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# Standing Committee on Access to Information, Privacy and Ethics

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Chair: Mr. Chris Warkentin





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• (1105)

[English]

**The Chair (Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC)):** I will call this meeting to order.

This is the 23rd meeting of the Standing Committee on Access to Information, Privacy and Ethics. This morning we had intended, of course, to hear from the Kielburgers, but they've declined their earlier acceptance of the invitation.

Already I'm getting indications from committee members who would like to speak to that specifically. I will turn immediately to Mr. Barrett first.

Mr. Barrett, the floor is yours.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Thanks, Chair.

Good morning. I had put a motion on notice with the committee last week, following the letter we received from the lawyer representing Marc and Craig Kielburger. I'll get to the text of that motion in just a moment. I do think it's important to note the seriousness of what was contained in that letter, and—

**Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.):** A point of order, Chair.

**The Chair:** Mrs. Shanahan.

**Mrs. Brenda Shanahan:** Is it normal that we don't see Mr. Barrett on screen?

**The Chair:** It would be good to see Mr. Barrett. We'll ask our technical crew to see if that is possible.

**Mr. Michael Barrett:** I'm happy to see and be seen.

**The Chair:** We'll give them a minute here. As soon as we see him pop up on the screen, we'll turn the floor back to him.

There we go.

Mr. Barrett, the floor is yours.

**Mr. Michael Barrett:** Thanks very much, Chair.

The seriousness of the contents of the letter from the lawyers representing Marc and Craig Kielburger has to be addressed. It is the reason I put a motion on notice, which I will read in just a moment, for the committee's consideration.

The committee went to great lengths—specifically, our committee clerk worked over several months—to secure an appearance by the proposed witnesses, Marc and Craig Kielburger. We bent and worked with their schedule, and had a scheduled date. That date no

longer worked for them. The committee found a new date that would work. In the days leading up to that meeting, we received this letter from the Kielburgers' lawyer. It said that they wouldn't appear at this committee. Not only would they not appear in response to the invitation; they also stated they would not appear if a summons were issued for them.

That's incredibly serious. Our committee and Canada's Parliament have the right to request that witnesses appear. We also have the right to issue a summons. For individuals to openly dismiss the invitations and to pre-emptively say that they will not respond to a summons really is flouting the legitimacy and the authority of Canada's Parliament. The letter from their legal counsel was, I think, shocking, and it was highly inappropriate.

These two gentlemen are both recipients of the Order of Canada and they often wear their pins on their lapel. For them to demonstrate to Canadians and to all the schoolchildren—they've appeared at their schools and invited them to events with their organization—that what they are doing is important but what Canada's democratically elected members are doing is not is absolutely the wrong message to send.

I will be moving a motion now that this committee do issue summons for both of these individuals, as follows:

That, pursuant to Standing Order 108(1)(a), and further to the motions adopted by the Committee on January 29 and February 19, 2021, in light of Craig and Marc Kielburger's refusals to attend the Committee on March 8, 2021, summonses do issue to Craig and Marc Kielburger to appear before the Committee, for at least three hours, at a date and time determined by the Chair but no later than one week following the adoption of this motion, provided that if either or both of them fails to appear after being served with the summons, or refuses or evades service of the summons, the Chair shall be instructed to present a report to the House forthwith setting out the relevant facts.

Chair, that motion was put on notice last week. It's available in both official languages. I, of course, will be supporting this motion, and would encourage all of my colleagues on committee to do the same.

Thank you.

**The Chair:** I find that motion in order.

I have three people on the speakers list. We'll go to Mr. Angus first, who will be followed by Mrs. Shanahan and then Dr. Carrie.

Mr. Angus, we'll turn to you.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Thank you, Chair.

First off, I would like to wish a happy International Women's Day to all of the incredible women parliamentarians in our institution and to the incredible women everywhere who do so much incredible work for building a better society.

[*Translation*]

Second, I'm very worried about the Kielburgers' reaction in defiance of the committee. So I will support my colleague's motion.

It is unacceptable for the Kielburgers to refuse to explain their actions. They have the obligation to appear before the committee to explain their role in the Canada Student Service Grant scandal. This is also their opportunity to explain their role and to respond to the allegations that they manipulated international donors. It is essential for the Kielburgers to respect Parliament's right to call witnesses and to initiate investigations on the disbursement of government funds.

[*English*]

I'm going to take a few minutes, if my colleagues don't mind, just to ask, "How did we get here?" and to put this in a very clear picture so that we understand, because we are dealing with a very disturbing and unprecedented situation with the refusal to appear and the threat to defy a summons.

Today should have been the last day of witness testimony of our study into the \$912 million in taxpayer money that would have been given to the Kielburger group. This study began eight months ago. It has been subject to an unprecedented level, I would say, of interference and interruption. Last summer, we were on the eve of getting key documents in the scandal, when the Prime Minister shut down Parliament because of the corrosive effects of the revelations that were coming forward from both the finance and ethics committee investigations.

When Parliament reconvened, our committee was blocked by filibustering on the government side for the equivalent of 20 straight meetings. That meant we were well into November before this committee could pick up where it left off in the summer. In the end, all parties came together and agreed that we needed to finalize this report as our obligation to Parliament. We agreed on a final set of meetings that would include the testimony from the Kielburger brothers and other key representatives of the WE organization.

Instead of us being able to finalize this report, the Kielburger brothers have announced that they are refusing to appear today. Not only that, but through their lawyers they have stated that the leadership of WE will also defy Parliament. I'm not sure if they're including some of their staff in that refusal. Even more extraordinary is their claim that they will defy a legal summons if it's issued. This is a direct challenge to the powers of Parliament to investigate spending and issues of insider access that are well within the purview of our committee, and it is well within the constitutional privileges that we have as democratically elected members representing the people of Canada.

What happened in the last two weeks to cause the Kielburger brothers to take such a reckless course of action? Well, a little over a week ago, we heard extraordinary testimony from a major WE donor who made allegations of donor manipulation. Mr. Reed Cowan is an Emmy award-winning journalist, and he is a member of

WE Charity's advisory board. Following his very emotional and powerful testimony to our committee, he stated the need for an IRS, CRA and police investigation into how this group raises funds.

Reed Cowan has a right to get answers from the Kielburgers, and those answers should have been presented to our committee today. Would the Kielburgers have faced hard questions? Certainly, but when you are in the business of raising charitable funds, trust and accountability are sacrosanct, so you show up and you answer the tough questions, because hard questions on fundraising are also fair questions.

Reed Cowan wasn't the only problem facing the Kielburgers last week. Bloomberg released a damning article entitled "WE Charity's Actions Leave a Trail of Enraged, Grieving Donors". The article lays out disturbing allegations of donor manipulation whereby the emotional ties of potential donors were played on to get major fundraising initiatives undertaken. Bloomberg states, "WE donors include grieving parents, school kids, corporate sponsors, wealthy foundations, and widows such as the 89-year-old Joyce Jennison."

• (1110)

They say:

Joyce Jennison is left wondering why that little schoolhouse with the green roof in the photo was dedicated to another grieving family. And where is [her husband] Don's plaque?

Because it's more than a plaque to her. It's his tombstone.

Joyce Jennison has a right to hear testimony today, but instead, the Kielburgers have gone to ground.

Then, last night, CBC followed up with a disturbing exposé of a similar pattern of donor manipulation in supporting a water project in Kenya.

Mr. Chair, when I watched that documentary, I was deeply moved by the incredible volunteerism that we see in our country in places like Whistler and Mount Forest, where so many people came together to make a difference. They were inspired by the promises of the Kielburger brothers about how their money was being spent. It made me think of my own two daughters, who, when they were young, read Craig Kielburger's autobiography. I drove them hundreds and hundreds of kilometres to Free the Children events. They began raising funds for a school in Nicaragua, because they believed.

We need to reassure people that their goodwill efforts matter and that their time and their fundraising are respected, because when you are in the business of raising funds, you are in the business of raising hope. All those people who believed and hoped they were making a difference have a right to hear the Kielburger brothers explain themselves.

Today was an opportunity for Craig and Mark Kielburger to take the hard questions and explain what is going on in their organization, but having to put those explanations on the record in televised hearings appears too much for them, so they have gone to ground.

They've stated through their lawyer that they will defy any legal summons to what they claim is an attempt by "a partisan...committee...to carry out its own substitute investigation". There is no substitute investigation. There is the parliamentary committee that has been assigned to this since last summer. It is the ethics committee investigation, and we are being blocked right now by their refusal to testify.

Fair question: What do the issues of grieving and angry donors have to do with the report of this committee? Well, when we look at the \$912 million that was being set aside for the Kielburger organization, it comes down to three questions.

One, was proper due diligence done on the claims made by the Kielburger brothers to deliver a very complex program involving a staggering amount of money in a very short period of time?

