need to make good decisions.

Hon. Ginette Petitpas Taylor: Absolutely. You have worked with a lot of people over the years. Because of your years of experience and the many working groups you have been a part of, I am sure you have acquired a good capacity for assessing people and working with them.

Ms. Jeannette Arsenault: Yes, I have.

I have 15 employees in my business. When we hire, of course we look for people who have the necessary skills. You have to be able to judge whether they will be able to do the job in the enterprise or not. As Mr. Vij said, we need to know, when we hire, if the person will be able to do the work we need them to do. Over the years, we have acquired the capacity to assess people and determine if they are the right people for the job.

Hon. Ginette Petitpas Taylor: You have honed that skill thanks to the experience you acquired over the years.

Ms. Jeannette Arsenault: Yes.

Hon. Ginette Petitpas Taylor: I thank you very much for the contribution you have made throughout your career, and that you continue to make, to your province and your country.

We simply want to say thank you very much for your good work.

Ms. Jeannette Arsenault: Thank you very much.

[English]

Ms. Ruby Sahota: I'm going to share some time.

I have a question for you, Mr. Francis. You've done a lot of work. You're currently a chief of a first nation, and you've done a lot of intergovernmental relations work. I find that really fascinating. You've achieved quite a lot in those areas. The Senate and the government are constantly dealing with this relationship with the first nations.

With your experience, how do you think that affected or complemented being able to make recommendations for senators?

Mr. Brian Francis: I think over the years I've gained a wide range of experience in the various jobs and positions that I've had. I feel that I have a strong reputation in the province of Prince Edward Island. I have personal integrity, sound judgment, confidentiality, and all those kinds of attributes. I've worked over the years to develop them and feel very competent to have done the roles that I have done by selecting the five nominees.

Ms. Ruby Sahota: What kinds of skills—

The Chair: Sorry, you are over your time.

Mr. Richards, you have five minutes.

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

As I reflected on the response that I received in my last question from Mr. Vij, he's technically correct. I think he certainly answered the question appropriately. It really reminded me of what a sham this so-called reform to the Senate is by the Prime Minister. Listening to the response that I received, although technically accurate, really points to the problems behind the process being set up. Still it's the Prime Minister making the appointments. It was made very clear in the response I received that, should there be conflict, the board would have to obviously accept that the Prime Minister has that right to just go ahead and appoint whoever he wants, whether the people have been recommended by the board or not.

It really points to the fact that this is no kind of reform at all. In fact, all it's doing is adding another layer and another appointment process to the board. No doubt they are conducting their work diligently and they are doing the best job they can. They're quality people; there's no question about that. They offer something. But at the end of the day, their decisions are not binding. Their decisions have no weight at all. If the Prime Minister chooses to appoint whoever the heck he wants to appoint, he can go ahead and appoint whoever it is he wants.

Clearly, there's not really any reform in this at all. It's the Prime Minister making appointments to the Senate just like it's always been in this country. That isn't reform, and it isn't what Canadians want to see. It isn't going to really change anything about how the Senate functions or operates. That's something that was made very clear. I want to take the opportunity to point that out because it's a really unfortunate situation.

We've got a Prime Minister who, like with many things, claims to be one thing and he's actually something completely other than that. In this case, he's choosing to use his dictatorial powers to be able to appoint whoever he wants to the Senate. Unfortunately, this board, no matter how great their qualifications—and I would certainly say from what I'm hearing that we have qualified people who have really worked hard to diligently do their job—at the end of the day, their recommendations are ignored. They can be ignored, and there's nothing anyone can do. The Prime Minister is in charge, and he does whatever it is he wants. If he wants to appoint good Liberals, he appoints good Liberals.

Having said that, I've had a chance to ask Mr. Vij some questions, and I'll ask our other witnesses some questions.

I'll start with you, Madame Arsenault. I'll confess, I was listening to the interpretation when you were speaking in response to Mr. Dusseault. The way it came across in the interpretation, at least, when you were asked about how you had been appointed, you said you had received a call from our minister. There may have been a problem with the interpretation, but who were you referring to when you said "our minister" when you received a call?

