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Chair: Mr. Chris Warkentin

Standing Committee on Access to Information, Privacy and Ethics

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• (1420)

[English]

The Chair (Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC)): We're going to call this meeting back to order.

This is the 32nd meeting of the House of Commons Standing Committee on Access to Information, Privacy and Ethics. We are resuming our meeting. We were in camera, and we're now in public. I would remind members that the meeting will be televised and will be available on the House of Commons website for this portion of the meeting.

Mr. Greg Fergus (Hull—Aylmer, Lib.): A point of order, Mr. Chair.

The Chair: Recognizing a point of order, go ahead, Mr. Fergus.

Mr. Greg Fergus: I would like to ask you and the clerk, because you just said that we are resuming the meeting, and the meeting was in camera. Is this, Mr. Chair or Madam Clerk, a new meeting?

The Chair: This is not a new meeting. This is the resumption of the meeting, the continuation. This is simply moving from in camera to a public meeting.

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

The Chair: On a point of order, go ahead, Ms. Shanahan.

Mrs. Brenda Shanahan: Can you please then clarify the speaking order for us? My understanding was that when we move from an in camera meeting to a public meeting, it is indeed a new meeting.

The Chair: It isn't a new meeting. We do have a bit of a challenge right now, because my entire speaking order was lost when we did move from that meeting to this one. I'll just go through what I have now.

Members have indicated those who would like to speak. I have Mr. Barrett, Mr. Fergus, Mr. Bachrach, Mrs. Shanahan, Monsieur Fortin, Monsieur Gourde, Mr. Sorbara, Mr. Carrie, and Ms. Lattanzio on the speaking list.

We'll go to Mr. Barrett.

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

The motion put forward by Mr. Fortin is very straightforward. It is that the committee report to the House that witnesses did not appear, witnesses ordered by the House of Commons to appear at this committee. Those witnesses, Rick Theis, Amitpal Singh and Ben Chin, by order of the House were to appear at this committee or to

have the Prime Minister appear in their place. There is also an order for the production of documents from PCO in the form of a due diligence report ordered by this committee.

This, of course, relates to the committee study on pandemic spending and conflicts of interest. We began the pursuit of this study in October of last year. We are now at a point where we're dealing with a motion to simply report to the House that the witnesses were not released, because the committee did not release the witnesses, that we note that the witnesses were absent, and that we note that individuals, ministers of the government, did write to this committee and then make their letters public, and that they had instructed the witnesses not to appear.

Those are facts. This motion gives us the opportunity to report this to the House, and then the House will deal with it. The committee will move on to deal with what it's going to deal with.

I've said before and I'll say again that after so many months of dealing with this issue, the committee ought to conclude this study and report to the House. If we dispense with this motion that is based on facts and then let the House deal with that, then we can address the study that we have undertaken over the last several months. Final documents are in translation. Then we can conclude that study.

I would note that on the business calendar for the House of Commons, we have, I think, 13 days of time scheduled for this committee before the end of the session. That leaves us with quite a challenge, when we look at the number of things that members of this committee have asked to study and also the obligations that the committee has with respect to the commissioners who would come before the committee on estimates, and studies that the committee has agreed to undertake, including that on facial recognition. As well, we have an open study on the protection of privacy with respect to MindGeek and Pornhub.

We have a number of things for this committee to do. This motion is very straightforward. We've talked about it at length. It's frustrating that we're at a point now where, after it took months for us to even get the motion passed to begin this study, we're now going to, on the tail end, not be able to conclude that study. Not only that, but the committee won't even report to the House that the witnesses who were ordered to appear didn't appear.

That's frustrating. It's dysfunction. Now it's time to complete our work. This motion is very straightforward. I will be supporting this motion. It's Friday afternoon. It's 2:30 eastern time. The committee is supposed to be done at three o'clock. We addressed business that was to be addressed in camera. Now, we have half an hour. We have a full speakers list.

I would be very interested in hearing from speakers from other parties whether they would be willing to move to a vote on this motion so that we could then give instructions to our Library of Parliament analysts, so that we could conclude our study into conflict of interest with respect to pandemic spending. While we wait, we could give them provisional instructions, interim instructions, wait to receive the rest of the documents from translation that we're expecting, and then be able to conclude that study without hearing from further witnesses.

● (1425)

We have an opportunity here. We're at a bit of a crossroads. Members from the government side, the Liberals, have an opportunity today to say, let's vote on this thing and let the House deal with it. Then we can give instructions to the analysts instead of just filibustering, running the clock, and then, when people run up against other commitments, having to adjourn the meeting and pick up the filibuster on Monday morning instead of doing many of the other important things the committee could be doing.

Chair, I'd ask if you could canvass members of the committee, perhaps informally, to see if there's any interest in concluding discussion on this today. If there is, when those folks speak, they could make their points in a succinct fashion and we could bring this matter to a vote.

I would note, Chair, that this motion has been debated at multiple meetings since the start of this month. We'll be moving into a new month next week. It would be great if we could put this to rest.

The Chair: Before I move to Mr. Fergus, I will check.

Is there a willingness by committee members to move to a vote?

I see several heads indicating no.

We'll turn to Mr. Fergus now.

[*Translation*]

Mr. Greg Fergus: Thank you very much once again, Mr. Chair.

I'd like to take this opportunity to come out publicly in opposition to this motion. I certainly have issues with the motion, particularly with its conclusion.

I heard my colleague Mr. Barrett's comments. I certainly understand that he wants to go directly to closing the debate on this motion. Frankly, I must say that we've had several opportunities to conclude this debate. Since January, Mr. Barrett has repeatedly introduced new motions rather than concluding debate.

Whatever the case may be, we're talking about the motion. The part that I greatly object to is the conclusion, the last sentence, or rather the end, where the facts are at issue. Some parts are not factually accurate, contrary to what Mr. Fortin said. Here is the part of the conclusion in question: "That the Committee report these events

to the House of Commons in order to express its dissatisfaction." I don't agree with the last part, that is, "its dissatisfaction". I think it's a shame that my colleague Mr. Fortin won't remove that part. We can let the members in the House of Commons think about how they will interpret it. On this committee and on the Standing Committee on Public Accounts, in particular, whenever possible, we try to produce unanimous reports or obtain the broadest possible consensus. It's unfortunate in this case that no effort is being made to do that.

We have several studies under way. As we all know, last Monday we talked about Pornhub. Several motions were made in committee to ensure that we can complete our study on that subject, sufficiently and thoroughly.

● (1430)

Once again, we find ourselves here with individuals who are going to talk to each other to do, not shenanigans—that's too strong a term—but petty politics. That's not the priority for Canadians. I believe all Canadians who are watching are well aware that the study we began earlier this week on Pornhub is about something worrisome. Witnesses have raised some points about things that are happening on the Internet and they are scaring Canadians.

Yet we keep arguing about a motion that doesn't have consensus. Even though nearly half the committee members are not in favour of this motion, we are continuing to talk about it, and that's a shame. Instead, we could continue our study on an issue that resonates with all committee members. No member of this committee is opposed to conducting a study of MindGeek and Pornhub, because it's clear that none of them want to see these businesses continue doing what they are doing, where people are involved in nefarious activities.

I know very well that all of my colleagues, whether they are in the Conservative Party, the NDP or the Bloc Québécois, agree on that issue. Instead of focusing our attention on issues that could quickly garner unanimous support, we've decided to play petty politics that divide us.

Sometimes I feel it's important to look past our petty personal interests and focus our energy on important issues.

I am not referring to the discussions we had in camera, but I know we all agree on MindGeek and Pornhub. No one would dare support those businesses, I'm sure. All of my colleagues are honourable and they fully support the idea of seeking justice for victims with respect to the distribution of non-consensual material.

● (1435)

I see no point in revisiting a motion that doesn't have consensus and only divides the committee. We know that the outcome of the vote will be five to five and we will put the chair in the difficult position of having to come down on one side or the other. That's not a good thing. We can do better and we should do better.

We can seek consensus, and it's within our grasp, it's right here. I think it's a disgrace that this committee is playing political games like this in order to please whoever, instead of really improving the situation for women. It's often women who are the victims of businesses like Pornhub and MindGeek. It doesn't make sense. We can do better. I don't want to insult anyone, but we could do better.

When I look at my colleague from Rivière-du-Nord's motion, I see a conclusion that seeks to divide rather than unite. I may be told that consensus has been reached, but it's never consensus when you have half the votes plus one. I don't suppose my friend from the Bloc Québécois would say that the 1995 referendum result was a consensus; you can't talk about a consensus when the majority is 50% plus one. The same is true of Mr. Fortin's motion. The outcome of the vote on this motion can't be considered a consensus. It doesn't make sense and doesn't meet the definition of consensus.

I feel we've reached a point where we should set the motion aside. Otherwise, we should take out the parts that tend to divide the committee. Another option might be to replace the language in the parts that don't have consensus with more fact-based language. In my view, that's what we should do.

Another part of this motion that baffles me are points 5 and 6. We found some things in there that are just plain wrong. It states, "...after having ordered him not to appear before the committee..." That is not factual. A member asked the minister who came to testify on behalf of the government if an order had been given, and the minister said no, no order had been given. It was a question of ministerial accountability.

● (1440)

The type of language used in points 5 and 6 only seeks to get people all riled up by playing political games, when factual language should have been used instead. That's why I certainly can't support it. This is not a consensus-building motion, and it's not factual. It doesn't describe what actually occurred.

I object to it primarily because the more we debate it, the more we are missing the opportunity to make headway on issues that will enjoy unanimous support on this committee, which would improve the lives of women who are victims of the non-consensual distribution of intimate images. That's what is important. That's what is going to improve people's lives. It boggles my mind that we're not taking the opportunity that is right in front of us to head in that direction. I don't understand why the committee members, with 50% plus one, would make any other choice.

I'd like to know if each of my colleagues is willing to look these women directly in the eye and tell them they had a choice to move forward to protect them and give them a sense of justice about the horrible situations they experienced, but instead decided to set that aside to engage in a little political jousting to satisfy the hardcore members of their party. It's really shameful.

We should choose the first scenario. We should look these women in the eye and tell them that we have set aside partisanship to stand up for them and find solutions. If we can't protect them because the damage is already done, we can at least protect others before they also fall victim to these wrongdoings.

It's disappointing. I can't fathom why they want to do this. We should do better.

● (1445)

Point 6 of the motion, which, again, is not based on fact, states that "Minister Fortier also ordered witnesses Amitpal Singh and Ben Chin not to appear before the Committee". Does the response given by Ms. Fortier and recorded in the minutes lead us to come to that conclusion? The answer is no. Do you know why? Because we didn't even give her a chance to say a word to the committee. At least we had the courtesy to let Minister Rodriguez come and testify. However, we didn't give Ms. Fortier the opportunity. On two occasions, the committee refused to hear her in committee.

I repeat, we can't come to a conclusion like that. To say the least, it's a hasty conclusion that makes no sense.

I don't understand why the committee would want to support Mr. Fortin's motion, or even spend its valuable time debating it, instead of studying the case of women who have experienced terrible situations as a result of images being shared without their consent, a matter that reverberated all the way to the House of Commons recently. It's not right.

I'm also surprised to see the member of a party that claims to be socially democratic introduce such a motion. Of all the motions that could have been presented to the committee, I feel this isn't the best choice. It's a missed opportunity and I find that disappointing.

I will leave it to my hon. colleague to talk to his women constituents and explain his decision. As I said, it's mostly women who are being victimized by the distribution of these non-consensual images on the Web. I will give my colleague a chance to explain his decision to those women.

● (1450)

Of course, this motion contains some facts. It's not all bad, but there is a difference between stating facts and colouring the debate. Unfortunately, the latter approach was chosen, not the former, and parts of this motion are flat-out wrong.

In conclusion, a proposal could have been made to achieve greater consensus. Our colleagues who are not on this committee are busy with their own committees, work and responsibilities on other issues. They expect us to give them the straight goods when this committee reports. However, we aren't doing that. What they are getting is far from accurate and they are being misled.

However, we have time to set things straight. I hope my colleague Mr. Fortin will take the opportunity to correct his own motion so that we can pass a factual motion.

● (1455)

Mr. Rhéal Fortin (Rivière-du-Nord, BQ): Mr. Chair, I have a point of order.

[English]

The Chair: I am recognizing the point of order, Monsieur Fortin.

[Translation]

Mr. Rhéal Fortin: I am going to jump at the offer from our colleague Mr. Fergus to correct what is wrong with my motion. I've heard his very brief speech about my motion. He feels that it contains a falsehood, because apparently the witnesses were never ordered not to appear, so—

[English]

The Chair: Monsieur Fortin, pardon me, but this sounds like debate. It doesn't sound like a point of order.

I know Mr. Fergus would like to hear from Monsieur Fortin, but Mr. Fergus, you'll have to cede the floor before we can get through the speaking order to get to Monsieur Fortin.

Mr. Fergus, it's back to you.

[Translation]

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

I'll be waiting with great anticipation for Mr. Fortin's response, as he seems to want to finally correct his motion. Should he even wish to consult with me in advance, he can always reach me by email. I would be happy to work with him to come up with a truly consensus-based motion. We could always move in that direction. I urge him to do that.

I'd like to continue my critique of this motion.

Last Monday, I didn't want to repeat myself when I talked about the importance of ministerial solidarity, when a minister speaks for the government. Whether it is the Prime Minister, who is *primus inter pares*, or one of his ministers, everyone speaks for the government. That is a basic principle.

Ministerial accountability ensures that when a minister's agent or deputy takes action, the minister is responsible for those actions and is going to be accountable for the behaviour of those under their responsibility. It's an important message, and one that we should consider and pass on to our colleagues. It's very important to emphasize these principles. It's quite important that I say it's the reason why I can't support the motion.

However, if my colleague wants to respond to my invitation, my email inbox is open. I look forward to receiving good news from my hon. colleague that we will be able to work in this manner.

I believe that I will come to my conclusion. It's not because we're approaching 3 o'clock, but because I'd like to hear from my colleague Mr. Fortin as well as my other colleagues, particularly those in the opposition parties, to see if we can find a way to come to, not a split vote or a 50% plus one majority, but rather a motion that has solid support from the committee to continue its important work.

So I will yield the floor. I also thank all my colleagues for allowing me to speak.

• (1500)

[English]

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

Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP): Thank you, Mr. Chair, and thank you to Mr. Fergus for his long remarks. Noting the clock and out of respect for the House staff who support the committee, I believe it would be in order to adjourn.

The Chair: Is that a motion to adjourn, Mr. Bachrach?

Mr. Taylor Bachrach: Yes, that's correct, Mr. Chair.

The Chair: That is not a debatable motion. We'll move to a vote.

Madam Clerk, if you'll go through the roll call—

[Translation]

Mr. Rhéal Fortin: Mr. Chair, I just have a question for clarification.

[English]

The Chair: Monsieur Fortin.

[Translation]

Mr. Rhéal Fortin: Thank you, Mr. Chair. I'm not trying to argue, but I would just like to get a clarification.

I understand that we're considering adjourning the meeting. At the next meeting, are we going to pick up where we left off and keep the current speaking order? Is that right? Are we instead going to reset and talk about anything again?

I'd like to know if we can pick up where we are now at the next meeting.

[English]

Mr. Taylor Bachrach: Mr. Chair, it was meant to be a motion to suspend, not to adjourn. Sorry if I misspoke.

[Translation]

Mr. Rhéal Fortin: Oh, okay.

[English]

The Chair: Okay. There is a motion to suspend the meeting—

Mrs. Brenda Shanahan: Point of order, Chair.

The Chair: On a point of order, Ms. Shanahan.

Mrs. Brenda Shanahan: Don't we need unanimous consent if we're going to be changing the motion?

I call the vote on the motion on the floor.

The Chair: Madam Shanahan, that's not your role, but I appreciate your intervention.

Mr. Bachrach, I just want clarification as to what exactly you're moving in terms of your motion. I didn't intend to put words in your mouth. I do apologize if I did that. Mr. Bachrach, let's be clear on what you intended.

Mr. Taylor Bachrach: My apologies. I would just point out that since we convened this public meeting, unless I'm mistaken, we've heard from only one member of the committee, and the goal of this meeting is to move forward with the committee's business—

• (1505)

Mr. Greg Fergus: On a point of order, Mr. Chair, that's actually not accurate.

Mr. Taylor Bachrach: My apologies if I misspoke, Mr. Fergus, but it does seem that we've heard a fair bit from Mr. Fergus, and if we're able to move to a vote on the motion that we were discussing, Mr. Fortin's motion, I think that would be a productive use of our time. However, recognizing that under these unique circumstances when we're meeting together in a virtual format, and I know that the House resources are extremely stretched at this time, and recognizing that the scheduled time for the meeting ended five minutes ago, my intention was simply to suspend the meeting so that we could pick up and discuss Mr. Fortin's motion at the next opportunity when the House resources are available to us.

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

The Chair: This is a motion to suspend. We'll move to a motion on suspension. Let's—

Ms. Patricia Lattanzio: Mr. Chair, I'm sorry.

The Chair: I'm getting some questions.

Madam Lattanzio, is this a point of order?

Ms. Patricia Lattanzio: This is a point of clarification.

The Chair: Yes.

Ms. Patricia Lattanzio: I understood very clearly from my colleague that it was a motion to adjourn. Then I understand that's a non-debatable motion. Can we proceed in that fashion, Mr. Chair? Then, depending on what the vote is, we can—

The Chair: Ms. Lattanzio, I will look back in the blues at a later date, but I worry that I put words into my colleague's mouth when I was seeking clarification. I have allowed him to clarify, instead of my clarifying what his position was, and so I will review that. I felt that it would be abundantly clear what his intention was, so—

Ms. Patricia Lattanzio: Shall we suspend until you have the opportunity to look into the matter, Mr. Chair, before we start voting on something that perhaps you're not supposed to be voting on? We'll give you that opportunity to do so, Mr. Chair.

The Chair: I'm going to allow the member to clarify, once and for all, what his intention was with this motion.

Mr. Bachrach.

Mr. Taylor Bachrach: As I just stated very clearly, my intention was to suspend the meeting. I apologize if the word that I used.... I think I was fairly clear in the lead-up to my remarks that the intention was to recognize the clock and to respect the resources of the House that are made available to us.

Now it seems as though this argument that is occurring is on a fairly pedantic point of procedure and the intention that my intention should be reflected in the motion. That said, if you will give me the floor afterwards, we could vote on a motion to adjourn, as Ms. Lattanzio has suggested. If that motion was defeated, I would make a motion to suspend. I offer that as a compromise.