Two, did the Kielburgers get the inside track because of their close relationship to the Liberal government and the key ministers on the file, for whom the Kielburgers had curated strong personal connections? Did this inside track involve illegal lobbying? I would have loved to have Craig given the opportunity to explain how he worked those corridors of power and how he did follow the rules—if he did indeed.

The third question is, what exactly is this group and how do they operate? We have WE Charity. We have ME to WE. We have the WE foundation. We have a multiplicity of side companies, real estate holdings and shell companies. Bureaucrats took it for granted, as I think we all would have, that they were dealing with WE Charity, but in the end the Canadian people were asked to sign over \$540 million in that initial funding agreement to a shell company that was set up to manage WE's immense real estate holdings—a shell company. How is that possible? Is it because the Kielburgers' reputation was seemingly so stellar that no hard questions were asked?

After eight months of investigation by this committee, I can say that I'm sure every single member of this committee is no further ahead in knowing how the money flows or even how many corporate entities the Kielburger brothers control.

We would have asked those questions today, but they are a no-show.

Now, the Kielburgers are portraying themselves in the media as politically naive, that they were somehow the victims of partisan mugging, but the facts do not back this up. If you watch the meteoric rise of the Kielburger brothers, you realize that they carefully cultivated their political friends. They built strong relationships across North America. They knew how to work the Davos crowd. Also, the Kielburger brothers worked very closely with Justin Trudeau when he was running for leader. They helped create his image as the aspiring stadium hero for young people. They gave him a stage and helped build his brand, even to the point of doing promotional videos for him.

• (1115)

When Justin Trudeau became Prime Minister, the Kielburger brothers were essentially adopted as goodwill ambassadors for Canada. They led the Canada 150 celebrations. They were chosen to represent Canada at the UN, with a huge stadium-type show that featured the Prime Minister and his wife.

They cannot now defy our democratic institutions because they say they're partisan and they no longer work for them.

We learned how carefully they cultivated their relationship with then finance minister Bill Morneau. They hired his daughter. They sent their volunteers to work at his events, and they paid \$41,000 for him and his family to travel the world. No wonder Morneau's staff said Bill Morneau and the Kielburgers were "besties".

This relationship was so solid that on April 10, 2020, Craig Kielburger bypassed all staff in the finance office and wrote directly to Bill Morneau:

Hi Bill,

I hope this finds you, Nancy, Henry, Clare, Edward, and Grace enjoying some well-deserved downtime....

In that message, Craig was asking for Bill Morneau to sign off on a \$12-million grant. Within a mere 11 days, the finance minister gave a verbal sign-off on this funding.

At no point was Craig Kielburger registered to lobby. His director of government relations, Sofia Marquez, who was also not registered to lobby, said to our committee that she was not involved at all in the negotiations of this \$12-million proposal. This was handled by Craig Kielburger.

A \$12-million side deal negotiated by two besties is not how funding projects are supposed to be handled in Canada. Craig Kielburger could have been here today to explain how that went down, but he's not.

That April 10 outreach by Craig Kielburger led to the meeting with Minister Chagger on April 17, at which, according to both Marquez and Kielburger in their subsequent emails, Minister Chagger gave them the heads-up on this separate service stream proposal that became the \$900-million grant.

I have to point out here that both Minister Chagger and Minister Qualtrough, whose ministries oversaw this proposal, had been featured on stage at the WE Day rallies. There is nothing wrong with that, but the issue here is that when tough questions should have been asked, nobody was asking them.

Despite claims that the government was looking at other options, the documents are clear. The Kielburger group had the inside track from the get-go. There was no other group spoken to, no other organization offered the chance to bid. It doesn't cut it today for the Kielburgers, who exploited this extraordinary level of insider access within the corridors of power, to then refuse to answer questions about how they used these relationships to their advantage.

Let's just connect the dots, in my final segment here, between the "donor gate" scandal, which has emerged in the media, and the summer student grant scandal.

One of the deeply disturbing allegations in the Bloomberg article is the fact that multiple members of the WE staff joked about what they called "Kiel math".

Bloomberg spoke to nearly two dozen former staffers whose employment spanned two decades across the world. They described a corporate culture they said played fast and loose with the facts. "Kiel Math" was how staff referred to the way WE quantified its impact....

Why does that matter? Because we see all through the Kielburger documents to the Canadian government claims that simply don't add up.

Let's take the fact that the Kielburgers initially claimed they could take 16,000 students themselves. This is an organization that had just laid off hundreds. When assistant deputy finance minister Michelle Kovacevic wrote that they were not only going to take 16,000 but they were ready to take 20,000 students, then the Kielburgers toned it down and said they could handle 10,000. Any of those numbers would be extraordinary.

For anyone out there who had done any kind of work in trying to run programs to suddenly announce that over a month they would take 20,000, 16,000, or 10,000.... Maybe they could; maybe they couldn't. You would think that tough questions would have been asked, things like "Okay, exactly how is this going to go down?"

When they said they had toned it down to 10,000, they said they had a deal with Imagine Canada to get another 10,000 students placed. That was stated on April 30, by Craig Kielburger. It was updated in their claim of partnership on May 4. Minister Chagger did not question these claims; in fact, she brought their statement, word for word, into her cabinet briefing, so it was the Kielburgers' spin and "Kiel math" that were being used to sell cabinet on the idea.

This Kielburger language was repeated by ESDC to reassure the Treasury Board when it began to ask how this was going to go down. This is significant, because the Imagine Canada partnership reassured department officials that this project was doable, but there was no agreement with Imagine Canada. Neither Chagger's nor Morneau's office bothered to check.

• (1120)

Imagine Canada even felt a need to come forward to say that they had no partnership on this, yet in late June this supposed partnership was still being promoted in former minister Bill Morneau's notes. What does that tell us? Basic due diligence wasn't done. It was the Kielburger brothers and "Kiel math" that was trusted from the get-go.

If the Kielburger brothers had shown up today, we could have asked them those hard questions. Unlike their testimony from last July, we have the documents now that show how things really went down—something we didn't have when we first questioned them. They could have responded to all our challenges. If they had facts on their side, this was their opportunity to set the record straight.

Any group, any organization that's looking to receive \$912 million in taxpayers' money must be willing to show up and answer the hard questions. Instead, the key players in this scandal are refusing to testify and defying Parliament.

We have an obligation as parliamentarians at committee to take the evidence heard at committee and present it to Parliament. We cannot be obstructed in this work just because the central people in the drama do not want to be accountable. The fact that we've been forced to issue four legal summonses to compel testimony from an international charity that has worked in the schools of all our children is a staggering situation. Charities are transparent. Charities are accountable. We should not be in a situation of having to issue four legal summonses just to get answers about how they operate.

However, I would say, colleagues, that this issue is bigger than our committee and the Kielburgers because the threat to defy a legal summons from Parliament is not simply obstruction. It is a challenge to the entire parliamentary system that we have, because what we do as parliamentarians sets precedent. If we set a precedent that it's okay to ignore Parliament, then others will follow in due course and it will undermine the democratic accountability mechanisms that we have.

We have a big issue before us. What I would like to do today is to amend my colleague's motion to state that we will give the Kielburger brothers until this Friday to appear. If they do not appear at committee by Friday, we will consider them to be obstructing and hostile to the work of the committee. We will prepare the report that we have been working on as we intended to do and report that finding to Parliament. We will also—and I'm asking my colleagues to consider this—if they do not appear by Friday, prepare another report to Parliament to refer this issue of contempt of our committee to Parliament for its consideration.

Thank you.

• (1125)

**The Chair:** I will consider that amendment in order.

I'll go to Mrs. Shanahan now.

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

I take it we're discussing the subamendment now.

**The Chair:** The amendment, that's right.

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

Chair, I think these are the same remarks I had for the motion in general. I, too, was very dismayed at the public statements that were made by the Kielburger brothers in the form of the letter we all saw. Indeed, as a parliamentarian I realize that we deal with very difficult subjects, but they're of importance to the Canadian people. In our power to ask for witnesses, I find that we have—and I'd like to congratulate you and the clerk—shown flexibility in requesting the appearance of witnesses. I think this is more than disrespect. It is a challenge to the authority that we have as parliamentarians and this committee.

In that regard, Chair, I don't think there's a member here who is in disagreement. We're in agreement with the amendment and with the motion in general. If the committee wants to move to unanimous consent on both of these motions, we are in agreement.

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

There are three additional people on the speaking order now. It seems to me that they'd like to speak on it. Once they do, I hope that we can move to a vote.

We'll move to Mr. Carrie.

**Mr. Colin Carrie (Oshawa, CPC):** Thank you very much, Mr. Chair.

Colleagues, we've heard that as a parliamentary committee, we have the right to call witnesses. I would argue that we have an obligation to call these witnesses. Last meeting, we had a father pour out his heart about what he expected and what he worked hard for as the legacy of his son. Frankly, I think all of us were outraged but also even more committed to getting to the bottom of this. He said he didn't know who the bad guys are, and I committed to him that I would do my best to get to the bottom of it. When a witness comes before us, having dealt with such high levels and charities, and says that they feel they have been defrauded, I think it's up to all of us to pass this motion.