•(1230)

Ms. Jeannette Arsenault: I received a call from the Premier's office.

Mr. Blake Richards: From your Premier, okay.

Ms. Jeannette Arsenault: Yes and I was asked a bunch of questions, as I'm sure the others were. I think he picked five names, at least that's what was on our paper, so it was our Premier's office.

Mr. Blake Richards: Okay, thank you for the clarification, because obviously, if it was "our minister" I wondered who that was.

Ms. Jeannette Arsenault: Yes, I thought of that after.

Mr. Blake Richards: I assumed it was probably just a translation issue.

Maybe I can ask you both the same question that I asked previously. In terms of the process itself, now that you've gone through it, this is about being able to assess your ability to think critically and your qualifications. What would your opinion be of the process and what can be done to improve it in the future?

Ms. Jeannette Arsenault: I think Mr. Vij pretty well answered those questions because—

The Chair: We have a point of order.

Just before we go to the point of order, I remind the witnesses that all the comments we had on process are irrelevant to this discussion. It's on qualifications, which is the only reason that we're allowed to call you.

On the point of order, Ms. Sahota.

Ms. Ruby Sahota: I'm going to sound like a broken record, but I don't see what else to do other than.... We keep going down the line of asking questions about the process and that's not why the witnesses are here. I'd like a fair ruling, actually this time, on the fact that we're not here to ask about process. We're here to ask about their skills.

If Mr. Richards wants to reformat that question, he is obviously free to do so, but the way he stated it, at this point, it is a direct question on process and it's not within the purpose of this meeting today.

Mr. Blake Richards: Could I respond, Chair?

The Chair: You can have one response and then I'll rule.

Mr. Blake Richards: Thanks, Mr. Chair.

If one were to listen to the question that I asked it was to assess their critical thinking skills and their ability to analyze a process. That was the way I formulated the question.

You permitted the question previously, obviously. I think it's really unfortunate. I don't know what the sensitivity is over there. I know I've pointed out that this process is no reform, and it's really just a sham that the Prime Minister can just go ahead and appoint whoever he wants. Why are they so sensitive? I guess it's because of that. They're trying to defend the Prime Minister, even though it's indefensible, in my mind.

At the end of the day, Mr. Chair, the question was to assess the critical thinking skills of the witnesses and—

Ms. Ruby Sahota: Can I be allowed to respond for even 30 seconds?

Mr. Blake Richards: Mr. Chair, I thought it was one response and you would rule. This is actually getting kind of ridiculous. Why are they so scared?

Ms. Ruby Sahota: It's not about sensitivity.

Mr. Blake Richards: Why are they so scared to allow questions?

Ms. Ruby Sahota: It's about our standing orders. It's about the rules. The rules are the rules. It's not about the Prime Minister and it's not about—

Mr. Blake Richards: There is no malice intended in the question, and I really wish I would not be interrupted. There is no malice in the question. It's simply trying to get a sense of their assessment of the process—

• (1235)

The Chair: Okay.

Mr. Blake Richards: —and what they think could be done to improve it and that would obviously go to an assessment of their judgment and their critical thinking skills. I don't understand what the sensitivity is here in defending the Prime Minister so—

The Chair: Okay, this is enough.

When we started the point of order you had one minute left. You did ask specifically about the process, so I'm going to give you a chance to ask your question along the lines of what you were just talking about—critical thinking—so ask and you have one minute left.

Mr. Blake Richards: I did ask it in that fashion previously, Mr. Chair, so I'm not sure what you're seeking to have me do differently.

The Chair: You asked specifically for their comments on the process.

Mr. Blake Richards: Yes, based on determining their critical thinking skills. That's a very typical interview question, Mr. Chair, to ask people about a scenario to be able to assess their skills.

I don't see what the sensitivity is around the question. I guess I'll put it to the witnesses.

You heard the question. Would you care to respond?

The Chair: On your critical thinking skills....

Mr. Blake Richards: In terms of assessing the process....

Mr. Vikram Vij: Can I just answer that for a second, Mr. Richards?