The Chair: Okay. I'm probably more confused than I was to begin with here, but it seems as though there is a desire to move forward with the vote to adjourn the meeting, and if not, then we will continue with the speaking order as we have it laid out.

Madam Clerk, will you now move to the vote on the motion to adjourn the meeting?

Mr. Greg Fergus: Mr. Chair, I have a point of order.

The Chair: Mr. Fergus, I will make this very clear. What we are voting on is the—

Mr. Greg Fergus: No, I was going to just suggest this. Mr. Bachrach has offered an option. We don't want to waste anybody's time. I'm sorry he used the wrong word, but he did and so be it. Let's just go straight to his desire to move to suspend.

The Chair: That was what I was hoping we would get to. Mr. Bachrach was offering another option. I think Mr. Fergus is right that if we're going to get there anyway, let's move there with what he intended and where we'll probably end up.

This is a motion to suspend the meeting until the next scheduled meeting time.

(Motion agreed to: yeas 10; nays 0)

• (1510)

The meeting is suspended.

[The meeting was suspended at 3:10 p.m., Friday, April 23]

[The meeting resumed at 11:03 a.m., Monday, April 26]

• (8300)

Colleagues, I'm going to call this meeting back to order.

We are resuming meeting number 32 of the House of Commons Standing Committee on Access to Information, Privacy and Ethics. As you know, on Friday, April 23, 2021, the meeting was suspended, so we're simply returning to where we left off.

Colleagues, as a reminder, we are in the midst of a debate on Monsieur Fortin's motion of April 8 that was circulated earlier in this meeting, which started on Friday technically, so we're going to resume where we left off in the order of speakers.

Monsieur Fortin will be first, followed by Monsieur Gourde, Mr. Sorbara, Mr. Carrie, Ms. Lattanzio and then Mr. Dong, followed by—

Mrs. Brenda Shanahan: I have a point of order.

The Chair: I recognize Mrs. Shanahan on a point of order.

Mrs. Brenda Shanahan: I believe I was next on the speaking list. I did not have the opportunity to speak.

The Chair: No, I was able to capture the speaking list as it was on Friday's meeting, and so I do have it. I can assure you that you are on the speaking list now. Your hand has been raised. Once we've completed this list, we'll move on to today's list, which is Mr. Barrett, then Mrs. Shanahan—

● (8305)

Mrs. Brenda Shanahan: I'm sorry, Chair, I respectfully ask that you—

The Chair: Do you have a point of order, Mrs. Shanahan?

Mrs. Brenda Shanahan: I have a point of order, yes.

The Chair: I'm recognizing you on a point of order, Mrs. Shanahan.

Mrs. Brenda Shanahan: I would like you to review the speaking order with the clerk if need be, because I was immediately after Mr. Bachrach, and we recall that—

The Chair: That's not a point of order. I have read out the speaking order, and we'll continue.

Monsieur Fortin, we'll begin with you.

Mr. Han Dong (Don Valley North, Lib.): Mr. Chair, could you repeat the speaking order again? I missed it.

The Chair: Is that a point of order, Mr. Dong?

Mr. Han Dong: It's a point of privilege.

The Chair: Mr. Dong, do you have a point of privilege?

Mr. Han Dong: No, I have a point of order.

I want you to repeat the speaking order, if you could.

The Chair: I'd be happy to, Mr. Dong.

It's Monsieur Fortin, Monsieur Gourde, Mr. Sorbara, Mr. Carrie, Ms. Lattanzio, Mr. Dong, followed by Mr. Barrett, Mrs. Shanahan, and then we'll continue down the line.

I'll go back to you, Monsieur Fortin.

[*Translation*]

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

I listened closely last week to our colleague Mr. Fergus when he shared with us the significant number of matters that the committee must address. I agree with him. I feel there are important issues, and I'm amazed—I would even say astounded—at the amount of time we're spending on such a simple motion. When I was drafting it, I felt like we were not even going to discuss it before we passed it, and now we are spending hours and hours discussing it. I agree with what Mr. Fergus said, that one of those important topics is the women who were called in for the Pornhub matter. The people we need to hear from on that need to be heard. It's an important issue. I'm really sad to see the amount of time we're wasting on something as trivial as this motion. It's trivial, but important.

I will come back to the motion. It simply says that, almost a month ago, on March 25, the House ordered that three witnesses be called and heard at our committee, and that a due diligence report be produced for us. The three witnesses did not appear and the due

diligence report was not produced. It was all orchestrated by the government. I am stating fact, contrary to what my Liberal colleague was saying. These are facts.

I want to remind you of the following: Mr. Fergus told us that was wrong, because the motion points out that these individuals received an order. Point 5 of the motion reads: "The Committee noted..."

There is no discussion or interpretation here. I've tried to stick to the facts.

"... that Minister Pablo Rodriguez appeared on March 29, 2021, instead of Rick Theis..."

Listen, we were all there. That is what happened. It's a fact. I will continue with the quote.

"... after having ordered him not to appear before the Committee..."

This is where our colleague, Mr. Fergus, told me it was wrong.

I invite Mr. Fergus and the entire committee to reread the email we all received from Mr. Rodriguez on March 28, in which he wrote in the second-last paragraph, "Accordingly, Mr. Rick Theis, Director of Policy to the Prime Minister, has been instructed to not appear before the committee. In his place, I will attend the meeting on behalf of the government on Monday, March 29th."

I didn't make it up. It came from Mr. Rodriguez, who told us that Rick Theis was instructed not to obey the order from the House. I don't want to judge Mr. Rodriguez and I don't want to judge Mr. Theis, but we have a job to do as a committee. We have to follow up with the House; they issued an order, and we have to show them what happened.

Point 6 of the motion refers to the letter dated March 30, 2021, that Minister Mona Fortier addressed to you, Mr. Chair. The final paragraph of that letter states: "Accordingly, Mr. Amitpal Singh has been instructed [we're no longer talking about an instruction, it's an order] not to appear before the committee. In his place [again], I will attend the meeting on behalf of the government on Wednesday, 31 March, 2021."

Two ministers, Ms. Fortier and Mr. Rodriguez, confirmed that they do not care about the order from the House and the order from the chair of the Standing Committee on Access to Information, Privacy and Ethics. They are confirming that it doesn't apply to them and that they are in charge, not you, Mr. Chair, and not the House of Commons. They are confirming to us that these individuals have no authority and no power. The real power in Ottawa is held by Pablo Rodriguez and Mona Fortier. That bothers me. I have said it before and I will say it again. That bothers me.

● (8310)

It's a major affront to democracy and to the authority of the House, and it's unacceptable in a democratic Parliament.

However, that is my opinion, and I will repeat it in the House if given the opportunity. As a committee member, I am simply and dispassionately saying that we need to report to the House. If you read the motion again, you will see that there is no emotion in it. Believe me, I was feeling quite a bit more than you could detect from reading the motion.

The motion contains no emotion or opinion. It simply states what we have seen and indicates to the House that we are dissatisfied with it. Admittedly, expressing dissatisfaction is not a very optimistic reaction. It's fairly neutral.

The House will do what it wants with it. I feel it should react, but we will see what happens in due course. You know as well as I do that it's pretty hard to predict what the House will do. However, it's our job to note that these witnesses have been summoned and have not appeared, and to report it to the House.

The rest is up to the House of Commons. I could quibble all day about these matters, and I know that some of my colleagues will be happy to spend the remaining time expressing views different from mine on the issue. I know I can't do it, but if I could, I would simply ask for a vote so that we could vote on this motion, move forward and get on with the important things. We owe it to the people of Quebec and Canada to do an efficient job. Right now, we're not being efficient because we're wasting our time on simple things like this.

I will stop there. I'm asking the committee to report back to the House and work on all of the key issues that concern it.

[*English*]

The Chair: Thank you, Mr. Fortin.

I'm going to poll the room, because I think there is an effort by many members of the committee to ensure this gets to a vote so that we can move on to important business.

Is there support to move to a vote now?

I'm getting a lot of yeas and a lot of nays, but we do require unanimous consent in order to move to a vote if there is somebody still on the speaking list. I see several members indicating by their motions that they're not in support of that, so we'll move to Mr. Gourde.

[*Translation*]

Mr. Jacques Gourde: Thank you, Mr. Chair.

It's been a long time since I had the opportunity to speak to the committee. I feel like I'm sitting at a desk full of files that have been started, but will never be resolved, despite all the work that has been done in that direction. It's really sad.

I have been involved in parliamentary committees for 15 years. I've seen some difficult and complicated situations at times, but at least we've always been able to vote, and that was even if it took an hour, 10 hours or 40 hours to express the various points of view on a motion. We are adults, and we need to understand that we are going to have to vote on this motion.

It would be very unfortunate to waste all the meetings of the Standing Committee on Access to Information, Privacy and Ethics

until June because we disagree on the motion. You can express dissatisfaction by voting against the motion and you can express agreement by voting for the motion, but it's our duty to vote on this motion.

It's also our duty to do so as quickly as possible, because we're paid by the taxpayers, and they need us to work. They understand that we may disagree, but sooner or later they are going to demand that we vote and finish the work that is important to us.

I understand Mr. Fortin's frustration very well and I will not take half an hour to express that I also want us to vote and get to work. That's our goal and it's our job to finish what we started. If we don't, we will unfortunately lose all the testimony and all the work we have started, it will die on the Order Paper. We're going to go down in history as an excessively lazy committee, and frankly, that is heartbreaking. We could have changed some people's lives. However, right now, we're not making much of a difference because of the personal pride of some, and that really saddens me.

I will now give the floor to those who like to talk a lot.

• (8315)

[*English*]

The Chair: Thank you.

We're going to turn to Mr. Sorbara.

Mr. Francesco Sorbara (Vaughan—Woodbridge, Lib.): Good morning, everyone. Again, happy Monday.

I think this is the first time in a number of days that I've had an opportunity to speak during the committee's proceedings. Obviously, I have a lot of thoughts on the work the committee has been doing in discussing Mr. Fortin's motion, which is in front of the committee, but also on the committee's direction overall.

I understand MP Gourde's sentiments. I have a lot of respect for MP Gourde in terms of his role as an MP but also for his work, more importantly. I do know that he's an individual with a lot of integrity. I agree with Mr. Gourde's suggestion that the committee has a lot of work ahead of it. The committee definitely has a mandate to do the good work that our constituents sent us here to do, and to do the good work of all Canadians and for all Canadians, of course.

We've spent a lot of time discussing Mr. Fortin's motion. Perhaps I will take a step back to how we arrived at Mr. Fortin's motion in terms of the proceedings during this committee and also testimony during the finance committee over the last, I would say, almost year, or eight or nine months.

I look at Mr. Fortin's motion, and I don't see....

First of all, as we've stated a number of times, and as has been set by the precedent of the former government, ministers do need to appear, but not ministerial staff. I think that needs to be pointed out.

Second, on point 6—and I know Mr. Fortin pointed out point 5 on his motion—Minister Fortier “also ordered witnesses Amitpal Singh and Ben Chin not to appear before the Committee, as mentioned in her letters to the Chair dated March 30 and April 7, 2021.”

I don't know where that came from. If I am missing something, then please, someone, do point that out to me. At this moment in time, I'm not too sure—and I cannot confirm from the information that I've received and the information that probably all of us on committee have received—that Minister Fortier, in any sort of way, told anyone not to appear. She appeared here as a minister. She appeared as a minister of the Crown to answer questions. The opposition or the other parties decided not to ask the minister questions, and that was their prerogative. I believe the meeting was ended, so I'm not too sure about the nature of that.

I'm just looking at my notes. Again, it's the responsibility of the ministers to appear here before our committee, not the individuals representing individual offices.

I'm not too sure what Mr. Fortin's intention is with this motion. Is it to provide information to the House that ministers appeared in lieu of their staff or staff members? We know that has been done in other governments. Is it that ministerial responsibility is the correct thing? Is it that we're being prevented from finalizing the report on this study that we've undertaken and that we're close to concluding?

I personally have invested a lot of time in looking at the other studies the committee has been and will be tasked with. Obviously, there is the MindGeek/Pornhub study, which is an ongoing, very important study for our committee. I understand that in the province of Quebec there are even heightened sensitivities that are important to that study. I know that many, if not all, Quebecers, much like all Ontarians here in Ontario, want us to resume that study, want us to make recommendations, and also want us to ensure that we hear from the other individuals on that study.

• (8320)

Then we obviously have to return to Bill C-11 as well.

That's where I stand.

With regard to Mr. Fortin's motion, if we were to proceed to being able to write a report and put our recommendations down, why couldn't this motion be amended—these are just my humble thoughts—and looked at in the light? If Mr. Fortin wanted to have this appear in the appendix of the report, for example, it could be something very simple on the fact that the ministers were able to appear here.

I'm not saying that I'm putting forward an amendment. I'm just speaking my thoughts.

In the testimony that I've been privy to or had the privilege to see, we've had the Kielburgers show up for seven hours. We've had Katie Telford show up for several hours. We've had the Prime Minister show up for several hours. We've had witnesses come back to

us. We asked questions. We've received literally thousands of documents on this study.

We need to finalize this. I agree with Mr. Gourde. We need to move on. I don't think any one of us wants to be debating Mr. Fortin's motion until the end of June. I don't think that's really the will of the committee.

At the same time, I do have significant concerns with Mr. Fortin's motion. In my mind, I can't see why some sort of conversation can't take place.

The ministers of the Crown came to this committee and appeared on behalf of the government. Minister Rodriguez answered several questions from our committee for an extended period of time. Minister Fortier was ready to answer further questions from the committee, but then the committee chose not to; the committee was closed and that was it.

This government followed the precedent set by the prior government in terms of having ministers appear. I think that was the right thing to do. I think that ultimately ministers are accountable.

I know on my team I express all the time that for everything that happens with regard to my being a member of Parliament, I have to be accountable. I have to be accountable for whatever happens in my office and be knowledgeable of it. That's the way I operate, and I think that's the right way to operate organizationally for any such entity.

Again, to Mr. Fortin, I look at this committee, and I've read, understood and heard all the conversation taking place with all our colleagues. In terms of the words, “That the Committee report these events to the House of Commons in order to express its dissatisfaction”, I don't see why it couldn't just be that this be reported in the appendix of the report, if that was the committee's will.

I think that's something we need to examine. I think that's an alternative. Because we've had so much testimony at this committee, as I stated....

Mr. Chair, I don't want to be verbose this morning. I don't want to repeat myself. We have a lot of work in front of us. There's stuff on the notice paper in the House of Commons. There's the budget, which we know is going to assist all our residents. I don't want to veer into the budget, obviously, because that's not part of today's motion.

We have a lot of work to do as parliamentarians in the coming weeks. We're obviously still in the third wave of the pandemic here in Ontario. We need to ensure that we get the support out to all our businesses, workers and employees. Quebec is facing another wave, as is B.C., as is Nova Scotia now and many other provinces.

We know we have a lot of work to do. Part of that is the study in front of us, which is the WE study, if I can refer to it as that.

● (8325)

I think if it's something I do wish to put forward and maybe we can get the language to you, Chair, I could put forward an amendment to Mr. Fortin's motion. We'll see if we can arrive at a way to proceed forward. I want to gather my thoughts before succinctly thinking about where I want to get to.

Gathering our thoughts is how we as a committee can move forward. We do know, again, that we have spent endless hours on this study. I think about how we even got to this point, where a note was sent in.... Over the weekend I was looking at my LinkedIn account. I think I have over 2,000 contacts over LinkedIn, and I receive notes from a number of people. Also, we all work with stakeholders and stakeholders reach out to us.

I know, for example, to the chair and to my Conservative colleagues, that MP Baldinelli and I and others have worked extensively with the wine industry—and I'll take this back to the conversation at hand, Chair. We've been able to work with the wine industry to ensure that we have a prosperous wine sector and there is something in the budget there. We only did that in interacting with the representatives from that sector and reaching out to the various ministers' offices to raise issues. That's part and parcel of our job.

Again, on this one here, a LinkedIn note that was sent said, "Thank you for hearing me out. Thank you for our conversation." That was the catalyst for the various individuals to say, "Oh my God. Something untoward happened." Well, not really. We all deal with stakeholders all the time and we all deal with entities that reach out to us to inform us. I'm sure, Chair, many of your members from the beautiful provinces of Alberta and Saskatchewan deal with the beef farmers, dairy farmers or chicken farmers or whoever else in the agricultural sector for lentils, barley, or wheat. That was the catalyst for how we got to this motion and why these individuals appeared and why specifically Ben Chin was asked to appear, because there was a LinkedIn note. Funnily enough, on Saturday I was reaching out to the residents of my riding and asking them how they were doing and I was looking at my LinkedIn account and that's how Ben Chin was asked to appear. That's how Ben Chin's name is now in this motion that Mr. Fortin presented to us.

I agree with Mr. Gourde's comments. We need to move on. We need to finalize this study. I do agree. At the same time, I think, as a committee, unfortunately, we've become potentially and possibly bogged down in looking at this motion and saying, (a) what purpose does this motion serve, and (b) how does this motion relate to the study at hand? I'm having a hard time with that, Mr. Fortin.

I do respect every MP equally and try to cordially always have a great working relationship with all MPs on all sides of the aisle and of all political views, even my colleague on public accounts, MP Green, whom I may differ vociferously with on many, many things in terms of policy, but obviously always in respectful disagreement.

I'm looking at this motion, MP Fortin, to maybe break the log-jam. We're going to look at it from other points of view in due order so we can complete this study and then move on to a further study. We need to wrap this up and get to the MindGeek/Pornhub study. I know that the individuals in that study, the individuals we had, have reached out to me personally and so they really would like to continue to present. They would love that opportunity, of course.

● (8330)

On this study here, on WE, we've exhausted our time. We need to wrap this study up, but we need to do things, I think, in a manner that's prudent and a manner that obviously reflects the will of this honourable committee and my honourable colleagues.

The reason, if I can even take a big step back, is that in the motion here, the idea of calling parliamentary staffers, bringing them in or not, and any government of any stripe saying no, which the Conservatives did in the prior Parliament because of ministerial accountability, and then getting to the point where this is reported back to the House could potentially be repeated in a future government. The ministers are accountable and do appear. Questions aren't asked, because the parties say, "I don't want the minister to be here; I want this or that particular staffer."

Again, I go back to the fact that Ben Chin's name is here because someone, the Kielburgers, sent a note to him saying, "Thank you very much", just saying thank you. Well, now we need Ben to appear here for six hours to ask him every question under the sun, and we want to go into that fishing expedition.