I'll let my colleague Mr. Angus know that I'm in favour of his amendment, because this is about the integrity and transparency of not only our government but also our entire charity system.

When I asked WE's government relations person, last meeting, if she was aware that former minister Morneau had not repaid \$42,000 for his trip to Kenya, she said she had no idea. Well, Mr. Chair, I think somebody knows, and we need to get to the bottom of it. What kind of trip do you get for \$42,000? I know people in Oshawa.... I have many constituents who, for heaven's sake, don't make that in a year, and frankly, this is not WE's money. This is the money of 14-year-olds who do bottle drives to give from their hearts to this charity to make a difference in other children's lives. This is about 12-year-olds who collect for months and years from bake sales.

Canadians and international donors deserve to have a system of integrity and transparency, a system that is free from scandal and above reproach, without ever thinking about the possibility of bribery, influence peddling or fraud. They deserve to know, and when we try to answer the question "Who are the bad guys here?", the Kielburgers' behaviour kind of narrows that in my mind.

I think, Mr. Chair, as I said, this is not just a right; this is an obligation. We need to move forward with this motion as soon as possible.

Thank you.

• (1130)

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

We'll turn to Monsieur Fortin.

[*Translation*]

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Thank you, Mr. Chair.

I will not repeat everything said by my committee colleagues, but I completely agree with them.

I was reading the letter from the Kielburgers' lawyer, and I thought it was a bit unseemly. As a lawyer, I am not sure I would have written that letter. In any case, I would not have written it like that. I can understand that he does not want his clients to testify, but I mostly think it is an announcement that someone will act in contempt of Parliament. I think that is unacceptable.

Of course, I fully agree that what happened in the WE Charity business with the Prime Minister merits further consideration. It is scandalous. This has been said over and over since last summer in all committees. I still agree with it.

Beyond that whole substantive issue, we cannot tolerate someone telling us in advance that they scoff at Parliament's orders. That is unacceptable. There is a process for opposing a summons if a person thinks it is invalid. They can request that the summons be suspended. There is legal recourse for that, but they certainly cannot say that they do not intend to obey and that they don't care. That is unacceptable.

If we tolerate this, I don't know where things will go, but I will be a bit embarrassed. I think we must react. In any case, the Kielburgers would benefit from coming to explain themselves, if only to correct what has been said, as the accusations that have been made are serious. I am thinking of all the witnesses, the CBC article I was reading this morning and the *Fifth Estate* report from about two weeks ago. All that is serious. Reed Cowen's testimony contains serious accusations. If I was one of the Kielburgers, I would want to explain myself and clear my name. I cannot understand them hiding as they are.

Beyond this, as parliamentarians, we have the responsibility to say to all Canadians that, when they receive a summons, that is an order that must be obeyed. If they don't agree, there is a process for asking that the summons be quashed, but they cannot just shirk their obligations.

For those reasons, I intend to support the motion, as well as Mr. Angus's amendment, which I have no problem with. An appearance must take place without delay, be it this week or next week, and the message must be clear.

Thank you.

[English]

**The Chair:** Thank you.

Monsieur Gourde, we'll turn to you.

[Translation]

**Mr. Jacques Gourde (Lévis—Lotbinière, CPC):** Thank you, Mr. Chair. I won't take very long, either.

I support the amendment and the motion. When we received the letter on Friday, I was very disappointed to see that this saga would no doubt continue through lengthy proceedings. That's really disappointing for our committee and for Canadians, who have the right to know the truth. We have the right to know what the Kielburgers have to say to the committee about all that we have heard for nearly a year, after all the work we have done.

It makes no sense to refuse to talk to a parliamentary committee. It should be considered an honour to be invited to appear before a committee to explain matters. Right now, the Kielburgers are ignoring an invitation to explain themselves before all Canadians.

I will not delay the committee's work any further. I hope we will be able to vote immediately, Mr. Chair, if no one is opposed.

• (1135)

[English]

**The Chair:** Thank you, colleagues.

I'm not seeing anyone else wanting to intervene. We will move first to the vote on the amendment. I will seek the committee's.... It looks like there's unanimous consent to move on the amendment. I'm seeing heads nodding.

Is anyone opposed to moving the amendment?

There is full support for the amendment.

(Amendment agreed to [See Minutes of Proceedings])

**The Chair:** For the amended motion, then, colleagues, it looks like there is support. Is anyone opposed?

I am not seeing any opposition. It is unanimous.

(Motion as amended agreed to)

**The Chair:** I will sign the summons as soon as possible, as soon as it can be drafted. That will be delivered to the Kielburger lawyers as soon as possible.

Colleagues, we do have a few other items with regard to committee business. I did want to inform committee members that the MindGeek documents for our committee have been delivered. Those were the ones we requested. The introductory letter alone was seven pages long. That has been translated now and circulated to the members. Hopefully, you were able to receive that.

The remaining documents are thousands of pages of documentation. We have asked the analysts to review the documentation first to ensure that all the things that were requested are included in that compilation of documents. We will hear back from the analysts once they've been able to confirm. You can imagine that it will take a little bit of time for those documents to be translated before they

can be distributed. We did want to give you a heads-up in terms of those facts. Hopefully, every member has been able to read at least the introductory letter that was circulated to members.

Pardon me; I said the seven-page cover letter has been delivered, but it has not yet been delivered. You haven't read it yet, because you haven't received it yet. You will receive it today. Apologies to members for that.

In terms of the WE study, the letter has been sent from the committee with the questions that committee members had with regard to Victor Li and his counsel. We will expect that those will be responded to according to the instructions by committee. We will continue to keep committee members informed. I just wanted to inform you that we are on track, or at least we've done our part in terms of getting those out to him. We will inform committee members if we hear anything back from Victor Li.

**Mr. Charlie Angus:** A point of order.

**The Chair:** Yes, Mr. Angus.

**Mr. Charlie Angus:** One of the things that concerned me in the letter from the lawyers from the Kielburger brothers was that they said that nobody from WE leadership would participate. I would place the CFO, Mr. Victor Li, as one of the WE leadership. Do we have a sense that he's willing to continue to work with us, or did this letter from the Kielburger brothers include Mr. Victor Li as no longer being willing to provide information on the finances of the organization?

**The Chair:** We haven't had any correspondence from him since we delivered the questions, so we don't know. I guess we will find out. It was startling, I think, for all committee members to read the letter generally but also to see the letter speak on behalf of a whole host of folks who weren't named in it. Obviously, I've heard it's concerning to committee members, so we will be mindful of that and inform you immediately if we hear anything back in terms of their intention to respond to those letters, as they agreed to.

We do have a budget that has been prepared by the clerk for the Pornhub study. I think that budget has been circulated. It's in the amount of—

[Translation]

**Mr. Rhéal Fortin:** Mr. Chair, I have a point of order.

My understanding is that we voted unanimously in favour of Mr. Angus's amendment, and that is good, but we have not voted on the main motion. I think that we should adopt it first.

I am announcing right away that I will propose that the committee consider the three short motions moved by my colleague Ms. Gaudreau.

That said, I think we should first vote on the main motion as amended.

[English]

**The Chair:** I did ask members if there was anybody who opposed it, and I did rule that in fact it had been accepted by committee members. Not having seen any opposition to that, I said that it was unanimously passed, so that is completed.



I do have a couple of people on my speaking list. I'd like to get this budget passed by committee members before I begin that. I know that Mr. Angus wants to get on the speaking list right away as well.

In terms of the budget, have members been able to review that? I don't think there have been any concerns raised with regard to what is a modest budget for that particular study.

Not seeing anybody who wants to speak on that, I will ask if there is anybody who opposes that budget for that particular study.

Not seeing that, I will accept that as having been passed by committee unanimously.

Mr. Angus, we'll turn to you.

• (1140)

**Mr. Charlie Angus:** Thank you, Mr. Chair.

I brought forward two motions. One is a long-standing motion that we have agreed to in the past on facial recognition technology, which I would like to bring forward. We were waiting for the privacy law bill, but if it's not coming up, I would like to get the facial recognition technology study under way in the meantime.

My motion that I would like to bring first, out of the two motions, is following up on the issue of the questions that have arisen out of the Pornhub/MindGeek study. I think we have all learned a great deal. I think we are in a position and somewhat ready to start working on a report, but to me there's one fundamental outstanding question. We seem to have very strong laws in this country regarding non-consensual images and issues of child porn. We've looked at the laws. They're strong, but we don't see any enforcement mechanisms, so my motion is:

That, pursuant to Standing Order 108(3) and in light of the testimony from representatives of the RCMP at committee on February 22, 2021, and the apparent lack of enforcement of Canadian laws relating to issues of possession and dissemination of child pornography as well as the posting of non-consensual sexual acts on Canadian Internet Services, that the committee immediately call Public Safety Minister Bill Blair to appear and explain his government's position on the enforcement of Canadian laws relating to the non-consensual abuse of both children and adults on online platforms.