Mr. Blake Richards: I'd like to give them a chance if they could —

Mr. Vikram Vij: Okay, sorry.

Mr. Blake Richards: —because I know you had a chance to respond to it previously. If you want to add to it at the end, I'd be happy to give you that opportunity as well because they haven't had that opportunity.

Ms. Jeannette Arsenault: I'm sorry, Mr. Chair, but I feel that we were asked here to defend our CVs and I feel we were not prepared for those questions. Had we been given different information....

The Chair: That's fine. That's exactly correct.

Ms. Jeannette Arsenault: With what's already been said, I feel that is enough.

The Chair: Mr. Francis, is it the same?

Mr. Brian Francis: I agree.

The Chair: Okay, you can go because he has about 15 seconds left.

Go ahead, Mr. Vij.

Mr. Vikram Vij: I think we do understand that choosing the right person or recommending the right person, whether it is to any Prime Minister—it doesn't matter which party they belong to—reflects on us. It is our legacies and it is our names that are on it. We are the people who are in the community, day to day, upon whom it will be reflected if we, even remotely, chose somebody who was not up to the qualification. Therefore, our legacy is important. My personal name is very important to me. My last name is very important to me, which I will not allow to be tainted by anything.

To prod a little bit further and say, “Well, the PM can do whatever he wants”, it shows that the people he has chosen were recommended by us in that fashion. I feel that there might be a little too much prodding happening there. I may have stepped over, but I totally agree with my other partners. My role was to defend what I have done for this country and what I do in this country on a daily basis. That was what I was asked to do and that is what I am here for.

The Chair: Thank you.

Mr. Blake Richards: Just to be really clear, I was by no means questioning any of your qualifications or your integrity in any way. I do believe that you're doing this as best you can. You're trying to undertake it. I agree that your name needs to be.... I think we would all want to ensure that. It needs to be ensured that its integrity remains. That's actually why I make the points I do. I think it should be your decision, and not something that could be overruled by the Prime Minister. That's what I was trying to get at. Thank you.

The Chair: Thank you, Mr. Richards.

Ms. Sahota, you have five minutes.

Ms. Ruby Sahota: This isn't because of any kind of sensitivity; it's because we want to get to know our witnesses well and the contribution they've made to this process. I'm sure they don't view kindly when the whole process they have been through and all the hard work that they have done is called a sham. I really value all the hard work that you have put in. As a member of Parliament this year who's gone through all the processes that we have in committees, I can tell you it's a lot of work. It takes a lot of effort. I can only imagine how much effort you've put into this.

Going back to some of my questioning with you, Mr. Francis, you have a certificate in conflict resolution. I imagine that some of the areas in which you have negotiated with the government as a coordinator for aboriginal programs, as an employment counsellor, and when talking about fisheries and oceans, can become contentious issues at times, and ones that people are very passionate about.

How do you use those conflict resolution skills and the passion that you have in selecting and recommending senators?

Mr. Brian Francis: I use those kinds of skills on a daily basis in the job I do as a first nations leader. It's a very complex role.

Sorry, could you repeat the question again? I lost my train of thought.

• (1240)

Ms. Ruby Sahota: Regarding your skills in conflict resolution, how did you use them within this process? There were some similar questions asked before, but I felt they were asked in a different fashion. How were those skills and the passion that you have towards some of the work you've done applied directly in this process?

Mr. Brian Francis: I certainly used reasoning skills, decision-making skills, and those kinds of things in critiquing the applications and the support letters. Also, as I mentioned earlier, I was on numerous merit-based competitive processes throughout the 19 years I worked for the federal government, and that has prepared me really well for this merit-based competitive process.

Ms. Ruby Sahota: We had the chance to hear from Mr. Vij about what he was looking for, or what kind of internal process he went through when looking at resumés and the skills of the potential senators. What were you looking for when you were going through that process?

Mr. Brian Francis: I was looking for someone who had provided a lot of contributions to their province. I looked at people who had professional backgrounds and had done a lot of work for their communities and so on. I rated them, basically on a rating scale. I prioritized and picked out the common elements, and critiqued and assessed them from there.