I think that's what really sort of got to me, because, since we are parliamentarians, many people reach out to us. MPs from various parties reach out to me as the parliamentary secretary to the national revenue minister. A member from Mr. Johns' New Democratic Party, the honourable member for Windsor has reached out to me several times on various issues dealing with international taxation issuance. We've collaborated very effectively on that issue and other issues relating to Canada and the U.S.

It's at the point that I think we'd be having Ben Chin or this individual or this staffer come in because a note was sent, when there was really nothing wrong with that, with just saying, "Thank you for listening to us."

I get the fact, and believe me when I say that transparency and accountability are two pillars within my DNA. I say that in terms of democracy and in terms of any committee's operations and in terms of how we operate as a society, a civil society. Transparency and accountability are the only things that count for me at all levels. For me, transparency and accountability start with the ministers, and that's where they end, with the ministers. That's the only place we can go and the only thing we can do.

It's just so important that we focus on that. That is why the original motion to call these parliamentarians—I was offside—and then the motion now to report this back to the House is something that has left me—and Mr. Fortin used this word “dissatisfaction” at the end of the motion. I'm actually dissatisfied with the original motion, and now with this motion I'm dissatisfied because it points us in the direction, in terms of the accountability and transparency, of saying the staffers should be responsible, not the ministers. The minister should be responsible.

I have a wonderful team that works for me. I think one of them is on the committee right now. At the end of the day, they do great work for me and they work extremely hard, but at the same time I think—our office is not open, but somebody's knocking at the door and I cannot answer that—we need to ensure that the accountability stops with the ministers. That's been my point of view all the time. I believe it was former House leader Jay Hill—I think it was him and if I'm mistaken then please correct the record on that—and I think it was even John Baird who appeared before a committee, and I think that is something that we really need to think about. That's why I think this motion here, going to that point and saying, “We're going to report to the House that these parliamentary staffers did not appear”, is a very, very dangerous thing. I think that's something on which we need to have a collective rethink and so forth.

I understand it is at the will of any member to put forward a motion and they can do so. I think the original idea of bringing these parliamentary staffers—and, remember, I always go back to the catalyst being a thank you email on LinkedIn. Actually, the way LinkedIn accounts work, it's actually already set up. When you log in and you respond to somebody, it's already set up; you don't have to type it. It's just there: “Thank you for reaching out” or “Thank you for...” or “Congrats”. It's actually quite easily set up. I know I have received emails from individuals from literally all over the world, usually from Europe or here in North America, that say “Let's connect”, “Thanks for connecting, Francesco”, “Hopefully we can work together”, “Hope you're enjoying...”, “Hope you're well”, “Great initiative on the part of the government”, or even questions relating to initiatives. I receive those all the time, probably 10 to 15 messages a day.

That's why I'm saying that to specifically single out Ben in that email between folks.... That's what LinkedIn accounts are. That's why we're here today. That's why we're here on this motion.

• (8335)

Again, Mr. Fortin, I respect the work you do. I respect your advocacy and so forth, but at the same time, I think we need to come to a conclusion on this study, because I want to move on. I definitely want to move on to the MindGeek/Pornhub study. I have 45 briefs that my team and I are going through at this moment, making recommendations, because we know how important that is.

We know how important that is to all Canadians. We know how important that is with the presence of MindGeek/Pornhub in the greater Montreal area, in Quebec, la belle province. We know how important that all is, but we also know how important it is to conclude this study with this motion currently in front of us. We know how it is so important to get this done.

Like I said, my thoughts continue to percolate in terms of putting forward something that I hope we can work with. If we were to present this scenario, if we presented a report and when we concluded the report, we can conclude it with—

An hon. member: [*Inaudible—Editor*]

Mr. Francesco Sorbara: Oh, I think somebody just spoke.

Can I proceed? I'm looking at my screen and I see two folks whose mikes aren't muted. At the best of times we're not perfect on that, and even after a year, I'm still not perfect at that. I don't think any of us are.

I'm still percolating with the fact that maybe there's a compromise or a conclusion we can reach together with folks, so we can say we understand the various parties' views on calling parliamentary staffers. Our view is that ministers need to be held accountable. In fact, the Conservatives' view is the same thing, that ministers should be held accountable.

At the same time, being able to look at Mr. Fortin's motion and say that—I'm still percolating on this, much like I could probably have another coffee at this point—we could potentially put this into the appendix of the report, where this could be noted, I think could be something we could work with. I keep thinking back on how that would work and whether that could potentially be a way to go.

I've just been writing this down to make sure I can come up with it. I want to make sure that if I do, we can go down this path and potentially talk about this, and gather my esteemed colleagues' views on this.

This is, I believe, week two or three of the five-week sitting period before the week in May when we get to be back in our constituencies. I hope that we can further speak as to how we proceed in terms of wrapping up this study, getting it so that the analysts can proceed to writing up their thoughts, and us, each individual MP, being able to proceed and provide our thoughts, so as a team, a collective team, we can reach some sort of conclusion with regard to the study that this motion is in reference to and so forth.

I know that MP Johns is here covering his esteemed colleague from northern Ontario, MP Angus, and I welcome him this morning.

I don't want to say that I feel bad for you coming here this morning, but nonetheless it's always nice to see you, Gordon. I always enjoy your company and having a conversation.

I think at the same time, we have received further documents with regard to WE and the goings-on there. We've received some pictures and so forth. That's important. At the same time, we want to reach a conclusion. That is something we all want to get to. I don't think any one of us at this point in time does not want to conclude this study and move on to the other studies at hand and get these things wrapped up.

• (8340)

I believe one of my colleagues mentioned that we don't want to be talking about this in June; we don't. More news has transpired today with regard to our other study that we've been looking at in reference to Pornhub and MindGeek. I think it's important that we get to that study to get things firmed up, because that study is very important to our constituents. If I could rank the importance of this study here it pales in comparison to ensuring that non-consensual images are not utilized on the Internet, in reference to where we are with Mr. Fortin's motion.

In terms of the news coming out from Montreal this morning, the executive's home is no longer standing as some sort of fire happened from a cause unknown at this point. It behooves the committee that we wrap up this motion and this study and proceed to the Pornhub/MindGeek study. I think it's of significant importance and I think we need to continue making that point.

In fact, going back to the representatives who were here from the study in the prior meeting with regard to their reappointments, this morning La Presse has a story on Pornhub where the title is

[*Translation*]

“J'ai voulu mourir”.

[*English*]

I believe this means, “I want to die”. There is publication

[*Translation*]

[*Inaudible—Editor*] without consent on Pornhub.

[*English*]

Again, Caroline Touzin from La Presse this morning has put up an article on Pornhub and MindGeek. I know how important this is to the people in la belle province and all Canadians.

I'm looking at the article. It describes an adolescent named

[*Translation*]

Catherine, victim of sexual exploitation, young adult; she became an escort.

[*English*]

She talks about her suffering with addiction and—

• (8345)

[*Translation*]

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

[*English*]

The Chair: I recognize your point of order, Mr. Fortin.

[*Translation*]

Mr. Rhéal Fortin: With all due respect to Mr. Sorbara, what he's talking about is very important. Actually, it's what we want to talk about, but right now we're on a motion and I believe we're not dealing with the motion anymore. So we need to get this motion dealt with before we talk about Pornhub.

Again, not because it's not important, but it's not what we're talking about right now.

[*English*]

The Chair: Thank you, Mr. Fortin.

Mr. Sorbara, I was sensing that you were getting completely off-topic. I'll encourage you to get on to the subject we are discussing. I do believe that you, as well as other committee members, have expressed the desire to move on, get to a vote and complete this so we can get on with other work.

Mr. Fergus.

[*Translation*]

Mr. Greg Fergus: Mr. Chair, I have a point of order.

I understand your position very well. When we're talking about a motion, we have to remain relevant.

I believe Mr. Sorbara was making the distinction, as I understand it, that talking about something other than the committee's priority comes at a cost. That is the only reason he was saying that.

[*English*]

The Chair: I agree with Mr. Fergus, Mr. Sorbara and Mr. Fortin.

I think there's a solution to this.

It is clear to me, as the chair, that we're not going to come to a consensus with regard to where we're headed. My suggestion now is to move immediately to a vote on the motion to allow committee members to determine whether we support it or we don't. We can then determine what to consider next as a committee with regard to future business.

Is there a willingness to move to a vote on the motion?

I'm getting several thumbs up.

Ms. Shanahan and Mr. Sorbara oppose it. Mr. Fortin and Mr. Carrie support it. Mr. Fergus opposes it. Mr. Dong isn't indicating one way or another. Mr. Barrett supports it. As Mr. Gourde and Mr. Johns are both supportive of it... As you can see, colleagues, we are a divided group. I keep hearing members of the committee urging me to allow things to move along, but as you can see, I'm in a position where I cannot move things along until the speaking order has been exhausted.

Ms. Shanahan.

Mrs. Brenda Shanahan: I have a point of order, Chair.

I was first on the speakers list here today from a meeting that was suspended from last Friday. I had many points that I wanted to make on this motion. You declined to allow me to speak, and now you're naming members on their vote whether to continue or not continue a discussion on something that we don't agree with.

I'm sorry, but you refused me the option to speak.

The Chair: Thank you, Ms. Shanahan. You haven't been refused. You are on the speaking order. You will get a chance to speak if your colleagues allow you to do that.

As long as other members are ahead of you on the speaking order, they do have the floor until such time as they give it up. I think it's important because members of all parties had indicated to me that they wanted to move this along. As the chair, I think it's important for me to explain why we can't move forward.

The reason we can't move forward is that the members on the speaking order want to continue to speak. When I've offered the opportunity to move to a vote, to move this along expeditiously, members, as I've point out, are divided on the issue, so I'm unable to do that.

• (8350)

We have Mr. Dong on a point of order.

Mr. Han Dong: I have a lot of respect for you, Chair. It's not an easy job. Respectfully, I want to point out that committee members like Mr. Barrett, Monsieur Fortin—I can name a few others, including on our side—Mr. Fergus.... Today we hear from Mr. Sorbara, who has spoken at length several times on this motion. I have not had a chance to speak to this motion. That's why I think I need to be heard. That's the expectation of my constituents. That's why I think we should continue on the debate. That's why I'm not—

The Chair: Thank you, Mr. Dong. I appreciate that.

Members have a right to hold the floor as long as they want once they've been given the floor. Out of common courtesy to people like Mr. Dong, who has not had an opportunity yet to speak on this motion, I would encourage members to make their points and then cede the floor to their colleagues. I am sensing a growing frustration, as has been demonstrated through the interventions by other members, that they haven't had an opportunity to speak.

Mr. Sorbara, I will turn it back to you. I will encourage you that your colleagues.... As Mr. Dong has indicated, he is frustrated that he is unable to get the floor.

Mr. Dong has a point of order.

Mr. Han Dong: Thank you, Chair.

My frustration was not the fact that my colleagues have expressed their points of view. I'm waiting patiently for my turn. My point of order is that I've tried to explain the reason I'm not ready to move to a vote—

The Chair: Thank you, Mr. Dong.

I think there is only one way we can move to a vote, and that's when we exhaust the speaking order. These continued delays will simply drag out the length of time until we can get to a vote. I'm taking note of people's frustrations that they haven't been able to

speak. As this continues, we're not able to get on to other committee business. Everybody who has spoken has urged the committee members to move forward, but I'm explaining that there is only one solution to that: we make our points as quickly as possible, allow the speaking order to be exhausted and allow for a vote to happen.

Mr. Sorbara, we'll return to you.

Mr. Francesco Sorbara: Thank you, Chair.

I wish to welcome MP Angus back to the committee this morning. It's great to see you, MP Angus. Your honourable colleague, Mr. Johns, did a spectacular job in representing you and the New Democratic Party this morning here on committee.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you so much for that.

Did I miss anything, or is this just a replay of last week?

The Chair: Order, folks.

Mr. Sorbara, we'll return to you for your final points, and then we'll move on to the next members on the speakers list, which include Mr. Carrie, Ms. Lattanzio, Mr. Dong, and then continue to Mr. Barrett, Ms. Shanahan, and on we go.

Mr. Francesco Sorbara: Chair, to reach unanimity within the esteemed colleagues who are gathered here this morning on this access to information, privacy and ethics committee—because we are a very multi-faceted committee—motions can be withdrawn, motions can be amended. Motions need to be debated, and that's what we are doing here with MP Fortin's motion.

To recap, Mr. Angus, I'll give you the 30-second, Coles Notes version. I'm in full favour of transparency and accountability with respect to all motions, and this motion even more so. We did have ministers appear in front of committee.

• (8355)

The Chair: I'm recognizing your point of order, Mr. Barrett.

Mr. Michael Barrett: Chair, you will know that the rules of relevance and repetition are important. While the intention may be good, there is no need for any speaker to recount their own points back to the committee. It is in fact out of order for that to occur.

The Chair: Thank you, Mr. Barrett.

Mr. Sorbara is aware of that. I know that he is an experienced parliamentarian, so I will encourage him to resist the temptation to repeat himself.

Mr. Sorbara, we'll go back to you for your final points.

Mr. Francesco Sorbara: Thank you, Chair, for your intervention. To be very frank, I sat on the finance committee for many years with your esteemed and honourable colleague from Carleton. I know that our side, when Pierre had the floor, was always respectful to him. I know that you're doing the same here in a very tough situation as well, so I want to say thank you for that.

I do hope we can reach a conclusion where we look at Mr. Fortin's motion and can finally have an opportunity to reach some sort of consensus. My thinking process today is that if we're able to put this motion, when we do this study...to put it in the appendix of the motion, where it is cited, it may well be a reasonable thing to do in terms of answering the wishes of some of the committee members and us being able to cross that bridge together. At the same time, it recognizes the fact that when it comes to accountability, accountability is in line with ministerial accountability. I go back to that over and over again. If somebody directed someone to do something in life, or not directed someone not to do something in life, the buck stops with the minister and the ministers in any government. That's been my point all along with this.

Again, to MP Angus, not for repetition, my comment was that over the weekend—I don't want to repeat this, but I will repeat this—I used my LinkedIn account comprehensively. The reason that one of the member's staffers appears on the original ask to come and speak, and appears on this one here, is that a message was sent to LinkedIn. I send messages. They're always actually pre-done. That's one of the options with LinkedIn, and I understand that.

To me, that was sort of disappointing, especially with all the evidence we were presented with and all the other documents that were presented and continue to be presented and continue to be received by this committee with regard to the organization we dealt with, and the seven hours of testimony that was provided by the brothers.

That's where I'm at. I don't want to belabour this point. I would love just to wrap up at this point and then move the discussion on to the next member. I count seven hands up from members who wish to speak to this. It's 11:58 a.m., and I have spoken for a considerable amount of time. I have given my humble thoughts on where we can get to a point where we can move on. As a member of Parliament for my riding, representing the wonderful constituents who I have the privilege of representing, I would like to move on and wrap this study up as soon as possible. I would like to move on to what I think is the more pressing issue at hand, which is the Pornhub and MindGeek study. I think that has galvanized....

MP Angus, you may not have seen the article in La Presse this morning from another individual with regard to non-consensual images. The article that's out this morning is with regard to a fire that happened at Montreal at the executive's home.

That's not to take away from this motion, but in my humble thoughts, I would love to move on to the other folks.

I don't want to belabour the point, to MP Warkentin and to MP Barrett, and I'm glad you had some time this weekend to spend time with your kids. I also have an eight-year-old. It was cold, but we still went to the park and—

• (8400)

The Chair: Thank you, Mr. Sorbara. You can maybe catch up later on, just for the sake of committee members.

Mr. Francesco Sorbara: I will do that. I'm almost—

The Chair: I do have Mr. Carrie. I do have Ms. Lattanzio and Mr. Dong.

Mr. Francesco Sorbara: Chair, I still do have the floor. I will stop—

The Chair: I'll allow you to finish, but you were getting into personal discussions there. I'm happy to have that happen, but it would probably be best, for the sake of the committee, for that to happen at a future time.

Mr. Francesco Sorbara: Absolutely. We want to use the committee's time in the most judicious and diligent manner for the matters at hand, and the matter at hand is the Fortin motion.

I will sign off. I will turn it over to the next speaker and just say that I do hope that by the end of this meeting we can come to a position where the committee is able to vote on something that's in front of us, something we can agree to, and we can get to that vote, and also move on to wrapping this study up and making the recommendations we feel necessary with regard to the study this motion is in reference to, and then also move on, more importantly, I think, to the Pornhub/MindGeek study.

I'll stop there, Chair. It is 12 o'clock, and I thank my honourable colleagues for listening to my humble thoughts for the last half an hour or so.

The Chair: Thank you, Mr. Sorbara.

I will just remind committee members that the only way we can proceed to vote on anything is if we dispose of this motion first, so if the intent is to get that done before the end of the meeting, this motion has to be disposed of before we can move on to anything else.

Mr. Carrie, we'll turn to you.

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

I want to thank my Liberal colleague. I think he's sincere that he'd like to see if we can get moving forward. I would like to point out that only the Liberals are opposing this motion and only the Liberals are filibustering it. There's one way we could break this logjam. We could go right into a vote.

I can agree with the member that, ultimately, the minister should be held accountable, but if we look back at the original motion, the Prime Minister was able to come, and he refused that as well.

If we're looking at this issue, we've had ministers of the Crown tell other individuals to defy an order of the House. I think what Mr. Fortin put together here is not only factual but quite reasonable for us to report back to the House.

I do want to thank my Liberal colleague Mr. Sorbara, because I think I have a solution. He brought up two specific points with the motion he was having challenges with. One was why should we report this back to the House. I could tell him quite clearly that we should because there was an order of the House, and it needs to be reported back to the House because that was the order.

The other thing he said was that he saw no evidence that a minister told an individual not to come before this House. Mr. Chair, maybe we would could send it over to our Liberal colleagues. I know Mr. Fergus said a similar thing. I actually have the letter from Minister Fortier right in front of me. The second-last line, before “Yours sincerely”—and I’m going to quote her letter so my Liberal colleagues can hear it—reads:

Accordingly, Mr. Ben Chin has been instructed to not appear before the committee. In his place, I will attend the meeting on behalf of the government on Thursday, 8 April 2021.

There we have it, right there. As the Liberals are percolating, and I think everybody on this committee is percolating, Mr. Chair, now that I’ve actually answered those two questions for the Liberals, if you poll the committee not only will you get the Conservatives, the NDP and the Bloc in agreement to report this very factual motion back to the House, but now that I’ve answered his two questions, I think we will be able to get unanimous consent for that.

I’m not going to get into other comments I could get into right now, but, Mr. Chair, if you could do that, I think I’ve answered both his questions quite clearly. If that’s what he was asking us to do, we’ve resolved the issue.

● (8405)

The Chair: Again, I’ll poll committee members. I’m still getting at least a couple of members saying they’re not prepared to move to a vote.