I bring forward this motion because I think we can't really make recommendations to Parliament until we know what it is politically or higher above the RCMP such that the laws that Parliament has adopted are not actually been enacted, so I'd like to ask Mr. Bill Blair to come and say how they perceive it. Then we can prepare our report to Parliament.

I would put that motion on the floor for debate.

**The Chair:** Okay. We do have a motion before us. We'll get a speaking list on that.

I know that Mr. Fortin also would like to move a motion.

[*Translation*]

**Mr. Rhéal Fortin:** Mr. Chair, before you heard from my colleague Mr. Angus, I had already announced that I wanted the committee to debate my colleague Ms. Gaudreau's three short motions. I don't want to undermine the importance of Mr. Angus's motion in any way. I think it is an important motion the committee should consider. However, these three short motions have already been dis-

cussed at the Board of Internal Economy and among party whips. I think this can be resolved in five minutes. I would not want it to be postponed indefinitely.

Unless I am mistaken, I think I was the only one with a raised hand when I announced it, so I don't understand why you don't want to discuss it now.

[*English*]

**The Chair:** No. I do apologize. I did have Mr. Angus on my speaking list. He doesn't show up on the Zoom speaking list because he is in person. Mr. Barrett and Mr. Angus have to inform the clerk or me if they want to be.

In this case, Mr. Angus was on the list before you, but we will get to you as soon as we can dispose of the motion that's currently before the committee.

[*Translation*]

**Mr. Rhéal Fortin:** Okay, thank you.

[*English*]

**The Chair:** Is there anybody who would like to speak to Mr. Angus's motion?

Yes, Mr. Barrett.

**Mr. Michael Barrett:** Thanks very much.

I'm supportive of Mr. Angus's motion and I think it's important that we have the opportunity for the minister to explain the government's position, but I would like to offer an amendment. It's small in the number of words, but I think it's large in terms of the impact it would have.

The amendment would be that, after "Bill Blair", we add "and Justice Minister David Lametti". It would read, "that the committee immediately call Public Safety Minister Bill Blair and Justice Minister David Lametti to appear and explain their government's position on the enforcement of Canadian laws relating to the non-consensual abuse of both children and adults on online platforms."

Thank you.

• (1145)

**The Chair:** Mr. Fergus.

[*Translation*]

**Mr. Greg Fergus (Hull—Aylmer, Lib.):** Thank you very much, Mr. Chair.

I would like to talk about the amendment proposed by Mr. Barrett. I support Mr. Angus's motion, but issues related to law enforcement by the police come under the Minister of Public Safety and not the Minister of Justice, as I see it. Perhaps the clerk could confirm this.

That is why I support Mr. Angus's motion without this amendment, as desirable as it may be. I know that Mr. Barrett proposed it in good faith, but this does not come under the Minister of Justice.

[*English*]

**The Chair:** We are now debating the amendment.

We'll turn to Ms. Lattanzio, and then to Mr. Carrie.

**Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.):** Thank you, Mr. Chair.

[*Translation*]

My question is for Mr. Barrett. I would like to get a clarification on what my colleague Mr. Ferguson just brought up.

What would he say is the justification behind the amendment to request that the Minister of Justice appear to discuss law enforcement?

I can understand inviting Minister Blair to appear, but I don't see how this amendment is justified, unless we want to discuss other topics and would not be limited to just the enforcement of our laws.

I would like my colleague to elaborate on this, so that I can make an informed decision.

[*English*]

**The Chair:** Mr. Carrie, we'll turn to you.

**Mr. Colin Carrie:** Thank you very much, Mr. Chair. Maybe I can help my Liberal friends.

There was a huge rejig in, I think it was, Bill C-75, where the Liberals passed a reform of the criminal justice system. One of the things in that bill was a change in regard to human trafficking, where in some instances instead of being a criminal offence, human trafficking was going to be moved into a summary conviction. For anybody who is not a legal person, that means the penalty could be two years minus a day and a \$5,000 fine. As we heard quite regularly throughout the study we're talking about, human traffickers are extremely active in recruitment and abuse in regard to these images on the Internet.

I think it would be great to have Mr. Lametti—who made that change—in front of the committee to explain the [*Technical difficulty—Editor*]. Maybe instead of making this situation, let's just say, less common, perhaps we're seeing a greater incentive for these traffickers to be found guilty in Canada, where there is much less risk, than in the United States. A \$5,000 fine could be seen as.... If one person is trafficked, we've heard numbers of \$250,000 or \$300,000 per year being made off one trafficked person. This would be just the cost of doing business.

Maybe this would be something that Mr. Lametti could explain to committee and maybe take a second look at.

**The Chair:** Thank you.

On my list, I have Mr. Angus and then Mr. Sorbara.

Mr. Angus, go ahead.

**Mr. Charlie Angus:** Thank you.

Well, to sort of work in between both my Liberal and Conservative colleagues, we are not studying human trafficking here. That was something we had to be very clear about in the beginning, because that's really the purview of Justice or the status of women. However, I do support calling the Minister of Justice, because I think it's pretty straightforward. The laws we have clearly have not been enacted. By asking the security minister to come, he could explain the overall culture in terms of how the laws are being inter-

preted. By having the justice minister come, he could explain whether or not the laws are sufficient.

I think this is an important conversation. I don't see that this is adversarial. I want to know: Do we need to come forward with changes to the law to make it actually applicable and enforceable, or is the law sufficient and it's a question of the police not doing that? I think by having the two of them there and staying focused on that, we could get straight answers. I don't think this has to be something that we debate.

I will certainly support the amendment of my colleague.

• (1150)

**The Chair:** Mr. Sorbara.

**Mr. Francesco Sorbara (Vaughan—Woodbridge, Lib.):** Thank you, Mr. Chair.

Good morning, everyone. This is my first intervention this morning, so I would like to join in and say happy International Women's Day to all the wonderful women in our society.

In terms of the debate at hand and the issue with inviting Minister Lametti, I'm going to disagree, only because I think the human trafficking aspect is not relevant to the study at hand. Second, that is an issue that really pertains to the justice committee, for the reasons that are being given. It really pertains to the justice committee, not our committee and not this study.

I would like to see the head of the RCMP and the director of public prosecutions be called. I think those two individuals would be much more relevant than the justice minister. I don't want to say that people have gone offside, but in terms of the focus, in terms of why the existing laws on the books are or are not being used, and in terms of some of the clarification questions that I know many of my colleagues have, I would think that this would be an angle that would be more productive to go down in the time we are currently allotted.

Those are my humble thoughts, Chair. Thank you.

Again, good morning to everyone.

**The Chair:** Colleagues, I don't have anybody else on the speaking order.

First, in terms of the amendment on the motion, I get the sense that there's some division with regard to this. I'll ask members to raise their hands either in support of the amendment....

Mrs. Shanahan, I see that your hand is raised. Is that to speak to the motion before we go to the vote?

**Mrs. Brenda Shanahan:** Thank you very much, Mr. Chair.

While we're adding names to the motion, I'd like to propose a subamendment. I will move the subamendment that we add to the motion Brenda Lucki's name and the director of public prosecutions' name. That would be a subamendment.

**The Chair:** Okay.

This is an amendment to the amendment. I guess we'll deal with that first.

Would anybody like to speak with regard to the subamendment?

**Mr. Charlie Angus:** Let's vote.

**The Chair:** Let's vote. So, we'll first vote in terms of adding Ms. Lucki's name to the list.

All those in favour, please indicate by raising your hand—

**Mr. Charlie Angus:** A point of order, Mr. Chair.

**The Chair:** Mr. Angus.

**Mr. Charlie Angus:** Didn't Madame Shanahan say Ms. Lucki and the director of public prosecutions? That's what I thought she said. Wouldn't you have to name them both for the subamendment?

**The Chair:** I missed that, sorry.

I'm seeing the indication that this in fact was the intention.

**Mr. Charlie Angus:** Yes.

**The Chair:** Is this a subamendment to the list, or was this a separate amendment? I guess that's the first question.

**Mr. Charlie Angus:** I accept it as a friendly subamendment.

**Mrs. Brenda Shanahan:** Agreed.

**The Chair:** Okay. Very good. So it will be a subamendment.

We are currently voting on adding the names of the director of public prosecutions and the commissioner.

All those in favour, please indicate via your “raise hand” icon.

(Subamendment agreed to [*See Minutes of Proceedings*])

**The Chair:** That is passed unanimously.

Now we will move to the amendment, which is now amended to include three names—

• (1155)

**Mr. Greg Fergus:** Mr. Chair, I just want to note that it wasn't passed unanimously. I had not put up my hand.

**The Chair:** I apologize.

Thank you, Mr. Fergus.