Ms. Ruby Sahota: One common thing I see from all the resumés is that all of you are very involved in your communities and very active in your communities. How did that affect your judgment as to the candidates you were looking for?

Mr. Brian Francis: As for me, I'm seen in my community as a person with a strong reputation and personal integrity. I've had many people compliment me on the fact that I was appointed to the role. I was humbled by that because it tells me that people have respect for me in the province. They know that I'm an independent, stand-alone, first nation leader. I think that went a long way.

Ms. Ruby Sahota: Does anybody else want to chime in?

Mr. Vikram Vij: May I?

Ms. Ruby Sahota: Yes, Mr. Vij, go ahead.

Mr. Vikram Vij: Having a restaurant means that people come to your restaurant all the time, and having the amount of restaurants that I have.... People come to the restaurants, and there were a lot of people who had applied, and I knew they were applying for it because there was an element of.... Okay, I would see this person applying and see that person applying, but to be able to do that pragmatically, to say that I understand that you're applying and that everybody can apply—and that is what democracy is, to apply—and to be able to just put on that hat and ask if this person is the best person for the role, that was the hat we had to wear.

We were the captains of these resumé that were given to us, basically, and we wanted to make sure that the top people, who have contributed to their society and contributed to their own work in their field, were going to be great human beings down the road and were going to be creating legacies for which people will remember them, for the work they have done not only for the community but for British Columbia as such.

That was what I was looking for. Those are all things that we looked through these resumé for. We were honoured to have resumé from the far north of British Columbia right through to Vancouver. It was not just Vancouver- or Victoria-centric. It was British Columbia-centric.

The Chair: Thank you very much.

[Translation]

Mr. Schmale, you have five minutes.

[English]

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

I'd like a quick clarification. You said something, Ms. Arsenaault, that I didn't quite catch, and it might have been a translation. You were saying something to the effect that you obviously take your job very seriously but you do recognize the importance, because otherwise laws without two chambers just get passed by a bunch of people, if I heard you correctly. If you recall what you said, could you clarify that for me?

Ms. Jeannette Arsenaault: The government could be all on one side some day and they could pass what they want, but with having the Senate there, it's for sure going to be, as they call it, the House of sober thought. You can't have somebody pass laws that are not good for all of Canada because a group of people decide that they want to do it. It has to be well balanced, well judged, and well discussed. That's what I meant by that.

• (1245)

Mr. Jamie Schmale: Okay. I thought that's what you meant. That's my problem with this whole thing. The people passing the laws are elected by the people. We knock on doors. We ask for support. We attend events. We meet with people and try to help them. The senators—and this has gone on for 150 years plus—now are being selected at Prime Ministerrandom. It was mostly partisan in the past, obviously, and Mr. Richards pointed to that, but still, the final say is done by the , and the Senate, as has been pointed out many times by Mr. Christopherson, who is not here, has more weight than the House of Commons because there are less of them.

I'm actually quite troubled by what you've just said. I'm quite taken aback, actually, by the fact that the people have chosen their elected representatives and that this somehow is just a bunch of people passing laws that may or may not be for the well-being of Canadians.... I guess we in the opposition can argue that what we're voting on today is not good for the Canadian public, and they'll vote that it's good for the public. I'm actually quite troubled by that.

In saying that, again, my whole concern is this whole process. It's just one more layer. I'm not saying that no one is doing their job. Everyone is very well qualified.

I hope that when I'm in Vancouver I can eat at one of your restaurants, Mr. Vij. It sounds amazing.

Mr. Scott Reid: Where is the food truck? That sounds really amazing.

Mr. Jamie Schmale: Yes, it does, and I hope to be a patron of yours someday.

It's this whole process. I know Ms. Sahota took offence when Mr. Richards said it was a sham, but it's the Prime Minister who has the final say. It's unfortunate, but I guess this is what we have to do, and the Prime Minister can say they gave me the names. If you look at who has been appointed....