I’ll go to the next person on the list.

Ms. Lattanzio.

[*Translation*]

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

I, too, as a member of this committee, understand that my colleagues want to cut this speech, this debate, short.

However, as parliamentarians, we all have the right to express ourselves and give our opinion on every issue and every motion. So I’m taking the opportunity this morning to speak to Mr. Fortin’s motion.

I have a couple of points I’d like to share with my colleagues. This morning and since last week, some of us have been saying that this motion is simple and that we have other priorities. We are being very wasteful. We agree that the motion is simple precisely because it is simply not accurate.

So I’m going to give you my thoughts and my perspective. Simply put, this motion does not report the facts, as my colleagues have already said. It states that an order was issued by the House for individuals to come and testify, and that a certain decision was made. My colleague whom I see in front of me has spoken to me about this as well. This is the wording of point 5:

The Committee noted that Minister Pablo Rodriguez appeared on March 29, 2021, instead of Rick Theis, after having ordered him not to appear before the Committee, as mentioned in his letter to the Chair received by Committee members on March 28, 2021;

The very wording of the motion emphasizes that Minister Pablo Rodriguez allegedly asked the witness Rick Theis not to appear. The wording of this paragraph misleads the members because we have no proof of what is being claimed. Even if we did, and I’m not saying we do, the letter from Minister Rodriguez, which my colleague Mr. Fortin quoted earlier, states this:

Accordingly, Mr. Rick Theis, Director of Policy to the Prime Minister, has been instructed to not appear before the Committee.

I draw your attention to the next sentence:

In his place, I will attend the meeting on behalf of the government on Monday, March 29th.

So there was never a failure to appear, as my colleague has argued in very technical jargon before the committee. My colleagues have clearly explained to you that the witnesses who were called are employees and they’re not responsible for reporting on the actions of ministers. So ministers can come and testify before committees.

Second, in his motion, Mr. Fortin states that if the three witnesses named in the motion do not appear, the Prime Minister can appear for them. Once again, the Prime Minister, being a minister, also has the option of delegating his representation to other ministers. The cabinet is responsible for decisions made by the ministers.

So we can see that there was no failure to appear. I understand my colleagues’ insistence that the three witnesses appear, but it’s simply not true that there was a failure to appear. I insist on that. It’s crystal clear.

● (8410)

Two ministers took the time to respond to the request and come forward to testify about the facts of the case.

I’m going to make an analogy. When we sue a business, what do we do if we want to hear testimony? We can subpoena employees, but at the end of the day, who is accountable? It’s the manager, the person in charge, the president of the company, Mr. Chair. They are responsible for their employees’ actions. They must appear, whether before an administrative tribunal, a court or committees, to relate the facts on the subject of the dispute.

I am using the analogy to show my colleagues that we must be reasonable. This is the same process that was followed before this committee. What did we do, Mr. Chair? We have the audacity to say that we’re not satisfied with the process.

The same is true of point 6. I will repeat the wording of that point:

The Committee noted that Minister Mona Fortier also ordered witnesses Amital Singh and Ben Chin not to appear before the Committee, as mentioned in her letters to the Chair dated March 30 and April 7, 2021.

I am referring to the two letters from Minister Fortier, dated March 30 and April 7. In them, she concludes that “Accordingly, Mr. Amitpal Singh has been instructed to not appear before the committee.” Once again, I emphasize, she continues as follows: “I will attend the meeting on behalf of the government on Wednesday, 31 March 2021.”

In her April 7 letter about the witness Ben Chin, the honourable Ms. Fortier once again states: “Accordingly, Mr. Ben Chin has been instructed to not appear before the committee. In his place, I will attend the meeting on behalf of the government on Thursday, 8 April 2021.”

Before we even try to figure out what happened when we had the two ministers before us, I'd like to—

[*English*]

The Chair: I'm recognizing Mr. Carrie on a point of order.

Mr. Colin Carrie: Thank you very much, Mr. Chair.

I was just listening to the translation. It appears that the member is saying that Minister Fortier did not instruct Mr. Chin to come, but then she read from Minister Fortier's letter that actually said, in the translation, exactly what the letter says: that he was instructed not to come. So—

The Chair: That sounds a lot like a point of debate. It doesn't sound like a point of order.

Was there another intervention there?

Not seeing it, we'll turn back to Ms. Lattanzio.

[*Translation*]

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

I am just reading how the letters are worded, colleague.

Before I even get back to what happened in committee regarding the testimony of the two ministers, I'd like to digress for a moment to answer the following question. What led us to this motion from Mr. Fortin?

Remember that in testimony before the committee, there was actually an exchange of messages between Ben Chin and WE Charity that took place on LinkedIn. The question that came up was whether or not Mr. Chin had responded to the message that was sent. The thought was that there had to be information and that we needed to dig around, go deeper, explore the issue and make inquiries to find out what had occurred.

I remember very well what I said at the time. Some members had said it as well. I mentioned that we had received 5,000 pages of documents over the summer about what had happened with WE Charity. If we had bothered to look at the documents, we would have seen that there was no correspondence following the message sent through LinkedIn, as I mentioned earlier.

Let's back up a bit. We found that there had been only one message, and no further communication after that. Minister Pablo Rodriguez did tell us that. At the end of the minister's testimony, our colleague Elizabeth May had even concluded by saying that, had she learned this information in the House, the outcome might have been different.

We have an obligation to report the facts as they are and the responsibility to act with transparency. I would be hard pressed to relate facts that did not occur as stated in the motion, because that appearance before the committee took place.

In all honesty, I must tell you that I didn't attend the committee meeting on March 31, but I was present on March 29 and April 8. I did, however, look at the minutes to see what happened on March 31. We had taken a long time to decide whether we would hear the testimony of Minister Pablo Rodriguez. I don't know how much time we spent on that, but we even debated whether we would hear him. We ended up hearing his testimony.

Then the committee came back to the issue of the other two witnesses. This surprised me a little, because in the discussion between committee members and the witness Ben Chin, I was under the impression that Ben Chin was the only one involved.

● (8415)

How did the other two witnesses' names get added to the motion? I still have no idea. I am talking about Amitpal Singh and—

I am sorry, Mr. Chair. I am getting lost in my papers.

● (8420)

Mr. Greg Fergus: I have a point of order, Mr. Chair.

[*English*]

The Chair: Mr. Fergus, you have a point of order.

[*Translation*]

Mr. Greg Fergus: I believe my colleague is looking for the name Rick Theis.

Ms. Patricia Lattanzio: Yes, that's right. It's not like that name has never come up before.

How did those two witnesses end up on the list? I am surprised, but that is what the House asked for. They were added to the list further to testimony provided before the committee in relation to a single witness, Ben Chin.

In summer 2020, a news conference was held about everything that had happened in the WE Charity matter. I am going to quickly go over what happened. In March, the matter was reopened and a motion was introduced in the House to obtain information. People wanted that information so badly that they subpoenaed witnesses to appear before the committee.

There is no point repeating the ministerial accountability argument and the fact that, according to House tradition, ministers appear in relation to all matters pertaining to decision-making and accountability. However, employees are always left out.

I want to refer back to the minutes of the March 31 meeting. At the very end of that meeting, our colleague Mr. Barrett spoke, and I don't know how long that went on. I unfortunately only have the English version, but here's what he said:

[*English*]

“That being said, while I believe that we need to examine the motion that Monsieur Fortin has put forward, I move that the meeting be adjourned.”

The Chair: There is a motion to adjourn the meeting, colleagues, and that is not a debatable motion, and so—

Ms. Patricia Lattanzio: I know that—

The Chair: Pardon me, Ms. Lattanzio, were you moving a motion to adjourn the meeting?

Ms. Patricia Lattanzio: No.

The Chair: Okay.

Ms. Patricia Lattanzio: No. I'm citing from the minutes of the meeting of March 31. So, I'm just citing our colleague, sorry, I'm not—

The Chair: Very good.

Mr. Michael Barrett: I have a point of order, Chair, just while we have that—

The Chair: I am recognizing a point of order by Mr. Barrett.

Mr. Michael Barrett: Chair, I'm looking for your guidance. Is it in order for members to read back transcripts of previous meetings?

I'm just not sure that it's a standard practice of ours to be quoting other members of the committee back to each other.

I'm just looking to see if that's consistent with the rules in the *House of Commons Procedure and Practice*.

The Chair: I think I'll allow it as long as it's not repetition of the same. It is in some respects repetition but not at the same meeting of the same points, so I'll allow it.

As a reminder to all colleagues, especially those who have intervened, Mr. Dong has indicated that he would like an opportunity to speak, and he hasn't yet.

Ms. Lattanzio, I know that you probably have a few things left to complete but you do have colleagues who are desperately waiting to get on the record as well.

Ms. Patricia Lattanzio: I understand that, Mr. Chair, but I'd like to seize the opportunity to speak on this issue as I've not had—

The Chair: On a point of order, Mr. Dong.

Mr. Han Dong: I'm patiently waiting, I'm not desperately waiting.

The Chair: I shouldn't have pointed out you directly, but I'm getting texts from others as well who are hoping to move to a vote and to be able to move on to the important work of this committee and to allow this motion to be disposed of.

Ms. Lattanzio, we'll come to you.

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

[*Translation*]

I was talking about the March 31 meeting. I was quoting the motion put forward by my colleague to close the debate on Minister Fortier's testimony. I clearly remember that it was a constituency week, so goodness knows we would have had the time to look into it and the luxury of asking the minister all the questions we wanted to ask her for as long as we wanted. However, as I understand it, the meeting was adjourned. The debate was not suspended. Members could have easily suspended the debate, but they chose to adjourn the meeting. So Minister Fortier's testimony ended there.

Now, my colleague Mr. Fortin's motion is proposing “that the Committee report these events to the House of Commons in order to express its dissatisfaction”. I'm having trouble following. That's a bold statement, given that the ministers came before the committee and we had the opportunity to ask them questions to our hearts' content. For whatever reason, rather than suspend the debate, the committee decided to close it.

Moreover, colleagues, on March 31, as I understand it, when Minister Fortier appeared before the committee, we even debated whether or not we should hear her. In the end, it was decided we would hear her, but finally the debate was closed.

Let's move on to the April 8 meeting. That time, I was present. Once again, the honourable Minister Mona Fortier appeared. So there was no failure to appear; she was indeed present. We had another debate to decide whether we would hear her and whether she was the right witness. We had to go through what ministerial accountability means, and finally we had a debate and the members then wondered what to do. Once again, it was not deemed appropriate to hear from Minister Mona Fortier. No questions were asked of her, no requests for information or documents were made to her, and once again, the debate was closed.

We have a responsibility to report the facts as they happened. We say there is dissatisfaction. I am watching the committee and I know we have some very important work to do. I do not want to minimize my colleague's motion, but my colleague Mr. Sorbara talked about the importance of the Pornhub and MindGeek matter in Quebec. I know that my colleague Ms. Gaudreau is also very sensitive to the issue. It's very important work, and we were just about to complete it last week. However, this committee's work was set aside to debate this motion once again. People are waiting on us. We really need to move this study forward, and this time the world is watching. They want to see how Canada will resolve this very important issue.

● (8425)

What do we do? We set it aside to come back to this motion.

Where is the urgency to discuss a motion for which the committee has received witnesses? Still, the committee members decided to say thanks, but no thanks.

● (8430)

We're using up time today, and now we're saying that it's wasteful. I agree: it is a waste of time to come back to a motion asking for information, testimony, when the members of this committee saw fit not to hear someone because they were not the right witness. We didn't want to listen, we didn't want to hear it. What we wanted was to report this to the House so that there would be consequences.

On the question of how to reach consensus, this morning, and even last week, I believe my colleagues reached out so that we could make some headway. As a new parliamentarian, I'm looking forward to doing reports and studies. I sit on another committee where we are close to finishing a report. It's what Canadians expect from us, including a study report on MindGeek and Pornhub. We have a responsibility to study the topics put forward and do the work related to them.

Unfortunately, for some time now, I've been noticing that we're wasting time here. This morning and last week, we tried to reach out to see how we could align this motion, the wording or whatever it is so that we could reach a consensus and move forward. We're at an impasse on this committee. Mr. Sorbara has reached out. Mr. Fergus has reached out as well.

On another committee, I had introduced a motion to allow us to do a lot of studies. We had a lot of work to do and we were looking to see if we could do two studies at once. We have two hours of meetings, Mr. Chair, and a lot of work. Maybe it would make sense to spend the first hour of the meeting on one motion and the second hour on another motion? Would my colleagues all agree to that? It would allow us to move forward with our business.

At this point, we're using all the time we have been allotted, but we're unable to move forward. We always hit roadblocks on this committee. I want us to move forward, I want this committee to have time to consider all the motions that come before it, but you have to have good time management, and unfortunately we do not. It's simple. It's crystal clear: the members want to finish the committee's work and hear from witnesses about MindGeek and Pornhub.

Unfortunately, we went to the trouble of starting a meeting in camera and then making motions and meeting in public, and we're debating a motion that is unrelated to committee business.

I would suggest to my colleague Mr. Fortin that he reconsider the wording and even the substance of his motion, and withdraw the motion to give the committee an opportunity to begin its study of MindGeek and Pornhub, as well as the work it needs to do on other issues that have been raised.

Mr. Fortin wants to report a problem to the House; I understand that. He wants to report to the House that one of its orders was not obeyed, which the House absolutely needs to know. However, if that report is made, it must necessarily relate what happened before the committee.

Witnesses who appear before committees relate facts and share their knowledge or expertise. I have a hard time envisioning a committee reporting something that did not happen before it. I can't imagine us reporting back to the House that witnesses came forward to represent someone, but it was decided that they were not the right witnesses, that we didn't want to hear them, and, because of that, we're dissatisfied.

Sometimes you make your own bed, and you have to lie in it. Again, I'm reaching out to my colleague, and I'm telling him that at this point, he should withdraw his motion and introduce another motion that reflects everything that actually happened before the committee. I've seen the way members have voted so far on the

committee. I don't want to presume the outcome of the vote, because until you vote you don't know the outcome. In my opinion, it doesn't make sense to pass this motion and report it to the House and to the Speaker, as the motion calls for.

We have work to do. I respect each of my colleagues, and I know that most of them have more experience than I do.

I see you and hear you with great interest, but we have a responsibility, a duty even, to relate exactly what happened before this committee. Unfortunately, the motion we are considering does not reflect what happened before the committee.

For these reasons, I would ask my colleague Mr. Fortin to withdraw the current version of his motion. Perhaps we could then consider another motion that would state what actually happened before the committee. The motion itself is simple, but it does not, in my view, represent the facts about what occurred.

• (8435)

[English]

The Chair: I'm recognizing a point of order from Mr. Angus.

Mr. Charlie Angus: Yes. We've heard for the last 20, 30 or 40 minutes from Madam Lattanzio that she doesn't like the motion and she wants it withdrawn. She just keeps repeating it. Is she asking formally so we can vote or turn it over to Mr. Fortin? She keeps telling us the same story. She doesn't like the motion and she wants it withdrawn and then she starts over again and tells us the same story. I think she's using this to waste our time.

Ms. Patricia Lattanzio: Mr. Chair, I have a question of privilege.

The Chair: Pardon me, before we take a question of privilege we do have a point of order. I'm going to recognize that there has been some repetition. Obviously, the member has been encouraged to make new points, not to repeat old points. We will make an effort to deal with the broader issue. So far, Madam Lattanzio has not indicated if she is formally asking for something to be withdrawn so I don't think we can move to a vote or seek unanimous consent on that.

Madam Lattanzio, if you would like to move to have the motion withdrawn, there will have to be unanimous consent to do that.

Please go ahead on the question of privilege, Madam Lattanzio.

• (8440)

Ms. Patricia Lattanzio: I'm being told or I'm being accused that I do not like the motion. What I'm saying is, and I'm going to say it in English so there's clarity about it and it's well understood—

The Chair: This sounds like a point of debate. I'll let you have the floor and then move into the points of debate if you're seeking some clarification with regards to how your words have been interpreted. I'm reminding you, Madam Lattanzio, that we do have a lengthy speaking list.

I'll move back to you.

[*Translation*]

Ms. Patricia Lattanzio: Mr. Chair, I'm not saying that I do not like the motion. I'm not saying I like it either.

What I'm trying to say is that the content of the motion does not relate the facts as they unfolded before us. That's why I disagree with the wording of the motion.

My colleague says I don't like the motion, but that's not the point. The motion simply does not relate the facts on what took place before us.

I apologize for repeating the message, but I feel I need to do so to make it crystal clear to everyone. I believe some of my colleagues didn't catch what I said, and I am sorry about that.

I want to emphasize that this motion is simply not a—

[*English*]

The Chair: I'm recognizing a point of order from Mr. Angus.

Mr. Charlie Angus: I'm very sorry that I reminded Madam Lattanzio about not repeating because it's given her a chance to repeat the same talking points again and again. She's interfering with our work. We have better things to do.

Is she asking to have that motion withdrawn? Otherwise, could she give the floor to someone who has something new to say?

The Chair: I'd like to remind you, Madam Lattanzio, that even if you think it would be helpful to repeat yourself, the rules don't allow for that. So I would discourage you from repeating what has already been said.

There is a growing frustration, and I can feel it from all sides, with regards to the committee as to how we move forward. There are only two ways we can move forward from where we're currently at.

One option is that there is unanimous consent for the motion to be withdrawn. I'm getting some heads shaking against that option.

If that's not an option, then the only way to move forward would be for us to have a vote on the motion so we can dispose of it and then move on to another issue.

I want to remind colleagues that there is an impatience in everybody's comments; there is a desire to move on. Those are the only two options allowed to committee members. Either we have unanimous consent for the motion to be withdrawn or we get to a vote so we can dispose of it one way or another.

Ms. Lattanzio, we will return to you for your final comments.

[*Translation*]

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

I'm very pleased that all members understood my opposition to the motion this time.

I'm not making a request of my colleague. I'm simply inviting him to reconsider his motion. It's not my place to put forward this motion. I'm giving him the opportunity to reflect on it. What he does with his motion is up to him.

At this point, the only thing I can suggest to the committee is to close the debate on the motion, because most of us have expressed our views. This would give our colleague Mr. Fortin some time to rephrase or withdraw his motion.

I am therefore asking that the debate be closed, Mr. Chair.

● (8445)

[*English*]

The Chair: I think I'm seeking some clarification, Madame Lattanzio. There seems to be some confusion with regards to what you just proposed.

Mr. Fortin is not able to withdraw his motion without unanimous consent of the committee. Even if that were desired I'm getting an indication that is not an option.