**Mr. Michael Barrett:** Mr. Chair, will that just pass on division now?

**The Chair:** Yes, it will pass on division.

**Mr. Michael Barrett:** On a point of order, Chair, I'm just not sure if we can exercise a vote by raised hand. I might be getting some gentle coaching from the clerk, who is sitting six feet away from me right now. While we can accept it on division, we can't do it by raised hand. I guess it's consensus, on division or roll call.

**The Chair:** Very good. I should be paying attention to the clerk as well. I appreciate the instruction and the help. If I would simply watch my text this would work a lot easier.

Now we will move to the amendment that has been amended.

**Ms. Patricia Lattanzio:** Mr. Chair, can you just read out the amendment so that it's clear to everyone what we're voting on?

**The Chair:** The amendment now includes the Minister of Justice, and then the two additional names of the commissioner and the

director of public prosecutions. Those three names are now in the amendment.

(Amendment as amended agreed to on division)

**The Chair:** Now we are moving to the amended motion in its entirety, which includes all of those names added to the public safety minister.

I'm not seeing anyone wanting to speak to that, so we'll move to a vote.

Is there anyone opposed to the motion as amended? I am not seeing any.

(Motion as amended agreed to)

**The Chair:** Thank you. That is approved on division.

Mr. Fortin, we'll turn to you now.

[*Translation*]

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

You say that it was carried on division, but no hands were raised, so I assume we were all in favour of the motion. This is just a formality, so I will let you deal with it.

I would like to ask the committee to adopt the three motions for which notices were previously submitted by Ms. Gaudreau and which aim to add certain things to our routine motions. I don't know whether you want me to read them one by one or all three at the same time. I don't have a preference. There won't be any long debates. Unless I'm mistaken, everyone is aware of these motions, and I even feel that we all support them.

Do you have a preference in terms of the order, Mr. Chair?

[*English*]

**The Chair:** No, I don't have a preference, but I would like to deal with them one at a time.

Let's deal with one motion at a time. I have no preference as to which order you move them in.

[*Translation*]

**Mr. Rhéal Fortin:** Okay. So I will read the first one that is in front of me, concerning technical tests for witnesses:

That all documents submitted for Committee business that do not come from a federal department or that have not been translated by the Translation Bureau be sent for prior linguistic review by the Translation Bureau before being distributed to members.

There were issues in some committees and, according to what I have been told, it was agreed that the Board of Internal Economy put in place such a provision.

I also don't think there were any issues at the Standing Committee on Access to Information, Privacy and Ethics, but this helps clarify the issue and ensure that the documents presented have been reviewed, both in English and in French, and that the translations are in line with the proposal's spirit.

**Mr. Charlie Angus:** Okay.

[English]

**The Chair:** The clerk is circulating that again to members if they don't have it in front of them.

I see Mr. Fergus raising his hand. Was that to get on the speakers list?

Mr. Fergus, we'll turn to you.

[Translation]

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

I would like to thank my colleague from the Bloc Québécois, for whom I have a great deal of respect, especially because of the work he does to promote French. As he knows very well, I am a great francophile.

I would like to ask a question about the motion's content. The clerk can correct me, but it seems to me that the translation of motions or any other documents to do with the committee goes through an editing process in compliance with the standards found elsewhere. It is done by the Translation Bureau or by various departments.

Can the clerk explain to us the current process?

• (1200)

**Mr. Rhéal Fortin:** Mr. Chair, I will answer my colleague Mr. Fergus if I may.

Mr. Fergus, the motion's wording specifies that we are talking about documents that have not been translated by the Translation Bureau and that do not come from a federal department. We could be talking about a document from a witness, for example.

**Mr. Greg Fergus:** Okay, I understand. My apologies.

[English]

**The Chair:** We're going to continue with our speaking order here. If anybody has additional questions after that, we can see if we can add some clarity to that.

Mr. Carrie, you're on the speakers list, and then we have Mrs. Shanahan.

[Translation]

**Mr. Colin Carrie:** Thank you, Mr. Chair.

I would like to thank my colleague for moving this motion. I would like to add two words to the English version.

[English]

The motion in English would say "that all documents submitted for committee business that do not come from a federal department". I'd like to add the words "members' offices", just so that if something comes translated from a member's office, it doesn't get caught up in the process for translation.

[Translation]

**Mr. Rhéal Fortin:** I accept the amendment, Mr. Chair.

[English]

**The Chair:** Okay. Very good. We're debating the amendment, I guess.

[Translation]

**Mr. Colin Carrie:** Thank you.

[English]

**The Chair:** Mrs. Shanahan, it's over to you.

[Translation]

**Mrs. Brenda Shanahan:** I am trying to understand the process.

Do witnesses ever provide their own translation, or does the Translation Bureau always provide that service?

I know that we have certain standards in Parliament, and that it is important to respect them. I sometimes receive documents from a francophone and realize that things are not said in the same way in the two languages. Sometimes, the vocabulary is different.

So I understand the principle behind the motion, but we must ensure that the process is effective. The translation must be of a certain quality, but at the end of the day, that should not prevent the committee from hearing what comes directly from witnesses.

[English]

**The Chair:** Thank you, colleagues.

Not seeing any additional speakers on this, I will move to a vote. Is there anyone who is opposed to the amendment to this motion? Not seeing anybody, we'll consider that passed.

(Amendment agreed to [See Minutes of Proceedings])

**The Chair:** Is there anybody who would like to speak on the motion as amended?

Not seeing anybody, we'll ask if there's anybody opposed to that. Not seeing anybody, we will consider that motion passed.

(Motion as amended agreed to)

**The Chair:** Mr. Fortin, we'll go back to you. I believe you've indicated that you have three motions you'd like to move.

[Translation]

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

I will propose the second motion, which concerns documents translated by the Translation Bureau:

That the Clerk inform each witness who is to appear before the Committee that the House Administration support team must conduct technical tests to check the connectivity and the equipment used to ensure the best possible sound quality; and that the Chair advise the Committee, at the start of each meeting, of any witness who did not perform the required technical tests.

Once again, the issue has not really been raised in all committees, but it has been brought up in some of them. The objective is to ensure that interpreters can hear testimony well, so that they can provide an accurate interpretation. This is just a formality.

Carrying out technical tests before the start of meetings will help us avoid meeting delays when witnesses don't have the right microphone or cannot be heard for whatever reason.

• (1205)

[*English*]

**The Chair:** Thank you.

We'll turn to Mrs. Shanahan.

[*Translation*]

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

Once again, I understand the principle of this motion very well, but I think these rules already exist. I think the clerk and other employees are trying to implement this. This may be a matter of time. Sometimes, issues arise, and we lack time.

So I would like to get explanations on this issue to find out whether something is missing in the rules. Of course, we need to hear witnesses properly, but we also understand that technical difficulties sometimes arise. So I would like to hear from the clerk on this.

[*English*]

**The Chair:** I can inform members that every effort is undertaken to do a technical test before committee meetings. We've had the experience, even in our own committee meeting here, of technical tests being undertaken, even days in advance, and partway through a particular meeting things changing technically. The challenges then persist from there on in.

While it is the usual practice, it has not been codified through a motion, and every effort has, up until this point, been to.... There is a protocol within the offices to ensure that every witness does have a technical test, but, of course, challenges do arise.

I hope that answers the question.

We'll go to Ms. Lattanzio.

[*Translation*]

**Ms. Patricia Lattanzio:** Thank you, Mr. Chair.

I am also a member of the Standing Committee on Official Languages, where we just carried out a study on technical difficulties, the Zoom platform and anything to do with the work of members and witnesses appearing before the committee. We wanted to ensure they had the necessary tools to participate in meetings effectively and that their remarks were translated and interpreted appropriately. We are preparing to table a report soon on the comprehensive study we carried out. We heard from a number of witnesses.

Concerning this motion, unfortunately, I cannot support it, for the simple reason that a study has already been carried out on this, in my opinion.

I propose that we wait for the report concerning this study carried out by the Standing Committee on Official Languages to be

tabled and that we give ourselves the time to review it. Then, if anything is missing, Mr. Fortin or Ms. Gaudreau could submit a new request to the committee. I think the issue has already been studied by the Standing Committee on Official Languages.

[*English*]

**The Chair:** Thank you.

We'll turn to Mr. Angus now.

[*Translation*]

**Mr. Charlie Angus:** Thank you.

It is very important for the committee members to have access to interpretation of professional quality. It is also important for witnesses to be able to speak on Zoom without technical difficulties. It is very complicated.

• (1210)

[*English*]

I support the principle of the motion, because of course this is a fundamental right. My only concern, in making it a motion, would be whether or not we're suggesting that this is not already the case. We are dealing with very difficult circumstances, sometimes not just across the country but also internationally, to get witness testimony. I would want to believe that at every opportunity, every effort is made by the clerk and the team to make sure they work to a high level of professionalism.

I wouldn't want someone to say that their privileges were being undermined because the motion wasn't respected if there are technical problems. There will be technical problems in everything we do.