Mr. Vij, this is perfect for you. In your experience, you meet a lot of people, and I guess so does Mr. Francis. When I look at who has been appointed, they look very similar to people who have been appointed in the past, and the problem I had at the beginning of this whole process, the people... They are very well educated, I'm not questioning that. Okay, please get that first. You two meet a lot of people—and I call them regular everyday Canadians—in the your job. I'd love to see someone from the agriculture community appointed to the Senate. I'd like to see more people from the business community appointed to the Senate. In your experience, and both of you have met many people, and I guess you have too, Ms. Arsenaault, how can you help balance that out and get regular everyday Canadians participating in this process, and not the ex-bureaucrats or those from academia, just to add another view to the Senate?

Mr. Vikram Vij: Is that question for me?

Mr. Jamie Schmale: We can start with you. I've asked everyone.

Mr. Vikram Vij: I think the independent board does represent the academic, with Anne Giardini, who was the chancellor of SFU, and me as the commoner, chef, and businessman, as part of it. It represents those two people, and I think if I look around the independent board, we were very well chosen and from different parts of it. We were not just going to choose an academic professor, or just a business person, or just an immigrant, or anybody else. We chose those people based on their qualifications. We were broadly chosen, and so we chose broadly.

We passed on that same baton further down, and we recommended based on what we knew and our academics. We had enough discussions between Anne and myself about what she thought and what I thought. We would discuss things about a reference letter or a curriculum vitae and say, "Okay, this person has done this, so what do you think of that?" There was a lot of conversation, and the main national committee asked us questions, just as you are asking these questions. "Why did you think this person would work well? Why did you think this person should be recommended?" It was not just another layer, I have to say, of bureaucracy that was added on to it. It was a totally different process.

• (1250)

The Chair: Do the other two witnesses want to respond to that?

Mr. Francis.

Mr. Brian Francis: I have nothing to add, other than to say that we used merit-based criteria and everything was applied equally.

The Chair: Ms. Arsenault, do you have anything to add?

Ms. Jeannette Arsenault: I agree we did that.

The Chair: Now we're going on to M. DeCoursey.

[*Translation*]

You have five minutes.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

I thank the three witnesses for the work they have done for Canadians. As a member from New Brunswick, I am aware that Canadians are proud of the decisions made by these advisors from all over the country.

[*English*]

Ms. Arsenault, in responding to my colleague's question from the other side, I gathered and sensed that—and it's the same thing with Mr. Vij—there's a great concern among people here that parliamentarians tasked with making decisions do so with regard to the welfare of the entire country, the diversity of the whole country, and the diversity that exists across different demographics of Canadians. Diversity can express itself in ethnicity, upbringing, and those sorts of experiences and socio-economics, just to name a few areas. I think that all parliamentarians have a role to ensure that we are making decisions that are in the interests of a diversity of Canadians.

Can you each take a moment to speak to how your experience has provided you with the capacity to assess and understand the diversity of the regions with which you were tasked to make a decision? Take one example from an experience over the course of your professional or leisure experiences that will paint a picture for us as to how you are able to make decisions, understanding that there's a diversity of views that exist in any region of the country.

Ms. Jeannette Arsenault: The first thing we had to look at was who applied. I've been in my own business for 27 years. For sure, you learn a lot of skills. I've been on many committees, and I've been the Summerside chamber president. You gain a lot of expertise, because you are dealing with all kinds of different things. Just the fact that we are not somebody who is 16 years old and who hasn't really lived yet and doesn't have all the experience.... We don't have all the answers, but as a group, together, when we see what we have, we were as well qualified as anybody else in Canada to take on this task.

We are well respected in our community, as Mr. Francis said. We are people whom people come to sometimes, whether it's for advice on entrepreneurship or for different things. We are looked upon as leaders in our community. Just our CVs speak for themselves. I believe we were quite capable of making this decision. We're used to evaluating people. We're used to making decisions. That's what we were tasked with, and I feel that we were quite good at doing that. It showed right across the country. The people on the board, we were from all different walks of life, yet we all came together and made decisions based on our expertise, what we'd done in our lives, and all the experience we'd gained.

The Chair: Thank you.

Chief Francis, go ahead.