Are you seeking to move to a vote with regards to Mr. Fortin's motion?

Ms. Patricia Lattanzio: I'm seeking to adjourn debate on Mr. Fortin's motion.

The Chair: Okay.

You're seeking.

You've moved a motion to—

Ms. Patricia Lattanzio: Adjourn.

The Chair: —adjourn debate.

Let's move to a roll call on that, Madam Clerk.

Mr. Han Dong: I have a point of order, Mr. Chair.

The Chair: This is not a debatable motion, but we'll move...

Mr. Han Dong: I'm not debating that. It's a point of clarification.

The Chair: There is no ability for point of clarification, Mr. Dong. I do apologize.

Madam Clerk, the vote has been called.

Mr. Han Dong: I just want to understand the process a little. As how many....

Mr. Charlie Angus: You're interrupting the vote.

You don't have the right to do that.

The Chair: Order, colleagues.

Madam Clerk, let's continue with the vote.

Mr. Han Dong: Chair, I raised a point of order.

The Chair: Mr. Dong, there is no point of order. It's a non-debatable motion.

We're moving to the vote, Madam Clerk.

(Motion negated: nays 6; yeas 5)

We will continue with the debate on the motion.

Ms. Lattanzio, did you have any final comments?

[*Translation*]

Ms. Patricia Lattanzio: At this point, I would invite my colleague Mr. Fortin to reconsider his motion.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you.

I'm turning to Mr. Dong.

Mr. Han Dong: Thank you very much, Chair. I see the growing list of members who want to speak to this motion, so I think we will hear the debate for a little longer.

I'm very pleased to have a chance to speak to this motion, as I haven't had a chance yet.

My honourable colleagues on the committee would all agree that, although we may disagree on certain things, especially when it comes to this very important study, we all agree that a member's right to speak—a member's privilege—should be respected. That's a very important point for all parliamentarians.

Chair, one benefit for me listening to all my members is that I listen to their points and make observations. The one observation I can share with you is the consistency in inconsistency that I've been witnessing here. Whether it's the government members today or a government member in the past, there is evidence of records being pulled out out, showing that when members were in government in the past—a previous government—their positions change. I understand that. I will be very mindful to what I say today so it won't be used later on against me.

I'm actually looking at this motion as part of the larger motion to study the procurement policies of the government. In fact, I should share with you that going back to the very early debate of the study, I had questions on whether or not it was appropriate to do a study that parallels the commissioner's investigation, because we know there is an ongoing investigation on what we are talking about. We've heard from witnesses—people like the former integrity commissioner and other professionals—who warned us, basically, of the dangers of contamination between this study and the finding of the actual investigation that's taking place.

We debate that; we spend a lot of time debating the merits of the study—the details of it. We debate amendments, and we move forward. It's been a long time. I see that there was a big change to the membership of this committee, but Monsieur Gourde, Mrs. Shanahan and I have been sitting through these debates on this study entirely.

For the benefit of the viewers today—some may get confused on what we are talking about, why there is such a difference in positions on what seems to be a detailed part of this overall study—I can share with you that, after we had extensive debate on whether or not this study was appropriate, we moved on. The members of this committee moved on.

We debated on the witnesses when we invited them. What I observed, again patiently sitting and listening to members and witnesses, is that there were a lot of people affected by this study. We heard from the witness from Speakers' Spotlight on how their employees were affected, to a point that they were receiving threats and it was affecting their families' daily routine. That is sort of the negative outcome of this study. I want to make sure that we pay attention to this.

Then we entered the debate on whether or not financial information of a public office holder's relative should be shared publicly. After 5,000 pages being released by the government, we had extensive debate on this. We had amendments, we had votes, we had change of votes. We had a long history of looking into the details of this study.

● (8450)

I want to just point out that at the end of the day, we're studying the procurement policy and procedures to make sure the integrity of the government process is upheld. In this case, however, there was not a single cent of public dollars transferred to WE Charity. We are doing this work to prevent incidents in the future. It is for all good reasons, and I understand that.

We called witness after witness. To be honest, Chair, when we were listening to the testimony of the Kielburger brothers, I honestly thought I saw the light at the end of the tunnel. I thought that was the last stage of this study and that we were all ready to complete this study that has been dragging on. It's been stalling a lot of other important work of the committee.

Then the honourable member for Carleton was subbed into the committee and asked a question on something that was already in the public. In August of 2020 it was reported that there was an exchange on LinkedIn between the Kielburger brothers and Ben Chin. It wasn't news. We had had almost eight months. If we had thought that was important, that a simple reply was important, we could have called a meeting a long time ago. We could have talked about this a long time ago. No, it came out of this questioning by the member for Carleton of the Kielburger brothers. There was an “aha” moment, which I still have difficulty understanding. What was so aha about it?

We heard Mr. Sorbara call this study a “fishing expedition”. I think at that time it felt as though there was a fishing expedition. You go on a trip hoping to catch a bass and you catch a perch—aha! There must be something else we want to dig into. That started a whole new chapter of this never-ending study.

I respectfully ask the members to go back to the original motive and the intent of this study. Ask yourself what we are doing here.

We had the study on MindGeek and Pornhub, and it was going well. It was so important that we thought to interrupt this study to allow us to invite the witnesses from Stella and whatnot.

Chair, are you taking a picture of me?

• (8455)

The Chair: No, I'm taking a picture of the speaking order.

Mr. Han Dong: Okay. Sorry about that, Chair.

Yes, we all agreed to interrupt the study briefly to hear from these witnesses. Then I heard the motion to extend the hours so more witnesses could come forward to give us a comprehensive view on the Pornhub study, because we have the power to recommend, through the House, to the government, the actions that need to be taken to protect vulnerable youth especially, but at the same time respect people's right to privacy, to expression and the right to work. We have to keep that balance, so I thought that testimony was very important.

We are again talking about Monsieur Fortin's motion. It has brought us right back into this extensive debate on a motion on a study that is looking at money that was never spent by the government.

I want to respectfully ask members to just keep your priorities. I looked at all these...whether it's face recognition, whether it's... These are more urgent and should be in a higher position on our priority list of the committee.

Obviously we're in a deadlock, as cited by Ms. Lattanzio.

You said there are two options, and one is for Mr. Fortin to withdraw the motion, to vote on the motion; and the other is to suspend it or adjourn the debate and then move on to perhaps another study and park this for a little while. Let our caucus and colleagues work out the difference. Maybe they're more brilliant than we are. Maybe they can work out the difference and find a common ground. Give them some time to work it out but not stall the work of the committee, and we can move on to something that's more urgently needed.

When I talk about facial recognition—and Mr. Angus and Mr. Fergus would agree with me—I heard from my community that there is a lot of interest in this. However, the window of opportunity is closing. We are losing a very important, precious opportunity to do a sound study and review of what's going on right now.

I don't want to go on and on and repeat myself, but I sincerely ask members to look at this motion and understand that this is an outcome or part of an outcome of a very random impression. I can't help but suspect that the opposition, whether they're Conservative, whether the Bloc caucus, has any interest to completing this study, because as I said from the beginning, going back to last year until now, there has been concession after concession after concession from the Liberal caucus.

We agreed to look at these documents and we had a huge debate on this. What happened? Those documents were released to the members. Did any new evidence come out of our ability to look at other family members' financial situations? No. There was no new information.

Was this questioning of staff based on new information? No, it wasn't. It was based on old news, from August of last year. You can't blame me for suspecting that the opposition has no intention... When I say "opposition", of course I don't mean everybody, but I ask whether the leadership of the Conservative caucus, of the Bloc caucus, have any interest to complete this study?

We can vote on this motion, and is that the end of it? I really have to doubt it, because based on what I've seen, there is no interest. There is only interest to drag this on and to stop the important work of the committee.

Of course, I hear members on the committee talk about how much they want to move into other important studies, but I can't see it.

• (8500)

Rationally, I'm judging by what I'm hearing and the actions that have taken place in the last eight, nine or 10 months, and I can't come to a conclusion that there is interest in wrapping up this study.

There I've said it. That's just my observation. It may be unfair, but I'm still waiting for that gesture to assure me that there is that interest in moving on.

Through you, Chair, to my honourable colleagues, please give me that gesture. We've been very close to the end many times. We've been given the gestures, and we've believed them. We took a dive. We said, "Let's do it." Then with a random question by the member for Carleton, everything is back in the circle again and we're just chasing our tails.

With that, I will cede the floor. I don't want to unnecessarily extend the conversation. If I see another point that I want to debate, I'll come back, but with that I will cede the floor to my honourable colleagues.

Thank you.

The Chair: Thank you.

Moving on with the debate, we'll move to Mr. Barrett.

Mr. Michael Barrett: Thanks, Chair.

I'm not sure how many meetings the members of the Liberal Party are going to want to drag this motion out over. It's very clear that they believe that because they get their say, they're going to get their way. They were very happy, when they had a majority, to impose their majority on parliamentarians, but now that they're in a minority, we have a situation in which a majority of members of the House of Commons voted to have witnesses appear at this committee. There was an order of the House issued, and then this committee received correspondence from two ministers saying that they instructed people not to come to committee.

We've heard the quotes from those letters. It's very clear in the letter from the government House leader and from the Minister for Middle-Class Prosperity that instruction had been given.

We've heard about ministerial accountability. These ministers are responsible for their staff. They're responsible for giving that instruction.

Frankly, it's crystal clear in the letters. From Ms. Fortier's letter dated March 30:

Mr. Amitpal Singh has been instructed to not appear before the committee.

In the letter from the government House leader, it's very clear again:

Mr. Rick Theis, Director of Policy to the Prime Minister, has been instructed to not appear before the committee.

Those are directions given by ministers. The motion we're dealing with today lays that out very clearly.

If members of the Liberal Party are not happy with the motion, they of course get their say in the meetings, but then they have to vote. It has to come to a vote. I appreciate that that can be inconvenient. We keep hearing that this is the result of a fishing expedition. This is a report back to the House. Blocking that vote from happening is not only delaying all of the other work from happening; it's part of an effort to cover up corruption in the Liberal government. That's very clear.

We heard that the Liberals don't understand why we're dealing with this in May—

• (8505)

Mrs. Brenda Shanahan: I have a point of order.

The Chair: I'm recognizing a point of order.

Ms. Shanahan.

Mrs. Brenda Shanahan: Mr. Chair, I object to the use of unparliamentary language.

The Chair: I didn't hear unparliamentary language.

Mrs. Brenda Shanahan: It was the word "corruption".

The Chair: I don't know if members were being called corrupt. I think there's a distinction there. Thank you.

Mr. Barrett.

Mr. Michael Barrett: Chair, I object to corruption in government.

While I didn't call individual members corrupt, I do encourage them to appeal to their conscience and to their better angels when dealing with corruption. If just the sound of the word is so offensive, my goodness, I would hope that their actions would speak louder than those words and that they would look to take positive steps to demonstrate to Canadians that they can have confidence in their institutions, which is of course what's being undermined with this whole process, this non-stop filibuster.

As I was saying, we heard from the Liberal members that they don't understand what's changed since August. I'll tell you what changed: to cover up corruption, Parliament shut down in August; there were filibusters across this committee, more than 20 meetings' worth of filibusters.

It's very clear that the Liberals want to continue to block this report from going to the House. They can disagree with it, and they can speak with their votes when they do that. It's plain for everyone to see that there's no desire to move on to the other business.

We hear people swinging for the fences. The Liberals are hoping that by not saying that the NDP are looking for this to happen, that maybe the NDP will go the other way. I have to tell you that I've heard very clearly from all opposition members that they want to report to the House, that their votes, the votes of opposition members, to have this issue—

Mr. Han Dong: I have a point of clarification, Chair—

The Chair: That's not in order, Mr. Dong. You've had your time. There is no such thing as a point of clarification.

Mr. Barrett will continue.

Mr. Han Dong: I'm sorry, I have a point of order.

The Chair: I recognize a point of order, Mr. Dong.

Mr. Han Dong: Sorry, Mr. Barrett. I don't mean to rudely interrupt you, but I think you were speaking on behalf of an NDP member, who is in another caucus. I don't know—

An hon. member: What are you saying?

Mr. Charlie Angus: That's my point of order. I would ask both Conservatives and Liberals not to speak in my name. We will make our decision when we—

The Chair: Thank you, Mr. Angus.

Mr. Han Dong: I feel sorry—

The Chair: Mr. Dong, I'll continue to chair this meeting and I appreciate your efforts to do so but I will continue my work.

Mr. Barrett, you have the floor.

Mr. Michael Barrett: I listened intently to Mr. Dong when he was speaking, and don't let the facts get in the way of a filibuster. Saying that no money went from the government to WE Charity is patently false. In fact, the Government of Canada gave it \$30 million, which WE Charity failed to repay over a series of months. It wasn't until public pressure, it wasn't until this bad deal for taxpayers, this insider arrangement whereby we had the Prime Minister give a half billion dollar agreement to an organization that gave his family members half a million dollars, until opposition members dragged that into the daylight that we saw calls for it to be repaid and the need for a study. This resulted in a parliamentary shutdown and filibusters across the committee, including this.

Look, if the Liberals want to continue this filibuster for many meetings.... I can't speak for, nor would I ever look to speak for other members of the opposition. They are very capable of doing that, and I hope they have the opportunity to do that in further meetings when we continue to be filibustered by this attempt to cover up corruption.

Chair, if we're going to continue this for many meetings, I would move that we suspend this meeting now and continue the Liberal filibuster of corruption at the next meeting.

The Chair: I believe that was a motion to suspend the meeting. We'll move to a vote. It's a non-debatable motion.

Madam Clerk, if you will, do the roll call.

(Motion agreed to: yeas 9; nays 1)

• (8510)

Colleagues, the meeting is suspended.

[The meeting was suspended at 1:10 p.m., Monday, April 26]

[The meeting resumed at 1:01 p.m., Friday, April 30]

We're going to call this meeting to order. This is the continuation of the 32nd meeting of the House of Commons Standing Committee on Access to Information, Privacy and Ethics. As you know, the meeting—

Mrs. Brenda Shanahan: Thank you, Chair. I have a point of order.

The Chair: I am recognizing a point of order by Ms. Shanahan.

Mrs. Brenda Shanahan: I beg your pardon, but I just want to confirm that this is indeed a continuation of the meeting that was suspended Monday—

The Chair: Thank you, Ms. Shanahan.

Mrs. Brenda Shanahan: —and ask you to confirm that I'm first on the speaking order for today, as you said last—

The Chair: I thank you for the interruption, but I was just getting there.

To get back onto script, this is a continuation of the meeting that was suspended on Monday, April 26. We are picking up where we left off. The speaking order as we left it is Ms. Shanahan, followed by Mr. Sorbara, followed by Mr. Fergus, followed by Monsieur Fortin, followed by Dr. Carrie, followed by Mr. Dong and then Mr. Angus. I will pick up additional speakers as they show up on my screen.

With that said, I think everyone is aware that this is a continuation of the meeting of April 26 and that we are debating Monsieur Fortin's motion of April 8.

I will turn to Ms. Shanahan as our first speaker.

Ms. Shanahan, go ahead, please.

Mrs. Brenda Shanahan: Thank you very much, Chair. Again, I do beg your pardon, but having been inadvertently, I'm sure, left off the list when we met Monday this week, I just wanted to be sure that indeed I would have this opportunity to speak to Mr. Fortin's motion, because I do indeed have a lot I want to speak to on that.

Before I get there, I just want to put on the record that I had put forward a motion to resume debate on my motion asking for the continuation of testimony, that this committee would hear further testimony on the MindGeek study. Why did I do that? Because it has come to our attention, with the very disturbing testimony that we have heard today, including that of Melissa Lukings and the representatives of Stella, that we are just at the tip of the iceberg as far as what constitutes non-consensual use of images and indeed what is seen on the Internet that is available publicly.

Mr. Charlie Angus: I have a point of order.

The Chair: I am recognizing a point of order from Mr. Angus.

Mr. Charlie Angus: Ms. Shanahan didn't even give you the chance to introduce yourself and now she's changing the subject. The subject is Mr. Fortin's motion. We have to dispose of his motion before she starts to talk about issues that have nothing to do with the motion at hand.

The Chair: Thank you, Mr. Angus. I think that was a point of order with regard to relevance.

Ms. Shanahan, I will remind you that we are on Monsieur Fortin's motion. There was some discussion in our previous meeting that we would move on to other business. There was an expectation and a hope by all members, including members of your own caucus, that we would move on to other issues, as you are now indicating.

I will just remind colleagues that in order for us to move on to other subjects, we actually have to dispose of this motion first. I will remind everyone that we are debating Monsieur Fortin's motion and that in order to move on to other things, we have to dispose of this motion. The way we would do that is through a vote, and so I would encourage members to move to a vote if the desire is to move on to other business.

Ms. Shanahan.

Mrs. Brenda Shanahan: Thank you, Chair, and indeed I do have much to say about Mr. Fortin's motion. What I want to express here today is that on the scale of priorities, I find it very sad that this is where we're at in this committee.

[Translation]

It's not just me, Mr. Chair. We've heard some pretty disturbing testimony. Some of my constituents have told me what happened.

I want to thank all the members. We've heard some very stirring testimonies. Other people are starting to talk. A young woman in Quebec has spoken publicly.

[English]

The Chair: Ms. Shanahan—

[Translation]

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

[English]

The Chair: Excuse me, Ms. Shanahan, I'm recognizing a point of order, but even before the point of order, I have cautioned you that we are on the subject of Monsieur Fortin's motion. If you'd like to debate other things, I'll have to move to the next speaker on Monsieur Fortin's motion so that we can dispose of that motion before we can move on to another issue.

Ms. Shanahan, I'll allow you to have the floor once I've recognized this point of order, but I would caution that you must return to the debate with regard to Monsieur Fortin's motion before we can move on to other business.

Monsieur Fortin.

[*Translation*]

Mr. Rhéal Fortin: That's good, Mr. Chair. You laid out what I was going to say. So we are on the same page.

Thank you.

[*English*]

The Chair: I think there has been some level of frustration that we haven't been able to focus, as committee members, on the issue at hand.

As has been expressed, including in your current speech, Ms. Shanahan, there's frustration that we can't move on to other issues. I would like to remind you and other members that the only way we can move on to those important issues is if we in fact vote on this motion.

Ms. Shanahan, I'll caution you to speak to the motion. If you have nothing to speak to with regard to the motion, I'd ask that you cede your time to the next person on the list. We have an extensive list of speakers that has developed.

Ms. Shanahan.