I'm interested in seeing the report from the official languages committee. I'm more than willing to support this motion, but I'm suggesting that maybe we want to see this report and see the best way for us to ensure that people have access and can hear the translations properly over Zoom or other forms. Maybe we want to hear from this committee report.

**The Chair:** Mr. Dong, we'll turn to you.

**Mr. Han Dong (Don Valley North, Lib.):** Thank you, Chair.

Happy International Women's Day to all female colleagues.

Miriam and all the support staff, thank you very much for all your work.

I understand where the intent of this motion is coming from. I remember from time to time Madame Gaudreau or even members from my own caucus raised concerns over technical difficulties and not being able to hear the proper translation. I really understand the frustration there. I also recognize the attempt by the clerk and all support staff to make this work. Unfortunately, we're under COVID. I see Zoom as a temporary measure. We won't always be seeing each other over a screen. I really miss the days of seeing everyone in person at the committee.

My point is along the same line as Mr. Angus's. Respectfully, I understand that this is very frustrating at times. I also recognize that sometimes it's very difficult to make everything work. We are dealing with technology. I sometimes have a Wi-Fi problem as well. Everything can come into play when it comes to translation quality.

Respectfully, I would ask Monsieur Fortin if he would consider perhaps postponing the decision on this motion until the study from the language committee comes to a conclusion. Then it may enlighten us with some solutions that we can act on. The motion itself is great. It's a well-intended motion, but I don't know if the solution is there. I just want to see things moving along as smoothly as possible for the committee. I don't want this motion to be necessarily adding delays or more challenges to an already challenging situation for the support staff.

Thank you, Chair.

**The Chair:** Thank you.

We'll turn to Mr. Fortin. He's the last member on the speaking list.

Mr. Fortin.

[*Translation*]

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

I'm delighted to hear that everyone agrees conducting technical tests before committee meetings is a good idea. I gather it is common practice, and that's great. I think just about every committee does it, but unfortunately, the practice is still not set out in a routine motion, and it should be.

Nevertheless, I think everyone would agree with me that our interpreters, technical staff and clerks have been doing an outstanding job during the pandemic. We have all had to work differently, with Zoom and so forth. The honourable member said it was temporary. If so, even better. I, too, miss our in-person meetings in Parliament or, as we francophones have learned to say in recent months, *réunions en présentiel*. However, we don't know how long we will continue to need Zoom to see one another. We need to make sure we can work effectively and diligently, so we should put the necessary tools in place.

Earlier, Mr. Angus said that we mustn't delay or prevent the appearance of witnesses before the committee because hearing from them already has its challenges. I agree with him, but that's the point: we need to help them. The motion does not say that the committee will reject witness testimony. The idea is to adopt a routine motion requiring that technical tests be conducted with all witnesses prior to committee meetings. I did not hear anyone on the committee call this a bad idea. I think we all agree that it's a good idea.

The honourable member brought up the fact that the Standing Committee on Official Languages was conducting a study on this topic. That's great, but every committee is independent. Just because the official languages committee adopts certain measures, it does not mean that the members of every committee will agree with them. Even better if they do. However, I think we should all have the same routine motions. That's just my opinion.

The fact remains that, as we speak, every committee is independent. We should make our own decision on how we wish to do things here, on the Standing Committee on Access to Information, Privacy and Ethics. If everyone agrees with the substance of the motion, meaning that technical tests should be conducted with witnesses prior to committee meetings to make things easier for witnesses and interpreters—and to give us assurance that everything is running smoothly when it comes time for witnesses to appear before the committee—we should adopt this motion.

If a month, a year or two years down the road, the Standing Committee on Official Languages or some other committee submits a report stating that more can be done, we can always amend the rule and adopt a better approach. Nobody would argue with that. In the meantime, though, as we wait for another committee's report or decisions, I think our committee would do well to adopt a simple rule that is already consistent with the current practice—a rule stating that the committee will conduct technical tests before hearing from witnesses.

● (1215)

[*English*]

**Mr. Charlie Angus:** Put me down on your list, please, Mr. Chair.

**The Chair:** I don't have anyone else on my speaking order, so now we'll move to a vote.

Is there anyone opposed to the motion?

**Mr. Michael Barrett:** Mr. Chair, I have a point of order.

**The Chair:** Yes, Mr. Barrett.

**Mr. Michael Barrett:** Mr. Angus was trying to get in before you called the vote.

**The Chair:** Oh, pardon me.

[*Translation*]

**Mr. Charlie Angus:** There is no problem. I'm ready to vote, and I'll be supporting the honourable member's motion.

**Mr. Michael Barrett:** My apologies, then.

[*English*]

**The Chair:** Very good, colleagues. We'll move to the vote, then.

(Motion agreed to)

**The Chair:** Mr. Fortin, we'll turn back to you. I believe you have one final motion that you'd like to move.

[*Translation*]

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

The last motion pertains to substantive motions and amendments to substantive motions in writing in both official languages. It reads as follows:

That the text of any substantive motion or any motion in amendment of a substantive motion be distributed in writing in both official languages to all Committee members before the Committee begins debate on such a motion.

It's what common sense dictates. We all know that Parliament is bilingual and that parliamentary business is formally conducted in both official languages. All we are saying is that, when the committee is called upon to consider a motion, that motion must be provided in writing in both official languages before the committee can dispose of it. That helps to eliminate not only confusion, but also situations where members end up voting one way when they would have preferred to vote the other way all because they did not understand the meaning of the motion.

[*English*]

**The Chair:** Mrs. Shanahan.

[*Translation*]

**Mrs. Brenda Shanahan:** I am against the Bloc Québécois's motion because we have interpreters for a reason. They interpret the committee's discussions. We all saw them in action today when committee members were proposing amendments.

Part of our role is to have free-flowing discussions about committee business. I would remind members that speaking more slowly is what helps interpreters to do their jobs. We've all been guilty of speaking too quickly at some point. Unless members feel the measure will help the committee carry out its work, I do not think it's necessary to provide amendments and motions before the committee discusses them. Although well-intentioned, the motion is unnecessary because the interpreters do excellent work. They are more than capable of making sure every committee member understands what's going on during the meeting.

That does not prevent a member from requesting a break in order to better understand a motion, to read it over, or even to ask the clerk to rewrite it to make it acceptable. That was done when we were meeting in person, so it remains an option. The committee members are very open to that sort of thing.

However, I think imposing requirements on motions brought forward by members will impede the committee's work.

• (1220)

[*English*]

**The Chair:** Thank you.

I have a few people on the speakers list.

We'll turn to Mr. Angus, and then we'll go to Mr. Fergus and Mr. Fortin.

Mr. Angus.

[*Translation*]

**Mr. Charlie Angus:** Thank you, Mr. Chair.

I completely agree with what Mrs. Shanahan just said. Unbelievable.

[*English*]

I understand my colleague's preoccupation with this, but I've been in opposition for 17 years. When you're in the opposition, and when you are sometimes the only member, you have to protect the rights and privileges that you have at committee. Otherwise, your voice can easily be shut down.

One of the rights I have is to make amendments to try to find a solution or to put forth something that I think is really important. To say that we'd have to stop the committee meeting and committee business because it isn't in writing could be a way, I think, to shut down certain voices. It would certainly slow down the work of our committee, and it would make our ability to find our way through difficult situations impossible.

Even today we had a couple of amendments. Imagine having to stop and say, "We'll wait until Friday so we can get it all written down, and then we can agree to it." It would be untenable, and it would interfere with our work.

I'm ready for a vote on this.

**The Chair:** Thank you.

We'll go to Mr. Fergus.

[*Translation*]

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

I applaud the honourable member's intentions in proposing this motion, but I land somewhere between Mr. Angus and Mrs. Shanahan.

Mr. Fortin said that his motion concerned substantive motions, not necessarily amendments, if I understood correctly. The problem I have is that it could impede a member's work and infringe on their privilege to put forward a motion after hearing a witness's account or a discussion, for instance.

I suggest that we do what we've done in the past when dealing with a complicated motion: take a quick break to review the motion and ask the clerk to email it out to the members. The clerk cannot send out anything that has not been translated, so the interpreters or available staff could help translate the motion. It's important that the committee continue to have that flexibility in its proceedings.

My hope, of course, is that motions will be put forward in writing and handed out 48 hours in advance, whenever possible, but we need to retain a certain degree of flexibility, so we can deal with matters immediately and be responsive to emerging concerns.

For those reasons, I cannot support the motion, as moved.

• (1225)

[*English*]

**The Chair:** Mr. Fortin, you're the last person who would like to speak on this.

Go ahead.

[*Translation*]

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

My friend Mr. Angus pointed out how shocked he was that he agreed with Mrs. Shanahan, so now, it is my turn to shock him. I, too, agree with him and Mrs. Shanahan, as well as Mr. Fergus.

I understand the concern that was raised. The motion is not meant to delay the committee's work. On the contrary, it's meant to ensure that the committee works diligently and effectively. With that in mind, I will go so far as to propose an amendment to my own motion.