Mr. Brian Francis: I think Jeannette said it very well. As a first nation leader for 10 years, I have a good understanding of diversity and feel that I can make independent decisions based on the information before me, confidential and with sound judgment. These are the kinds of things that I've gained over the years, along with personal integrity. Within the province and outside the province, I feel that I am very suited to have made the choices that we did. We worked together very well in making the choices, and I'm proud of the job that we did.

Thank you.

• (1255)

The Chair: Mr. Vij, go ahead.

Mr. Vikram Vij: I left India at the age of 19, and I went to Austria. I didn't speak a word of German, and now I speak fluent German. Being multicultural or having learned different languages, you learn to understand and respect the others' boundaries and who they are. I think that teaches you to be really pragmatic and able to make the right decisions. I think we have built reputations in our society, in our areas of what we do, so that people look at us as not just role models but also people they would ask advice from. I think that's the flag that we carried with pride.

The mosaic of people I have come across in my 25 years of living in this country and 35 years outside of India has given me a wealth of knowledge to be able to judge people based on who they are as human beings—not just on what kind of car they drive or what kind of house they have, but more on what kind of human being they are. It teaches you that way of thinking, of knowing when that person is able to make the right decisions. I think those qualifications for us were extremely important. I do hope that people will see that the process was absolutely beautiful and very well executed.

Mr. Matt DeCoursey: I appreciate those comments. I certainly wouldn't want anyone to pass judgment on me based on the emptiness of my house, so I appreciate that.

Voices: Oh, oh!

The Chair: Thank you.

Mr. Dusseault, you have our last intervention. Because there is another committee coming in here, I won't let you go much over your three minutes.

[*Translation*]

Mr. Pierre-Luc Dusseault: Fine.

The Chair: Thank you.

Mr. Pierre-Luc Dusseault: Mr. Francis, I'd like to get back to your knowledge of the Senate and the role of senators.

The situation is similar for all of us, when we choose our employees. Of course it is important to have some knowledge of the work that needs to be done to know if the candidate is qualified to do it.

What do you know about the Senate? Have you met any senators, seen the Senate debates or taken part in such debates before your appointment?

[English]

Mr. Brian Francis: I've met senators within my own province before. I haven't been to a Senate debate. I know that the Senate is a very important institution in Canadian democracy. It's the chamber of sober second thought, and I think it's a very important part of Canadian democracy.

[Translation]

Mr. Pierre-Luc Dusseault: I am going to put the same question to Mr. Vij.

I would like to know what you know about the role of senators, in order to determine who is best qualified to occupy that position.

[English]

Mr. Vikram Vij: Again, I will say, in India you learn democracy. You learn the role that senators and the Senate play. Obviously you have a total understanding of what their role is. Before that, we were briefed all together, all of us with the role. We were given a binder and we were given all the roles of what they're supposed to do, what roles they're supposed to fulfill, and how we can look at it. If we had any questions that we were unclear about, we were given the opportunity to ask the right questions. We did ask the right questions. Based on those answers, we were able to do it.

I do not know any senators personally. But for me, even if I did know, it was not an issue. I was purely looking for the best person, who had the experience, understanding, empathy, and knowledge of Canada, and how they were going to represent British Columbia.

[Translation]

Mr. Pierre-Luc Dusseault: I think that you all went through the same process, finally. After your appointment, you were given a briefing on the role of senators and the work they do, but you did not necessarily have an in-depth knowledge of the Senate from the outset.

● (1300)

[English]

Mr. Vikram Vij: I did deep enough. We were briefed. We were given paperwork to see and read what the role of it was. We were given a book that we had to read beforehand that talked about the role of the Senate. I read it through and through to understand what it actually meant. The book was extremely important to understand the role of it.

I think we all did the role to the best of our ability.

The Chair: Thank you very much.

I'd like to thank the witnesses for coming. It's a long haul, a long way to come. For two hours, there were a lot of questions.

Thank you very much. We really appreciate the job you're embarking on for Canada. We appreciate all the qualifications that came out during this session and in your biographies. Thank you very much.

This meeting is adjourned.

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