[*Translation*]

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

We are here to discuss Mr. Fortin's motion. I find this motion very disturbing in that, once again, instead of listening to the victims, we're trying to create more victims. The motion wanted to call parliamentary staffers, political assistants, to testify before this committee, for no other reason than the fact that they did their job.

I want to focus on the points in Mr. Fortin's motion, among them point 3, which reads: "The Committee confirms that it has not released these witnesses from their obligation to appear".

I find it quite distressing that this is coming from this committee, which has required innocent people to testify before. Be clear and honest. This is about what happened with the Canada student service grant program, which did not work, but now it's being made into a big deal for partisan gain. So this point makes it clear that some people here do not accept the fact that ministers responsible for these employees came before this committee.

I can tell you a lot about what we heard then. It was not enough for Mr. Fortin. He wants to add to it. He doesn't want to release these witnesses who are just employees. I find this unacceptable, especially from the Bloc Québécois, a party that claims to defend workers' rights. Like anyone else, these employees applied for a job and signed an employment contract requiring them to respect certain things and accept certain responsibilities. Can the Bloc Québécois admit that it is their employer, however, who is accountable for the major decisions made?

During my career, I've had the opportunity to be a union representative. I would never have agreed to an employee appearing before anyone regarding their employer's decisions and actions. I have a hard time understanding the Bloc's position on this issue. They don't even want to release these employees. Their request was made; they even gave these employees the option to answer certain questions in writing, if it was information—I know that certain

kinds of information can be requested from employees sometimes—but that wasn't even accepted.

We want them to appear before the committee for any other reason. I think we want to try to intimidate these people by asking them questions and to build a story around the people who were just doing what they were supposed to do. A parliamentary committee may request, for example, that a public servant, who is an accounting officer for an organization, appear before the committee to answer questions about the management of a department. That falls under the responsibilities and roles of assistants, officials and ministers. Often when officials appear, they are with the minister.

Mr. Rhéal Fortin: A point of order, Mr. Chair.

[*English*]

The Chair: I recognize a point of order from Monsieur Fortin.

[*Translation*]

Mr. Rhéal Fortin: Mr. Chair, the intervention of our colleague Mrs. Shanahan is once again out of order.

The committee must not determine whether the witnesses should or shouldn't be summoned to appear and whether they should appear in writing or in person. That isn't the issue. The members of the House of Commons debated this on March 25. The purpose of the motion that is before us now is whether we are tabling a report in the House indicating that the order that was given was not complied with, period.

This order was given by the House on March 25, so it's too late to discuss the possibility of giving that order. My colleague's comments are out of order, and I think we should be content with determining whether or not to report to the House of Commons on the situation. That is all the motion is about.

Mr. Greg Fergus: A point of order, Mr. Chair.

[*English*]

The Chair: Is it on the same point of order, Mr. Fergus?

[*Translation*]

Mr. Greg Fergus: Yes, but I interpret the situation differently.

[*English*]

The Chair: Mr. Fergus, I'll hear your submission on the point of order.

[*Translation*]

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

I think that my colleague's remarks are quite relevant because she is indicating that the premise of Mr. Fortin's motion is indeed not valid. That's why she's raising this issue.

Mr. Chair, whether you agree with me or Mr. Fortin, one thing is certain: Mrs. Shanahan's comments are directly related to the motion, which responds to your request.

[English]

The Chair: I believe she's on the subject now more than she was earlier in the meeting. I'm going to again remind the honourable member to be aware that her colleagues are anxious to move to a vote. However, I'll allow her to continue.

Ms. Shanahan.

[Translation]

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

In this context, my comments are quite relevant, because we're talking about point 3 of Mr. Fortin's motion. The employee's duty to answer to a committee is always related to that of the minister, and the minister is responsible for that. Since the minister is responsible for answering to Parliament, it is part of the minister's accountability obligations. The minister can delegate certain matters to an employee, and this has been a long-standing practice in the House.

It is recognized that for employees who have the status of political staffers, it is even thornier. These people, who may hold positions such as political advisor, may communicate with committee stakeholders and provide policy advice. At the end of the day, these people are employees. They can be fired at any time like any employee. There are rules that are followed, and there is always a disciplinary system in place. At least that's my understanding. But these employees arrive on the job one day and can leave at any time. That's why the Prime Minister entrusts that responsibility to the minister, who is an elected official.

It's not just me saying this, and it's not just the Liberals saying this. In 2010, under the Harper government, Minister Jay Hill made it clear that political staffers would not appear before committees. I will quote what he said:

[English]

These employees are accountable to their superiors and ultimately to their Minister for the proper and competent execution of their duties.

[Translation]

Then he said:

[English]

There is a clear case to be made that the accountability of political staff ought to be satisfied through ministers. Ministers ran for office and accepted the role and responsibility of being a minister. Staff did not.

[Translation]

I think it's fairly clear.

I wonder if we can ask Mr. Hill to appear before the committee so we can hear his testimony. He also said the following:

[English]

Like public servants, ministerial staff are not accountable to Parliament for governmental policies, decisions or operations. Any information given by ministerial staff on these topics would be on behalf of their Minister. Moreover, unlike public servants, ministerial staff are not involved in departmental operations and are therefore not in the same position to answer questions—

Mr. Colin Carrie: I have a point of order, Mr. Chair.

The Chair: I'm recognizing a point of order from Mr. Carrie.

Mr. Colin Carrie: It's to relevance again, Mr. Chair. We're not debating the validity that these individuals were at committee.

Mr. Fortin was very clear. This was an order from the House. All we're doing is reporting these events to the House and expressing our dissatisfaction that the House's instructions were not followed through on. I find it hard to understand where the relevance is in the current argument that Ms. Shanahan is bringing forward.

The Chair: I think there is a growing agreement that the members of the committee want to debate the motion at hand.

Ms. Shanahan, I will caution that while you may be on subject material that's tangential to the issue, we are debating this specific motion, so I'd encourage you to move to debate with regard to the motion itself.

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

I will return to the fact that it is the point number three in Mr. Fortin's motion that I am discussing right now. We have said in that point number three—and I'll say it in English—“That the Committee confirms that it has not released these witnesses from their obligation to appear”. I am right on that point, in that I am discussing the role of political staff vis-à-vis the minister.

It is not for political staff to be held responsible in this way, and it's not just me that has said it. Mr. Jay Hill also spoke at length about this.

Mr. Hill has some good quotes here: “The tyranny of the opposition has turned its attention to the men and women who make up our political staff. Men and women who did not sign up to be tried by a committee—to be humiliated and intimidated by members of parliament.” I really would like to have Mr. Hill in front of this committee.

[Translation]

He isn't the only one to have said so. A former clerk said this as well.

[English]

Former clerk Rob Walsh testified in 2010, at this very ethics committee apparently, on this same issue, that in regard to staff, “there would be limitations on the questions that could be asked” and that “there would be some questions that should properly be directed to the minister and not to the political staff person.”

That is why I object heartily to this point number three, and I think that is something which has been discussed already by some of my colleagues.

[Translation]

Mr. Fortin should reconsider his motion. He should take a hard look at some points. This is in line with the understanding of the roles and responsibilities of political staffers with respect to any decision of the government or cabinet.

[English]

The Hon. Pablo Rodriguez told our committee that a bedrock principle of Canada's form of responsible government is ministerial responsibility.

This is the exercise in transparency that has been done here. We have even gone a step further. Ministerial staff have no authority to make decisions on behalf of ministers. They report to and are accountable to ministers. Ministers are accountable for their actions to Parliament.

Pablo Rodriguez put forward a quote from former prime minister Stephen Harper, as he stated in "Accountable Government: A Guide for Ministers", "Ministers are accountable to Parliament for [the exercise of their responsibilities], whether they are assigned by statute or otherwise.... Ministers are personally responsible for the conduct and operation of their office." Staff are not elected members of the House. They do not have the same rights and privileges as MPs, and calling staff to testify at committee is at odds with the long-standing principle of ministerial responsibility.

[Translation]

I know that this issue isn't important to the Bloc Québécois. We understand that. The Bloc members I know and now consider good friends tell me with pride that they will never form the government and that they have a special role. However, the Conservatives and NDP have the opportunity to form the government one day. We don't know what the future holds.

These traditions and principles are very important, and shouldn't be forgotten just to have a little partisan moment, a little "gotcha" moment, which doesn't exist anyway. Yet it keeps happening.

We know that the Hon. Pablo Rodriguez has appeared before our committee. We heard him speak to us about the case of Mr. Theis and the great concern of some members of the committee in this regard.

Mr. Rodriguez said:

In regard to the decisions on the WE Charity, our government has turned over 5,000 pages of documents to the House of Commons Standing Committee on Finance. We did this in August of last year. Regarding Mr. Theis, as the documents show, he had one interaction with WE Charity, a phone call.

It's also very important to note, because it relates to what I said earlier about the employer-employee relationship, that the employer is responsible for everything the employee does. The employer also has a duty to know, and that's what Mr. Rodriguez shared with us when he appeared before us on March 29 of this year. He told us that, as the documents showed, Mr. Theis had one interaction with the WE Charity, a phone call.

Mr. Rodriguez added:

In fact, this was disclosed by the Prime Minister's Office itself. This should come as no surprise to anyone, many months later. According to Mr. Theis, the call lasted for about 25 minutes. WE Charity raised their ongoing work with diversity, inclusion and youth on the Canada student summer grant, as well as a proposal for social entrepreneurship. Mr. Theis asked WE how their proposal on summer grants would ensure diversity of placements, and for their part at WE, the Kielburgers expressed concern that this type of program would need to get off the ground soon.

In the discussion, in that communication, at no point were expenses discussed. Also, at no point were any commitments or assurances or advice given by Mr. Theis

to WE on any subject other than to contact the officials involved at Diversity and Inclusion and Youth.

So Mr. Theis did his job, which was to connect with the various stakeholders. With all that was going on at the time, I imagine there must have been dozens, if not hundreds, of stakeholders for all sorts of programs, and Mr. Kielburger was one of them. There was a 25-minute call, during which it was suggested that the relevant officials in the Department of Diversity and Inclusion and Youth be consulted.

That was, roughly, the testimony we had, that day, from the Hon. Minister Pablo Rodriguez. Members who are here will remember that this wasn't the only meeting, that there were two others, for two other employees. I think it was Mr. Singh who we were supposed to meet with first, and then Mr. Chin.

The same principle applied to the Hon. Minister Mona Fortier, when she came to testify. She was on screen on Zoom, and she was ready to testify along the same lines and take responsibility, as she should have. It's important to note, Mr. Chair, that you spoke to the members and that it was the members here who decided not to hear from Ms. Fortier.

That's unfortunate, because I think she was willing to tell us what she knew about the interactions of her two employees. Mr. Fortin continues to say that the committee has confirmed that the witnesses have not been released from their obligations to appear before the committee. According to Mr. Fortin, this was not enough.

Now, I want to continue on this principle of ministerial accountability. The fact that they are ministers isn't insignificant. Not just anyone can speak for anybody. As Mr. Rodriguez clearly stated, it was a decision. Also, I don't need to repeat what happened last year with the number of programs that proved necessary during the emergency period following the COVID-19 crisis and the economic crisis. However, those who have worked in a large corporation can imagine how challenging it was for employees at all levels to continue working.

For that to happen, it was necessary to have direction and, I would even say, reassuring leadership for it to really work. The Government of Canada is arguably the largest employer in Canada. It is like a huge boat that had to be turned around at that point. It wasn't easy, but fortunately there are principles and traditions in Parliament. The situation wasn't the same as those we saw during other crises in the United States. At one point, according to a certain general, he was the one in charge.

It's not at all the same thing here. We really have a hierarchy to respect and a different way of working. It is the traditions of the Parliament that make the government, that is, it's the Prime Minister with all his ministers who lead.

As I mentioned earlier, committee members present today may have been around when Prime Minister Harper was having a difficult time. These political and partisan issues weren't just invented today. At that time, it was the government House leader, Jay Hill, who explained to the House why the Harper government wouldn't allow its political assistants to appear before committees.

[*English*]

As Mr. Hill said:

When ministers choose to appear before committees to account for their administration, they are the best source of accountability and they must be heard. Public servants and ministerial staff support the responsibility of their ministers. They do not supplant it. They cannot supplant it.

[*Translation*]

This statement is very important. Not only do ministers have to table a report or explain why they made a decision, but they should also be heard when they offer to testify before a parliamentary committee.

I find it regrettable that, when Minister Fortier appeared before this committee, twice rather than once, the members refused to hear her testimony. There were partisan games being played at that time to do that. We could have heard her answers.

It's not just people in the Ottawa bubble who are interested in the principle of ministerial responsibility; there are certainly people who work in the field, academics, who have a lot to say about it. The Canadian public is concerned that if the government makes a bad decision, it will find a scapegoat, some poor employee somewhere, to cover it up.

It shouldn't be that way. It's up to the government, to the Prime Minister and his ministers—because he can delegate responsibilities—to make a decision. It's the principle of cabinet solidarity that my colleague Mr. Fergus mentioned a while back, which is very important.

I don't want to quote too many other people, but when I did my reading and research, there were questions from the public about this principle, this tradition of ministerial responsibility and accountability.

Dale Smith, among others, wrote:

[*English*]

The Conservatives are very much aware of this fact. They encountered these very same demands to have their own staffers appear during their time in government, and they also correctly asserted that ministers are the ones who should be appearing to answer questions, and not those staffers. It is a fundamental cornerstone of how our system works, but because our parties are more interested in scoring as many cheap political points as possible, they are deliberately ignoring—

Mr. Charlie Angus: I have a point of order.

The Chair: Mr. Angus, I recognize a point of order.

Mr. Charlie Angus: Since the Liberals have decided that they are going to instruct committee and not allow us to get on to things like facial recognition technology, I'd like to remind the member, who has I think been very rude from the get-go, that the issue of

ministerial responsibility is something that the Liberals have already spoken about multiple, multiple times.

She's just repeating the same old story. If she has nothing new to add, can we go to a vote so we can get back to our work?

The Chair: There seems to be a hope that we can move to a vote.

Is there consensus to move to a vote at this time?

I'm seeing some positive signs, but I'm seeing some people who don't seem to want to have the vote.

Folks, I need unanimous consent to move to a vote before the speaking list is fully done.

As a reminder, Ms. Shanahan, behind you are Mr. Sorbara, Mr. Fergus, Monsieur Fortin, Mr. Carrie, Mr. Dong, Mr. Angus, Madame Lattanzio, as well as Mr. Barrett, who would like to speak.

I'm hopeful that you'll be mindful of that. I hope that we can move to a vote and dispose of this motion so we can move on to more pressing matters.

Ms. Shanahan, we'll turn back to you.

[*Translation*]

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

I find it unfortunate that some of my colleagues think we should talk about something else. I, too, would have liked to talk about something else, but the motion before us is Mr. Fortin's. It still talks about point 3, which reads, "The Committee confirms that it has not released these witnesses from their obligation to appear".

I would like to come back to Mr. Smith's comments.

[*English*]

"Apparently they"—politicians, I think of all stripes—"are not too concerned about the whiff of hypocrisy that surrounds these demands (possibly because that may require a dose of shame that pretty much every politician seems to be lacking in this day and age)."

[*Translation*]

He was quite honest when he made this comment. It's a way of telling the hon. members that they should be careful with the traditions of Parliament, that they don't belong to them, that they belong to the Canadian people and that their mission is to protect them.

[*English*]

We're just looking after these traditions and we try to act as best we can.

[*Translation*]

I'm far from an expert in this area. I did a little research. The Treasury Board of Canada Secretariat submitted a report to Parliament. I think it was in 2005. This report was an overview of the responsibilities of ministers, officials and senior staff. I'll read it to you.

[English]

There is, in “Overview of accountability in responsible government”, the following:

Any discussion of accountability in our constitutional system—the Westminster system of parliamentary democracy—must be informed by an understanding of how the system functions and why. Although the Westminster system developed incrementally, rooted in evolving democratic values rather than an abstract or static concepts, it has deep integrity, and the roles of different players complement each other in a fine balance.

[Translation]

That's what's very important. I feel fortunate to be a Quebecker and to have been educated in Quebec, especially for some of my studies. I studied our history, but also the evolution of our parliamentary system and the legislative system, which is different in every province. There is common law in the rest of Canada and the Civil Code in Quebec. What is interesting, as my colleagues from Quebec know very well, is that everything is written down in the Civil Code. That kind of system has a lot of value, but in the rest of Canada, as in our parliamentary system generally, it is really the evolution of traditions that allows us to keep up with our day-to-day affairs.

[English]

Ministers, who together as the ministry form the government of the day, exercise executive authority in this system.

[Translation]

It's very important to understand that it's the government, cabinet, that has this executive power.

[English]

These ministers, who act largely through the work of a non-partisan public service, are accountable to Parliament both individually and collectively. All accountabilities in Canadian government flow from ministers' individual and collective accountability to Parliament.

Although Parliament does not exercise executive authority, it is the principal guarantor of the government's accountability, scrutinizing the government's policies and actions and holding it to account.

[Translation]

I don't need to describe that to the opposition members; they do it very well.

[English]

Parliament has a spectrum of tools for doing this, ranging from its role in the passage of legislation to the review and approval of public expenditure to the interrogations of Question Period.

I'm going to come back to question period a little later.

But while the specific tool may vary, the environment remains constant—that of partisan politics. Parliament and its processes are inherently political.

And there is nothing wrong with that. It's exactly the nature of partisan politics that each party presents, to my mind, a different set of options and alternatives, a different vision to the Canadian people.

The political responsibility of ministers, or accountability to Parliament, is an important element of electoral democracy. However, political responsibility is not the mechanism that ensures accountability on the part of public servants—that mechanism is managerial.

[Translation]

Again, we're emphasizing the fact that it's very important for ministers and the government be responsible for managing the government as a whole.

[English]

Political responsibility is also not the means of determining civil or criminal liability for unlawful conduct—that is the justice system.

[Translation]

If employees commit a criminal offence, there is recourse through the justice system.

I'll wrap up by saying what I have to say about point 3. I'll read it:

3. The Committee confirms that it has not released these witnesses from their obligation to appear;

I think I made it clear that this committee really had no reason to compel these individuals, who are mere employees, to appear before it. I clearly explained that the government's obligation to answer questions was met by Mr. Rodriguez, who testified before the committee. Moreover, had the committee decided to allow her to testify, Ms. Fortier could have fulfilled that obligation. That's why I'm opposed to point 3 of the motion.

Some may think that the appearance of ministers isn't important. I'll read point 4.

4. The Committee also noted the absence of the Prime Minister, who was given the option of appearing in place of these witnesses in the motion of March 25, 2021;

Again, as I indicated in my speech today, the Prime Minister has every right to delegate responsibilities to ministers. In fact, he must, because he cannot do everything.