Mr. Chair, if it pleases the committee, we could strike the part that reads "or any motion in amendment of a substantive motion", so that the motion refers only to "the text of any substantive motion". The idea is to encourage members to take the time to ensure substantive motions that are put on notice are written in both official languages.

Mr. Angus gave a good example of amendments being proposed in the course of committee discussions when he referred to the amendment put forward by the opposition earlier, an amendment on which everyone agreed. If I understand Mr. Fergus's comments correctly, he is suggesting that, when dealing with an overly tricky or complicated amendment, we suspend the meeting to take the time to draft the amendment properly. The interpreters can then translate it into the other language, so it can be sent out to all the committee members in writing. That's what Mr. Fergus just said. I think that's the right thing to do and I support it. We can't be perfect, but it is an effective way of doing things.

For that reason, Mr. Chair, I would support removing the wording "or any motion in amendment of a substantive motion" from my motion. No one had anything negative to say about the rest of the motion, so if the committee members are amenable, we could vote on the amended version of my motion.

[*English*]

**The Chair:** Thank you.

I'm going to intervene and take the chair's prerogative, Mr. Fortin.

It's actually not possible for you to amend your own motion. Of course, if it was allowable, if your motion passed it would no longer be allowable. I think we probably should go to a vote. Then, if you would like to bring it back in an amended form, we could do that.

If you would like to withdraw it, we can get unanimous consent to do that, or we can simply go to the vote.

[*Translation*]

**Mr. Rhéal Fortin:** I understand, Mr. Chair.

In any case, that's the amendment I was proposing. I agree that it should come from someone else. Perhaps Mr. Angus or Mrs. Shanahan would like to propose the amendment. I'll leave that up to you. If not, we can vote on the motion as is.

[*English*]

**The Chair:** Mrs. Shanahan, you're still on the speaking list. I think you'll be the last before we go to the vote.

• (1230)

[*Translation*]

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

I'm afraid I think we should vote on the motion as is. To my mind, the principle is the same whether it pertains to the motion or the amendment. Members should be able to bring what they'd like to the table during a committee discussion.

[*English*]

**The Chair:** I'm getting a sense that there are concerns with this motion and there is no overwhelming support. I will simply ask if there are members who want to indicate their support for it.

[*Translation*]

**Mr. Rhéal Fortin:** I would like a recorded division, please, Mr. Chair.

[*English*]

**The Chair:** That will be very helpful.

We'll turn to the clerk to do a roll call vote.

[*Translation*]

**The Clerk of the Committee (Ms. Miriam Burke):** On Mr. Fortin's motion—

[*English*]

**Mr. Han Dong:** Mr. Chair, I have my hand up.

**The Chair:** Pardon me, Mr. Dong.

I do apologize. We'll go to you before the roll call.

**Mr. Han Dong:** Thank you, Chair, for recognizing me.

I don't intend to have the last word on this, but since we're going to have a recorded vote, I want to make sure viewers understand where I'm coming from in making this decision. I won't be supporting this motion, for the reason that was stated before. In principle, I agree with Mr. Fortin, and I agree with the intention of the motion in respect of both official languages in our Parliament and all of those procedures, but I think in practice it makes it very difficult for members to quickly raise a point to perhaps amend a motion. For members who realize that their motion could be improved and are looking for a colleague to make an amendment, it would delay the process. For example, what we're dealing with right now will probably take another 10-minute suspension before everything is translated. I think it would just prolong the procedure.

For that reason, I cannot support this motion. I just want to make sure that's on record.

Thank you, Chair.

**The Chair:** Very good.

You requested not to have the last word, so it looks like Ms. Lattanzio will have the last word.

**Ms. Patricia Lattanzio:** Thank you. I'm going to be brief.



Colleagues, I think it's quite apparent in terms of what has transpired in the last five to 10 minutes. Each of us in our own turn, and collectively, has made amendments here this morning, and we've seen how we've expressed that amendment in either French or English. It's almost ironic, to a certain degree, how this has gone. Each member brings to the table an amendment, and there is an understanding that it's done almost simultaneously, and then we vote quickly. To delay the process in terms of getting an official translation, as is suggested or as is my understanding of this motion.... I think we've worked well together, and I would like to continue in that vein.

For those reasons, I'm going to object to this motion.

Thank you.

**The Chair:** Very good. Nobody else is indicating....

Mr. Fortin, I guess we'll let you have the last word.

[*Translation*]

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

I just want to say that I understand the members' argument about the need to do things efficiently during a meeting and to propose amendments orally. I don't disagree with that. I see their point.

Yes, this is a bilingual country, but it's also important to recognize the reality. Mr. Gourde and I are the only French speakers taking part in today's meeting. Mr. Fergus is fluent in both languages, but that isn't the case for everyone.

You need to understand that it's not just about pieces of legislation. The fact of the matter is that French-speaking members are victims of their language, victims because they speak French. It's fine when members propose simple amendments like the ones this morning, but substantive motions tend to be complicated. Language is nuanced, so when a motion is written in both official languages, it ensures committee members have a solid understanding of what they are voting on. I really cannot see why anyone would object to having to put forward a substantive motion in both official languages.

I know members who do not speak English, so when someone proposes a substantive motion that is five, six or 10 lines long and it is simply translated by the interpreters, problems can arise, especially given the issues we have with sound from time to time. I've had an experience where an English-speaking member moved a motion in good faith, but the interpreter rendered the exact opposite of what was in the motion. I was about to vote against the motion when the clerk told me that he was going to translate it himself and send it to me in writing. Naturally, that completely changed my vote.

We claim to have a bilingual Parliament, so we should act as though we do. As a francophone, I want my English-speaking counterparts to have a written version of what I've put forward so they fully understand what I mean. That way, the committee can engage in an intelligent debate. Members always have pros and cons to bring to the table, and that enriches the debate.

It is somewhat surprising that members would want to prevent someone from having a clear understanding of something that is be-

ing proposed. I repeat, I am referring mainly to substantive motions.

You were opposed to my motion when it came to amendments, so I'm fine with amending the motion. I'll leave it there.

Thank you, Mr. Chair.

• (1235)

[*English*]

**The Chair:** Thank you.

Just to be clear, colleagues, we're voting on the motion unamended—as the text was presented and circulated in both official languages.

We'll turn to the clerk now for the roll call vote.

(Motion negatived: nays 8; yeas 2)

**The Chair:** Thank you, Madam Clerk.

Colleagues, I think that addresses everything we had on the agenda or that needed to be addressed today—

**Mr. Charlie Angus:** I have one other point.

**The Chair:** Mr. Angus, go ahead.

**Mr. Charlie Angus:** I'm sorry, Mr. Chair. I just want to know whether it needs a second vote or not. I had brought forward the motion that we had already voted on—on the facial recognition study—that has been put aside because of all the other things like the WE scandal.

I'm suggesting that we bring it forward because we are finishing up soon, I believe, the Pornhub study. We are going to be sending directions to the analysts to start preparing the WE report. We are waiting on a government bill on privacy. I was thinking that in the meantime we could start to work on facial recognition. We could start to draw the witnesses and it would give us some work that we can do in between these other big projects that are nearing completion.

I don't know if we need to have a vote, or if this is something we voted on, but I'm willing to have a second vote on it.

**The Chair:** It has been approved as a study of this committee, but you are correct that the timing hasn't been fully agreed upon. We've been having to juggle a couple of hearings, two different studies already. Certainly, I'd be interested to hear committee members with regard to this.

Mr. Fergus, go ahead.

• (1240)

[*Translation*]

**Mr. Greg Fergus:** Mr. Chair, I would just like to say this.

[English]

It's about time.

[Translation]

We need to do the study as soon as possible. Unfortunately, the clock is already ticking.

Companies put this type of software development on hold when the pandemic began, but I am very worried that the work will resume. No authority in the world has properly regulated the use of the technology.

Mr. Angus's motion received unanimous support when it was first proposed, in early 2020, pre-pandemic. It's high time we get on with it. This is a hugely important issue, especially for racialized populations, since the software has a harder time recognizing their faces, as we know.

I hope we can begin our study post-haste.

[English]

**The Chair:** Mr. Dong, we'll turn to you.

**Mr. Han Dong:** Thank you, Chair.

I agree with Mr. Fergus that this is a very important study for the racialized population in our country. I want to thank Mr. Angus for bringing this up again.

I believe this was passed in the last Parliament, but I don't recall that we actually voted on this motion to study it during this Parliament. I brought it up during the WE Charity debate and tried to move this forward. It was accepted, but it never received a debate.

I don't recall that it was ever voted on. I want to check with the clerk, through you, Chair, just to see if there is a record that this was voted on, passed and ready for study.

**The Chair:** My recollection is that it was agreed to move forward with the study. It seems that there is a general agreement to work on this study as we complete these other studies and fill in the data that are available and begin that process.

I don't think we need to go to a vote, because there has been agreement in the past to move into the study and certainly there seems to be agreement today. What we would need is for members to begin the process of supplying witnesses. I would ask any member who has witnesses with regard to this study, but also any witnesses that members believe are necessary to complete either of the other two studies, to get those in to the clerk as soon as possible. Then we can have discussions with regard to any of those witnesses as a subcommittee or as a committee at the next opportunity when we have committee business, which I imagine will be sometime soon.

We'll turn to Mr. Fergus now.

[Translation]

**Mr. Greg Fergus:** Mr. Chair, I'd like some clarification.

Mr. Angus asked whether we needed a motion to proceed with the study now.

Can we all agree that this will be our next topic of study and that the committee will not put the study on the back burner, except to fulfill its duty to consider government bills?

[English]

**The Chair:** We're just double-checking the minutes to ensure that this was actually passed at an earlier meeting. My recollection is that it was, but if it wasn't, I believe there's consent. I'm getting the sense that it's the will of the committee. We could move another motion, but certainly I think there's agreement right this minute to proceed with that motion at this time.

I'm taking direction from the committee in that form.

• (1245)

**Mr. Charlie Angus:** Mr. Chair, I have language that I could read for the motion, if people want to be official about it.

**The Chair:** Why don't we do that, then?

**Mr. Charlie Angus:** Okay.

I'll read this in:

That pursuant to Standing Order 108(3)(h)(vii), the committee study the use or possible use of facial recognition technology by various levels of government in Canada, law enforcement agencies, private corporations and individuals; that the committee investigate how this technology will impact the privacy, security and safety of children, seniors and vulnerable populations; that the committee examine the impact of facial recognition technology on racialized communities; and that the study include how this technology may be used nefariously, such as a tool for criminal harassment or for other unlawful surveillance purposes; that the committee investigate any possible link, formal or informal, between Canadian law-enforcement agencies and private technology corporations or start-ups; that the committee examine the impacts of facial recognition technology and the growing power of artificial intelligence.

That was the motion I brought to update from last October. The original motion, I believe, talked about Clearview AI, which is no longer in Canada.

Those would be the general parameters of the study. If we vote on this, I would be prepared to start setting some witnesses for us to start to look at this as we finalize the other studies we have before us.

**The Chair:** Okay.

Committee members, I know that this motion was circulated in the past. I'm not sure everybody has it at the moment. I will ask the clerk to see if she can locate the translated version of that motion and circulate it to members now to ensure that everybody does have a copy of it in both official languages.

[Translation]

**Mr. Greg Fergus:** Mr. Chair, can we take a two-minute break, please?

[English]

**The Chair:** Let's do that.

I will suspend the meeting for a few minutes.

• (1245) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1250)

**The Chair:** I'll call this meeting back to order.

I think everyone has had an opportunity to see the translated motion. I have Mr. Sorbara on the speaking list.

We'll turn to you, Mr. Sorbara.

**Mr. Francesco Sorbara:** Chair, I'm obviously very, very "for" this. When the Privacy Commissioner released their report a few months ago, I think it was, I read it. I took the time. There were lots of things in there I wanted to ask questions about in terms of what road we're going down as a society. So I'm in favour of this motion.

Thank you.

**The Chair:** Not having any additional speakers, we'll move to a vote.

(Motion agreed to)

**The Chair:** Very good.

Mr. Angus, go ahead.

**Mr. Charlie Angus:** First of all, I would like to thank all my colleagues for showing that we can all work together on such important issues. I think this facial recognition technology study will be very important for Canadians, as well as internationally, potentially.

Mr. Chair, I just want to bring something to your attention. As we have been trying to get testimony from the Kielburger brothers and as they have defied our Parliament, saying they will ignore a legal summons, it has been brought to my attention that they're running Facebook ads today. The Facebook ads are being paid to say, "Forensic analysis exonerates WE Charity". It's put out by a group called Friends of WE.org, which I believe is paid for by the Stillman foundation. This is the Stillman foundation that, as we know, paid for full-page ads while our committee was unable to do our work. The Stillmans who were the key people put by the Kielburgers...to deal with our witness Reed Cowan.

I think it is an incredible act of arrogance and complete disregard for democratic rights, particularly on behalf of a group of people who have received the Order of Canada, that they would be running Facebook ads patting themselves on the back while showing such contempt for Parliament.

I would just like to have that on the record, Mr. Chair.

**The Chair:** That is unsettling.

Is there anybody else who has any final comments with regard to committee business?

[Translation]

**Mr. Rhéal Fortin:** Yes, Mr. Chair.

[English]

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

[Translation]

**Mr. Rhéal Fortin:** Ms. Gaudreau had put a motion on notice regarding privacy protections, so I would ask that we deal with it now.

Would you like me to read it, Mr. Chair?

[English]

**The Chair:** Was it a motion that had been tabled with the committee already?

[Translation]

**Mr. Rhéal Fortin:** Yes, it was provided.

[English]

**The Chair:** I will suspend so that the clerk can find that and distribute it.

We'll suspend for a couple of minutes.

• (1255)

[Translation]

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

[English]

**The Chair:** The meeting is suspended.

• (1255)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1255)

**The Chair:** Colleagues, that has now been distributed to members, so I'll call this meeting back to order.

We have a couple of members who have their cameras off, but I'm assuming they're behind the blank screens.

Do I have anybody who would like to speak to the motion?

**Mr. Charlie Angus:** I will.

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

**Mr. Charlie Angus:** Thank you.

I appreciate my colleague bringing forward this motion.

I'm not against it. I'm wondering whether it's within the purview of our committee, or whether it should be under finance or one of the others. I would suggest that if we're going to do it, maybe we could begin with an initial set of meetings. I don't know how many meetings we'd have, but maybe we could talk to key people from the ministries, who could come and explain, and then we could decide where to go from there.

However, I don't have a problem with it.

**The Chair:** Mr. Fergus.

[*Translation*]

**Mr. Greg Fergus:** I will pick up where Mr. Angus left off. Would it be possible to have the analysts prepare a policy paper, some sort of analysis to give us an idea of where things currently stand? I don't know whether it's something that has been done recently, but I know the practice existed in previous parliaments. It would help me better understand the situation as it relates to social insurance numbers. Perhaps the analysts could include a comparison with the system in Europe.

I would like that information before I commit to supporting the motion. It's not an issue I am familiar with, so it's important to know what's what before we jump into this.

Would that be possible?

• (1300)

[*English*]

**The Chair:** We can ask our analysts to support us in different ways. I think it would be a reasonable request, and we do have time. We now have three studies that we've committed to. We have time to make determinations as to whether this is something we want to proceed with. We could ask our analysts to support us in that decision. That is a possibility.

Mrs. Shanahan.

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

This is a topic that is definitely of interest to me, as many topics are. We've done a lot of work here today. I'd like to have a better understanding as well about the lay of the land. I seem to remember we did have some kind of discussion on this issue. I think it was Mr. Angus who gave us the Coles Notes on work that had been done in this committee in a previous Parliament.

Given the work that we have in front of us now, I'd like to have a better understanding, especially since the member who brought forth the motion in the first place is not here today. Maybe Madame Gaudreau would like to have an opportunity to speak on this. If we could get that summary or an overview from the analysts, we would then have time, either in committee or in subcommittee, to look at what the scheduling would look like. We have a lot on our plate right now. I'm just putting that out there.

Thank you very much.

**The Chair:** We'll turn to Mr. Fortin.

[*Translation*]

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

I understand what Mrs. Shanahan is saying. Hearing from Ms. Gaudreau on the motion could certainly be helpful. This is an important and pressing issue these days. Issues that were pressing before the pandemic are now even more pressing, so things are getting complicated.

If the committee members are amenable, I suggest the committee consider the motion at the first meeting next week. That way, Ms. Gaudreau could answer any questions the committee members may have.

[*English*]

**The Chair:** I think I understand that you suggest that we wait until Madame Gaudreau returns to our committee and then she would be able to move that motion again and there could be a full-some debate with regard to that, at some later meeting.

Maybe I'll ask the analysts to at least get us some preliminary notes with regard to the situation and how it might pertain to the mandate of our committee.

Very good. If there is nothing else—

**Mr. Charlie Angus:** Chair.

**The Chair:** Yes, Mr. Angus.

**Mr. Charlie Angus:** I just want to clarify, because we've had a couple of different suggestions here.

I would prefer to actually get the report from the analysts before we're asked to vote on this, because I don't know.... It may be an urgent issue; it may not be.

As Madame Shanahan said—I am totally in agreement with her today and we're getting along like besties—we have a lot on our plate. If we had a report, we could look at it and then I would ask Madame Gaudreau to speak to the report. I would prefer to vote on it then, because we would decide whether it is an urgent issue or something we can put off until later.

**The Chair:** That makes a lot of sense. I think there is agreement. There are a lot of nodding heads with that suggestion, so we will undertake that in that order.

Members, we've gone over time. The meeting is adjourned.







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