This is indicated on page 10 of the document published in 2015 by the Treasury Board Secretariat.

[English]

This speaks to the collective responsibility of cabinet. “Collective ministerial responsibility refers to the convention requiring coherence and discipline of the ministry in deciding policy, managing government operations, and speaking to Parliament with a single voice.”

[Translation]

We're not talking about the Prime Minister or the ministers, but all members of cabinet, who speak with one voice. I think it's a convention and not a rule, but if a cabinet minister ever disagrees with the decisions made by the Prime Minister, that person must simply resign. We see an example of this convention during question period. I'll talk about it later.

I noticed in the report that there was a reference to political staffers. I think this is interesting information for the members of the committee.

[English]

On minister's exempt staff, it says:

One area that merits specific mention is the appropriate role of the minister's office in communicating and transmitting instructions to the department. In Canada, political staff (also known as "exempt" staff), while partly occupied with parliamentary and constituency work, also play an important but limited role in the operation of the department. Gordon Robertson, a former clerk of the Privy Council, described the role of the Prime Minister's Office, which can be extrapolated to all ministers' offices, as partisan, politically oriented, yet operationally sensitive.

The role of political staff is to provide strategic, partisan advice....

Partisan here does have the meaning that we've all come to associate with it now:

[*Translation*]

partisan questions or comments.

[*English*]

It's about representing your party. It's about representing the party that is in power, that is in government. That's really the only way to be transparent. It would be very deceptive if a party ran on a certain platform, saying one thing, and then did something completely different. That is not what Canadians expect.

The report continues:

...partisan advice to the minister that complements the professional, expert, and non-partisan advice that comes from the deputy minister and the Public Service at large.

Exempt staff are not part of the executive.... Accordingly, exempt staff have no authority to give direction to public servants.... Exempt staff...transmit the minister's instructions.... It should also be noted that the minister is accountable for anything done in his or her name by exempt staff.

It is therefore the minister who must be heard.

If anyone is interested, I found that on the website for the Treasury Board of Canada Secretariat.

[*Translation*]

I mentioned earlier that this evolution of parliamentary traditions was interesting. The way the Quebec government has adopted these same traditions by adapting them to the particular reality of Quebec is also very interesting. Its approach is often forward-thinking and points in a new direction.

Just out of personal interest, I consulted the website of the Quebec National Assembly to see if these same principles were present in the Quebec government and, yes, they are. It includes the principle of individual ministerial responsibility: "Ministers are individually responsible for the management of their departments".

Mr. Rhéal Fortin: A point of order, Mr. Chair.

[*English*]

The Chair: Mr. Fortin.

[*Translation*]

Mr. Rhéal Fortin: I don't want to repeat myself unnecessarily, but we're still way off topic. With all due respect to my colleague Mrs. Shanahan, that isn't what we're talking about.

She's trying to convince us that the order adopted by the House on March 25 wasn't appropriate. Although she may be right, the fact is that the order was adopted. The question is whether or not we report to the House that the witnesses did not appear. I know

that my Liberal colleagues have a custom of hiding a certain number of items, but I don't think we should do that.

The opportunity to summon or not summon these people has passed; it's too late. The day of March 25 was completely devoted to this topic. The 338 members of the House of Commons could speak. It's over and done with, rightly or wrongly. The House of Commons decided to summon them.

Our role today is to decide whether we report their absence to the House. That's the only valid question.

Mr. Greg Fergus: Unfortunately, Mr. Chair—

[*English*]

The Chair: It appears to me that this is debate.

Ms. Shanahan, you have now spoken for an hour, and as you can clearly see, a sense of disorder is starting to develop as a result of our not being able to move on to additional speakers and move to the vote. Are you getting close to the end of your comments?

[*Translation*]

Mrs. Brenda Shanahan: Mr. Chair, I understand that it's frustrating for my colleagues. However, I did my research because I knew we'd be talking about Mr. Fortin's motion. So, with the patience of the other members—

[*English*]

The Chair: Ms. Shanahan, do you believe that we'll be able to move to a vote today?

[*Translation*]

Mrs. Brenda Shanahan: I can't speak for my colleagues. I see that other people will speak after me. Since I didn't get a chance to speak the other day, I would like to continue my comments.

[*English*]

The Chair: Okay. I'll turn back to you, as is your right. I just would remind colleagues that we've now been debating this motion for several days.

Again, Ms. Shanahan, you have now spoken for over an hour. I would encourage you, just out of respect for your colleagues, to allow them to get on the record as well.

[*Translation*]

Mrs. Brenda Shanahan: Thank you very much.

I'm almost done with my presentation. Since I did my research, I'd like to continue.

Point 4 of the motion reads, "The Committee also noted the absence of the Prime Minister, who was given the option of appearing in place of these witnesses in the motion of March 25, 2021". Why? This is nonsense.

The Prime Minister has every right. It happens every day in question period, and it happens in other areas as well. Cabinet speaks with one voice and each minister is responsible for defending decisions. I still find that interesting.

Even in parliamentary assemblies, which aren't necessarily the same as the federal government, this same principle has developed. This principle doesn't apply only to us; it's a parliamentary principle. I'll continue my research to see how it works elsewhere.

I'll come back to the Government of Canada.

Ministerial solidarity, which is the principle of collective ministerial responsibility, allows ministers to be frank in private, that is, in cabinet only, but requires them to support the decisions of the government in public. As I said earlier, it is their duty to appear before a committee such as ours. That is what Mr. Rodriguez and Ms. Fortier did, even though that the committee decided not to hear Ms. Fortier's testimony.

Ministers are accountable to Parliament for the actions of their government and must defend government policy. It is agreed that policy is also in the broad sense of program development. What is policy, other than a suggested approach to solving society's problems? There are recommended ways of doing things. To implement them, programs must be developed, including a program like the Canada student grant for full-time students, which didn't work. This is one of hundreds of programs that have been implemented since the beginning of the pandemic.

Even though the program did not work, the Prime Minister and the ministers responsible have said exactly what it was. We all know the number of hours we spent on this issue, the number of documents the committee received and the number of witnesses we've heard from about this unfortunate program.

Cabinet's role is to provide the Prime Minister with the information he needs to carry out his responsibilities. So there is always a solidarity between the ministers and the Prime Minister.

Again, that's why I don't see the need for point 4 of Mr. Fortin's motion. When we hear obvious things, we don't always realize that it answers the question being asked. Sometimes the answer is right in front of us.

With our Prime Minister, Justin Trudeau, there has been an evolution in the way question period, which takes place every day, is conducted. The widely accepted convention is that when the opposition asks a question, while they may want the Prime Minister to answer it, another minister can do so. This isn't a problem and is consistent with this cabinet solidarity. It's a tradition that can evolve, as we saw with the innovation of Mr. Trudeau who, as early as 2015, right after we took office, began answering all the opposition's questions on Wednesdays. It's also his right not to be there and to delegate this task to other ministers. It amounts to the same thing.

Here is what is written in chapter 11 of the *House of Commons Procedure and Practice*, third edition, 2017, about oral questions:

In reality, questions are directed to the Ministry as a whole, although customarily they are addressed to specific Ministers. It is the prerogative of the government to designate the Minister who will respond to a given question, and the Speaker has no authority to compel a particular Minister to respond. The Prime Minister (or Deputy Prime Minister or any other Minister acting on behalf of the Prime Minister)—

[*English*]

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

The Chair: I recognize the point of order, Mr. Barrett.

Mr. Michael Barrett: Thank you, Chair.

The member opposite is offering her explanation here, but on relevance, the matter we're dealing with is an order of the House, not the procedures of the House in question period, for example. It's not debatable to conflate the two. They couldn't have less to do with each other.

The principles that the member has stated notwithstanding—and we've heard them for over one hour.... While she started her comments by saying that she would like to deal with other issues, that is disingenuous. This is a filibuster. She is not speaking to the matter at hand, she's reading from the green book. She might as well read us the phone book.

The Chair: Thank you, Mr. Barrett.

Ms. Shanahan, I will rule that speaking about question period generally is out of order.

[*Translation*]

Mrs. Brenda Shanahan: It's unfortunate that my hon. colleague said that.

[*English*]

I'll say it in English. You are saying that our green book of procedure is equivalent to the phone book? That is not the appreciation of the rules of the House that we have on this side of the aisle, Mr. Chair.

I was using the practice at question period as an illustration of how that concept of cabinet solidarity, of delegation, if you will, by the Prime Minister is totally acceptable and common practice, and indeed why I am against and disagree with point number four in Mr. Fortin's motion, which wants to report—

Mr. Charlie Angus: I have a point of order.

The Chair: I recognize the point of order, Mr. Angus.

Mr. Charlie Angus: We have sat patiently now through most of a meeting in which Ms. Shanahan is not going to allow anyone else to speak.

However, after my colleague Mr. Barrett pointed out her use of question period, she continued. If she wants to use the question period rules, then she will run out of time for her speech.

Again, I think she needs to stop repeating and regurgitating the same tired points and allow other people to speak. It's a basic issue of respect.

The Chair: Thank you, Mr. Angus.

I think Mrs. Shanahan is effectively arguing with me in my decision to rule that her former discussion was off topic.

I'd caution Ms. Shanahan that she should return to the subject at hand and the motion that is before the committee.

Mrs. Brenda Shanahan: Indeed, Chair, again, I was just trying to use an illustration.

However, I would agree with some of my colleagues: I would rather be discussing—as Mr. Boulerice of the NDP would rather we be discussing—the continuing study of MindGeek and Pornhub.

We offered an option to do that where we could have one more meeting, have more witnesses come in who would discuss the dark web, but about that—

Mr. Charlie Angus: I have a point of order.

The Chair: On the point of order, Mr. Angus.

Mr. Charlie Angus: We gave Ms. Shanahan one more meeting and then she cut off the witnesses.

The reason I am raising this issue is that she started by changing the subject on the Fortin motion. Now she has run out of topics and she is going back to the issue of another subject. If she is not going to speak to the subject, she needs to give up the floor so that other members of this committee have a chance to speak to this motion.

I am here to speak to this motion and to get it disposed of so that we can get on to business.

The Chair: Mr. Sorbara, is it the same point of order, or is it a different point of order?

Mr. Francesco Sorbara: It's the same.

On Charlie's point of order, it seems like more of a point of debate.

The Chair: Mr. Sorbara, do you have a point of order?

Mr. Francesco Sorbara: I'll stop there. Thank you.

The Chair: Thank you, Mr. Sorbara and Mr. Angus.

Ms. Shanahan, you can understand that there is a growing desire to move on with the speaking list. As I instructed you earlier, there is no way that we can move forward with other subject material until such time as we have disposed of this motion. I am not sure if that was a direct comment to me, as the chair.... However, I will remind committee members that the only way we can move on to other subject material, as has been expressed as the desire of most members of this committee, is if in fact we can move to a vote on this motion. The only way we can move to a vote on this motion is if in fact nobody is left in the speaking order.

Ms. Shanahan, you've now spoken for over an hour. If you'd like to move to other subject material, we have to exhaust the speaking list that we have now and then go to a vote. Then we can move on to other subject material.

I'm not sure if those comments were directed to me or to other committee members, but as a reminder, you are the only person standing in the way to moving forward to other issues and the other people on the speaking order. It is specifically you at this point.

Ms. Shanahan.

Mrs. Brenda Shanahan: Thank you, Chair.

There are actually other options that were discussed and put forward to deal with this motion, one being that Mr. Fortin could withdraw his motion and that we just note—

The Chair: Mrs. Shanahan, I have addressed that before. It is not possible for Mr. Fortin to withdraw this motion. It requires unanimous consent to have this motion withdrawn.

I don't want to start an argument with you. The way I see that we can dispose of this motion is to go to a vote. If that's not your desire, then I'd ask that you make your points. We'll complete the speaking list and then hopefully we can get to the vote.

Monsieur Fortin does not have the privilege at this point to withdraw this motion without unanimous consent.

Mrs. Brenda Shanahan: Well, Chair, I do have a lot more to say about Monsieur Fortin's motion, but in the spirit of collegiality, I will yield the floor at this time.

The Chair: Mr. Sorbara, you are next.

Mr. Francesco Sorbara: Thank you, Chair.

Good afternoon, colleagues. We are obviously spending a lot of time looking at and speaking to Mr. Fortin's motion. I know that many of us would like to move on to other material. Obviously, we're looking at this motion, and there's a fundamental disagreement in terms of how we interpret rules and responsibilities in terms of where responsibility stops or ends. It's very apparent that for me personally, during this entire time that we've been looking at Mr. Fortin's motion....

With regard to this motion, obviously it applies to the matters at hand and our studying the subject matter with regard to the Canada student services grant and the events that have passed. We continue to spend an enormous amount of the committee's time on something that we could have quickly disposed of with unanimous consent by the committee—obviously, Mr. Fortin would have to ask for that—that the motion be withdrawn so that we could move on to other more pertinent and, I would say, more important topics at hand. A committee member could potentially offer up an amendment that we could debate and look at to maybe get to a point where an actual vote could take place.

Obviously, I would love to move on and get to another point, but I'm also very stuck on the fact that I do believe in ministerial responsibility. The Prime Minister prior to the current Prime Minister commented on that. I think it's been read into the script. I was reading it. The former Right Honourable Stephen Harper said this at the time:

Mr. Speaker, our precedents and practices are very clear. It is ministers and the ministry at large who are responsible to the House and to its committees, not their staff members. The staff members are responsible to the ministers and the members for whom they work.

For me, it's very specific. I'm on that tangent and I don't see any other way of looking at the situation we're in with regard to the debate happening on the motion, dated March 25, from Mr. Fortin, the honourable member from Quebec. I can't see how we look at this....

Perhaps I can take a step back. I'm not speaking for the entire committee but from my interpretation of where we are. There's obviously a disagreement in how we look at and interpret the fifth point:

5. The Committee noted that Minister Pablo Rodriguez appeared on March 29, 2021, instead of Rick Theis, after having ordered him not to appear before the Committee, as mentioned in his letter to the Chair received by Committee members on March 28, 2021;

I think there's a fundamental disagreement here. No one was ordered "not to appear". In fact, the individuals responsible appeared at committee. I think that distinction is very, very, very important.

I spoke last time to this idea that, as we've seen with other material, we can just keep adding people to speak. If we extend this, anybody who has worked in the Prime Minister's Office, or "a" Prime Minister's Office, according to this committee, should be called to committee for a study. We've seen this transpire now with this motion from Mr. Fortin, because this is based on events leading up to thereof, and invitations there offered, for individuals to appear at the standing committee. Then we received other material saying, well, this person should appear, and that person should appear—but, oh, we're not finished; we're going to invite another two or three people to appear.

We've done this, and it's sort of—I'll use the word mind-blowing, but at the same time it is sort of exhausting to have this happening.

I go back to my honourable colleague Minister Rodriguez. If I can just make sure we understand, let me end my remarks with some wise words from that former Conservative minister, who I have quoted extensively today. He is right. He said this about the staff:

They bring to us many talents and I expect many of them, when they accepted their jobs, [they] never imagined that one of the skills required was to stand up to the interrogation of a bitterly partisan parliamentary committee.

As a result of the actions of the opposition today, like the approach of the Conservative government in 2010, I say here today that:

ministers will instruct their staff members not to appear when called before committees and the government will send ministers instead to account for their actions.

I think about that. To me, the staff member should not come to a committee to be interrogated. It has to be the members, and it goes to this committee and this motion that there's a fundamental disagreement. For me, the solution at hand is one of two avenues: that when Mr. Fortin has the floor—and I may be corrected in terms of parliamentary procedures—he offer the opportunity for his motion to be withdrawn and there is unanimous consent granted or that potentially there is an amendment offered whereby we can reach some sort of agreement to move forward. If not, in my view, if the motion were to pass, the precedent that would be setting would be very bad. I don't think I would be proud of it—that's for sure—and I don't think we, as a committee, are arguing that I would not be doing my job of representing my constituents and ultimately being responsible as a member of Parliament, and I use the analogy that I'm the one who is responsible for my office, rather than the employees who work in my office and so forth. That's the way I would look at that.

The calling of these witnesses, I think, was, as a matter of fact, not the route that I would have liked to see proceeded on unless it did occur and it was the will of the House that this happen, and I respect that.

Is there someone—Clerk, I just hear a little bit of noise. Maybe the floor is not on mute, so I'm hearing the floor. Excuse me.

With that, Chair, again I look at this motion and I know my honourable colleagues will also have their comments to make on it. This is just not in line with what we saw in prior governments. That's not saying it's a good or bad thing, but in this realm it would be a very unique precedent, and I can't accept that at all since ministerial accountability or responsibility is very important in the House of Commons every day. Question period is not for staffers. Question period is for ministers, and when they're unavailable, the parliamentary secretaries will answer their questions and so forth and will fill in.

We've also seen, in the studies by this committee, that individuals who have come to the committee have then faced unnecessary and unintended consequences, I would say, from MPs' actions. People were unfortunately harassed afterwards because they had come to this committee and so forth. That was very unfortunate to see.

Chair, when I continue to look at Mr. Fortin's motion and read it over—and obviously we have spent plenty of time on this—the same issues, which I would say are very important issues—keep coming up, namely, ministerial responsibility.

That, to me, is the fundamental premise of why, at this current juncture, I can't offer my support for Mr. Fortin's motion.

I am only one member of the committee, but it's my right to speak on it and offer my views on why I can't do that.

With that, Chair, can you provide me with the refreshed speaking list, please?

The Chair: Yes, thank you, Mr. Sorbara.

Are you ceding the floor?

Mr. Francesco Sorbara: No, I'm not ceding the floor. I'm just asking for a revised speaking list. I am looking at the clock and I want to make sure.... We have other individuals who could potentially wish to—

The Chair: Most of your colleagues are waiting in the queue, so they would enjoy the floor if you're ceding the floor.

Mr. Francesco Sorbara: No. I am just going to offer my last thoughts for another minute, and then I will try to wrap up.

With that, Chair, my viewpoints on this topic, on Mr. Fortin's motion, are well-known. I believe there are two avenues available for the committee so that we can move on to conduct the work we're here for, including the study that I know many of the MPs are passionate about. I know that for many MPs in the province of Quebec this is very pertinent, with the organization based there.

With that, there are two avenues: first, that we seek and receive unanimous consent for Mr. Fortin's withdrawing his motion; or second, that the motion be amended to better reflect the fact of ministerial responsibility, and also how we can move forward to make the motion pertinent to the report at hand, the study on WE, and to the original motion that was put forward.

I will stop there. I do know my wonderful colleagues have some remarks to provide. If I need to speak again I will resubmit my name to the list on this motion, but I will stop there.

Thank you, Chair and colleagues.

The Chair: Thank you, Mr. Sorbara.

We'll turn to Mr. Fergus now.

[*Translation*]

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

I would also like to thank all of you, and my colleagues Mrs. Shanahan and Mr. Sorbara for their very interesting and educational interventions. I also want to acknowledge the other interventions, even though they were points of order. This may demonstrate to the general public listening to us the importance of having this debate.

For those who are following our discussion closely today, I will be very frank. Several reasons have been listed as to why the motion is not acceptable to half of the committee members. I will also list my concerns with this motion. One of our colleagues has put forward a motion that the other half of the committee finds quite acceptable. So we are in the awkward situation of having half of the committee in favour of the motion and the other half against the motion. What do we do in this situation? I am speaking directly to Canadians.

Either we discuss and try to convince others of the merits of the arguments we're making, or we ask for unanimous consent to withdraw the motion, as Mr. Sorbara mentioned. There is a third option, and that is to ask for an adjournment of the debate to move on to something else. This option would fully preserve the right of a member to reintroduce this motion for debate at a later date in the hope that it will receive a greater consensus than is currently the case. Yes, we're at an impasse with half the members in favour of the motion and half against the motion.

Mr. Chair, if I could, I would like to advise my colleagues that I have a lot to say about this motion. I know this is a question you ask from time to time. Unfortunately, my comments won't be very brief, and I would like to warn you of that. If you don't want to listen to me and you have other things to do, you can do your job, but I want to be transparent with my colleagues. I hope that will make it easier.

Mr. Rhéal Fortin: A point of order, Mr. Chair.

[*English*]

The Chair: I'm recognizing a point of order by Monsieur Fortin.

[*Translation*]

Mr. Rhéal Fortin: Mr. Chair, with all due respect to my colleague Mr. Fergus, I have no doubt that he is capable of speaking to us for many hours and telling us the same thing 338 times. He al-

ready commented at length on this motion last week, I think it was, or the week before. He is telling us that he's going to do the same thing again.

Mr. Chair, I think that obstructing the work of the committee is neither democratic nor respectful of the parliamentary process. It is quite the opposite. I say to Mr. Fergus, with respect, that I find the process disrespectful and unworthy of the work of this committee.

So, since Mr. Fergus has already "spoken at length", to use the same expression, on the motion in committee, I think he should give way to the next speaker so that we can finish up and vote on this motion, Mr. Chair.

[*English*]

The Chair: Thank you very much, Monsieur Fortin. I think that's getting into points of debate, but I will remind Mr. Fergus that we are in the same meeting at which you did speak previously on this particular motion. I will caution you that repetition is not acceptable in the debate on the motion.

[*Translation*]

Mr. Greg Fergus: Mr. Chair, I want to thank you for your warning.

If at any point, you find that I'm repeating comments I've made in the past, I am open to that criticism. I don't think I've said a word so far that reiterates the arguments made. Like Mrs. Shanahan, I have re-read the minutes, I have re-read what I said. I hope to refine my arguments without repeating those already presented to the committee. That's why I wanted to be transparent with you about my intentions for today, because I think there's a lot to be said for that.

Mr. Chair, if I may, I'll continue my speech.

There is more than one way to dispose of this motion. We can vote on this one because we will get to the point where there will be no further arguments to present to the committee. We can withdraw the motion with the unanimous consent of the members. We can also adjourn the debate on this motion, which will allow us to move on. As my colleague Mr. Sorbara said, we can also make a motion to amend Mr. Fortin's motion, to make it stronger and more acceptable to the committee for consensus. These are ways of dealing with the issue.

I know that you would like to proceed directly to a vote and, on several occasions since the beginning of this debate, you have even informally polled members to see whether or not they were prepared to vote. Since several members have their hands up, have an interest in voting on this debate on Mr. Fortin's motion, and have the right to convey their views to other members, you have had to do this polling on several occasions without getting unanimous consent. That can be remedied by getting unanimous consent.

Mr. Chair, there are four major themes I want to raise today, and they are the substance, content, foundation—

Excuse me, Mr. Chair, but I pressed a button that muted me, much to the delight of several of my colleagues, but the issue is now resolved.

I also want to continue along the same lines as Mr. Sorbara by using the arguments made on this issue by political parties other than mine in similar situations.

In closing, I would like to talk about the new form of accountability, not only in terms of ministers, but also in terms of members of the House of Commons. They have been duly elected to represent the will of their constituents or to present their views and bring something to the debate.

With respect to the motion of my dear colleague Mr. Fortin, I would like to point out that the last time I had the opportunity to speak to him, he very skilfully countered my arguments. I tip my hat to him. He did not respond to my argument about who represents... The motion that was adopted by the House of Commons had two objectives. Mr. Fortin keeps reminding us of that through his points of order. The motion in the House of Commons called for political assistants to appear before the committee or for the Prime Minister to testify on their behalf before the committee.

Mr. Fortin didn't answer this question. If the Prime Minister had appeared before the committee, he would have strictly adhered to the interpretation of the motion that was presented in and adopted by the House of Commons. It was adopted by a majority vote of the opposition parties.

He didn't answer the question. Who speaks for the Prime Minister? Ministers. Ministers speak for the government. That was something that was raised today by Mrs. Shanahan, and it was raised very briefly by Mr. Sorbara. I personally raised it, but I didn't raise it well enough, because my colleague Mr. Fortin didn't revisit the issue.

Who speaks for the government? The government stands in solidarity. Any member of the government can speak on behalf of the government. That's why, if it was acceptable to have the Prime Minister here, it's perfectly acceptable to have a member of the government here.

We heard Mr. Rodriguez's testimony. I remember that Mr. Barrett didn't even want to agree to have Mr. Rodriguez speak on behalf of the government, just as the Prime Minister would have spoken on behalf of his government. He said that committee members would listen to Mr. Rodriguez, but they still wanted to hear directly from political assistants. In doing so, it goes against the spirit and logic of the motion adopted by the House of Commons.

I think that's the key and the crux of what's happening here. I think it's unfortunate that no one really wants to respond to this situation. We've gone even further. Points 5 and 6 of Mr. Fortin's motion indicate that Ms. Fortier's appearance before this committee was not even accepted. This is another member speaking on behalf of the government, as the Prime Minister does. Given these two things, it is clear that we could not continue with our business.

We talked about what was presented in the past when a government was in the same situation. I would like to quote one person who said this:

Mr. Speaker, our precedents and practices are very clear. It is ministers and the ministry at large who are responsible to the House and to its committees, not their staff members. The staff members are responsible to the ministers and the members for whom they work.

Another time, he said:

Ministers are answerable—

Mr. Rhéal Fortin: A point of order, Mr. Chair.

[*English*]

The Chair: I'm recognizing your point of order, Mr. Fortin.

[*Translation*]

Mr. Rhéal Fortin: Mr. Chair, our colleague Mr. Fergus is in the process of telling us who is accountable to the House of Commons. He's telling us that it's ministers. No one is contesting that.

The motion refers to people who have been summoned, not to be accountable, but to testify so that they can be asked some questions, and that is not prohibited. It's actually encouraged.

The idea of accountability is another matter and is out of order. We're not talking about who is accountable. It doesn't appear anywhere in the motion or in our debates. We are discussing a motion about people who were supposed to testify and did not. They were not invited to be accountable, they were invited to testify.

Thank you.

[*English*]

The Chair: Mr. Fortin, I do believe that's an issue of debate and not an issue of a point of order.

Mr. Fergus.

[*Translation*]

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

I'll just finish reading the quote. I think it might help my colleague to understand.

Ministers are answerable to the House of Commons, and our employees are answerable to us.

It's no other than the Rt. Hon. Stephen Harper who said that. It's his birthday today. I would like to wish Mr. Harper a happy 62nd birthday.

When we invited the Prime Minister to appear before these committees, we also invited his government, because the Prime Minister speaks on behalf of the government, as do his ministers.

To state in the motion that we are expressing our disappointment seems to me to be completely unacceptable. We need to find a way to withdraw this motion. As I said, there are a number of ways to do that.

Mr. Chair, if you wanted to informally canvass the opinion of the members of the committee, as you have done on a number of occasions, to see if we should proceed to a vote, I would like you to seek an informal indication from our colleagues as to whether they would give their consent to withdraw this motion unanimously. I would be more than willing to give you an opportunity to do that. We could take a short break to do that.

[English]

The Chair: Thank you, Mr. Fergus.

I'm already getting indications from committee members that there is no consent to do that. I'm seeing a number of heads indicating that. Members are not supportive of it.

Thank you, Mr. Fergus.

[Translation]

Mr. Greg Fergus: Thank you.

[English]

The Chair: We are looking for creative ways to move forward. It doesn't seem that it's possible to simply move on, so the only other alternative would be to move to a vote.

Mr. Fergus, if you'd like me to poll to see if there's support for a vote now, I could do that as well.

Colleagues, are you supportive of moving to a vote on the motion now?

I'm seeing some heads that are in support.

Mr. Sorbara and Ms. Shanahan are indicating that they do not support the idea of moving to a vote.

Mr. Fergus, it looks like we'll have to go through the speaking list.

Just as a reminder, Mr. Fergus, several members are waiting behind you for their opportunity to speak as well.

[Translation]

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

[English]

Mr. Charlie Angus: A point of order.

The Chair: I recognize Mr. Angus on a point of order.

Mr. Charlie Angus: Thank you.

Mr. Fergus did tell us that we could go off and spend our day doing other things, which I thought was very disrespectful of the committee, because he was going to take the floor. I believe we're down to about six and a half minutes left. Is Mr. Fergus planning to go all night, or will we have a vote at the time the committee normally ends in order to end this circus?

The Chair: Colleagues, we've been informed that we cannot technically proceed beyond 3 o'clock. The House can't accommodate our meeting beyond 3 o'clock today, so I'll simply be suspending the meeting if in fact we get to the 3 o'clock point.

We'll move forward now.

Mr. Fergus, the floor is yours.

[Translation]

Mr. Rhéal Fortin: Mr. Chair, I'd like to raise one last point of order.

In order to accommodate everyone, and so that we can hear what Mr. Fergus has to say, I would suggest that he provide us in writing the full testimony that he wanted to give us today. We will have time to read it before Tuesday. The work will be done and we can move on to the next topic. If it's okay with Mr. Fergus, I would agree to read it.

Thank you.

[English]

The Chair: That's a very creative suggestion, and I think that the clerk will happily accept any submissions that she receives before the next meeting, and we can distribute those.

Mr. Dong, go ahead on a point of order.

Mr. Han Dong: It's just to understand what Mr. Fortin has suggested. Is he suggesting that all of the Liberal members who are on the speaking list can submit what they have to say in writing so we can talk at the committee? Is that what he's suggesting?

The Chair: I won't speak on behalf of Mr. Fortin, but it appears that's what he was suggesting.

Mr. Fergus, we'll return to you.

Mr. Charlie Angus: Point of order.

The Chair: Recognizing a point of order by Mr. Angus.

Mr. Charlie Angus: The final point of order is that we have been suffering patiently the abuse of our Liberal colleagues.

Mr. Fergus, there's four minutes left. Could you just call the meeting so we don't have to listen to any more of this malarkey? Give us a break. It's Friday. Come on. Let us go off. Call the vote.

The Chair: Colleagues, that's not a point of order.

Mr. Fergus, we'll turn back to you.

[Translation]

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

I appreciate you standing up for my rights as a member of Parliament. I don't want to sound too sensitive, but too often people have encouraged me to keep quiet. I know that was not the intention of my honourable colleagues. You can understand, Mr. Chair, that I take this very seriously. I appreciate the fact that you're defending my right to speak on an issue that all members of Parliament have as well.

That said, Mr. chair, Mr. Fortin would like me to put something in writing. I'd be pleased to put my thoughts in writing to share with the committee.

Mr. Chair, this takes the form of an amendment to Mr. Fortin's motion. I'll read it:

[English]

I move that Mr. Fortin's motion be amended by deleting point 5 and replacing it with:

The committee noted that Minister Pablo Rodriguez appeared on Monday, March 29, 2021, instead of Rick Theis who followed the government's instructions that staff are not to appear before committees which were outlined during the debate in the House on Thursday, March 25, 2021;

Furthermore, point 6 would be deleted and replaced with:

The committee noted that Minister Mona Fortier also requested to appear on Wednesday, March 3, 2021 and Thursday, April 8, 2021, on behalf of witnesses Amitpal Singh and Ben Chin who followed the government's instructions that staff are not to appear before committees which were outlined during the debate in the House on Thursday, March 25, 2021;

Finally, the words "That the committee report these events to the House of Commons in order to express its dissatisfaction" would be replaced with:

That the nonattendance of witnesses be added to an annex to the main report on the study on questions of conflict of interest and lobbying in relation to pandemic spending.

[*Translation*]

Mr. Chair, I will be pleased to distribute this amendment to the clerk so that all hon. members can read my views on this matter.

[*English*]

The Chair: Colleagues, as it is our custom in this committee to ensure that every member have a written copy of that in both official languages, I'll ask Mr. Fergus to supply that to the clerk. That way it can be translated and distributed to members. I will now suspend this meeting, because we can't go beyond the three o'clock time frame, which is in less than a minute.

Mr. Han Dong: I have a point of order, Chair, before you do.

The Chair: We are running out of time, Mr. Dong.

Mr. Han Dong: I'm sorry, but could you just quickly tell us what the speaking order is, so I have on record who is next to go at the next meeting?

The Chair: I will. Thank you for noting that.

At this point it is Monsieur Fortin, followed by Mr. Carrie, Mr. Dong, Mr. Angus, Mr. Barrett, and then Ms. Shanahan. Many of the members who are on that are redundant. That's where we'll start.

Ms. Patricia Lattanzio: Mr. Chair, it's Ms. Lattanzio.

The Chair: Pardon me, Ms. Lattanzio.

Ms. Patricia Lattanzio: I was on the speakers list, as you did mention me the last time you clarified the speakers list. I just want to maybe ask you to revise your list. I was right after Mr. Barrett, if that can be of any help to you.

The Chair: Okay, we'll put you on. Pardon me, I do apologize. I had Ms. Shanahan. I meant to have you there. That's where the speaking order will finish.

Just so that it's clear to members, I am suspending in the next 30 seconds due to our constraints here, but it will be Monsieur Fortin, Mr. Carrie, Mr. Dong, Mr. Angus, Mr. Barrett and Ms. Lattanzio when we restart.

Colleagues, we will now suspend this meeting until our next meeting time frame. The meeting is suspended.

[*The meeting was suspended at 3:00 p.m., Friday, April 30*]

[*The meeting resumed at 11:01 a.m., Monday, May 3*]

I'm going to call this meeting back to order.

This is the 32nd meeting of the House of Commons Standing Committee on Access to Information, Privacy and Ethics. As everyone will remember, this is a continuation of the meeting that started on April 30, which was a continuation of meetings that preceded it.

Colleagues, today we're picking up where we left off, with Mr. Fergus having moved an amendment to M. Fortin's motion.

Mr. Fergus, it has been translated and circulated to all members. I believe that all members should have received it by email.

Mr. Fergus, I have reviewed it. I do believe that it is close to inadmissible, but I believe we will proceed with it because it is probably as close to inadmissible as it possibly could be without being inadmissible. I will rule that it is permissible for us to debate this amendment.

Mr. Fergus, you had the floor when we last met. We'll return to you if you want to speak to your amendment to the motion.

Just for the edification of other members, Mr. Fergus is on the speaking list, followed by Ms. Fortin, then Mr. Carrie, Mr. Dong, Mr. Angus, Mr. Barrett, Ms. Lattanzio, Ms. Shanahan, Mr. Dong, Mr. Sorbara, and then back to Mr. Barrett.

Mr. Fergus, we'll turn the floor over to you.

[*Translation*]

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

I appreciate your ruling that my amendment to Mr. Fortin's motion was in order.

I wanted to do three things. As I explained in my remarks last Friday, since several people implored me to put my comments in writing, I tried to make the motion much clearer and more factual. That's why I made three changes, which you all had a chance to read over the weekend.

I'd like to come back to the last part of my amendment, which I'll read in English.

[*English*]

That the nonattendance of witnesses be added to an annex to the main report on the study on questions of conflict of interest and lobbying in relation to pandemic spending.

[*Translation*]

Mr. Chair, I think these changes would allow us to get as much consensus as possible from members of this committee. They would give us an opportunity to continue our work and move on to other discussions.

I won't speak for too long this morning, because I would really like to hear the reaction of my colleagues to the changes I have proposed to the motion. I'd especially like to hear the reaction of my colleagues across the aisle. I won't comment at this time. I'll listen to all the members on the other side before I share my thoughts on these amendments.

Mr. Chair, I'll now turn the floor over to my colleagues.

[*English*]

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

[*Translation*]

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

Are we discussing Mr. Fergus' amendment or the substance of my motion?

[*English*]

The Chair: We are discussing Mr. Fergus' amendment to your motion, Mr. Fortin.

[*Translation*]

Mr. Rhéal Fortin: In that case, I won't discuss my motion. I'll talk about it when it's my turn.

With respect to Mr. Fergus' proposed amendment, I welcome his intention to move the process forward. I think it's valid. I'm glad that Mr. Fergus is taking this step in the right direction. As I've said many times since the filibuster began, I think it's an undemocratic process and not worthy of the office we hold. I'm glad to see that we're trying to work our way through it.

That said, I did read Mr. Fergus' proposal. Personally, I suggested that it include that the witnesses didn't appear, even though they had been summoned to appear. What Mr. Fergus is proposing is to write that they complied with the government's orders. In my opinion, it's six of one and half a dozen of the other. I can live with that, as long as it is indeed the government's direction. I was alleging in my motion that the ministers instructed the witnesses not to be present—that's offended me the most. That is fine. However, with regard to the third element, we're playing with words.

The purpose of the motion is to report to the House a situation that we have experienced on an ad hoc basis in relation to this testimony. Mr. Fergus is proposing that we not report it to the House; he just wants us to put it in an appendix to the main report at the end of our study.

I can't agree to that, because it completely distorts the motion that I put forward and that is currently before the committee. For that reason alone, I don't agree with Mr. Fergus' proposal. As for the rest, I can live with the wording of points 5 and 6, as Mr. Fergus suggests. However, I cannot support the third point. It's not my motion anymore, it's completely different.

[*English*]

The Chair: Thank you, Monsieur Fortin.

We'll turn to Mr. Carrie.

Mr. Colin Carrie: Thank you very much, Mr. Chair. I think Mr. Fortin stated things quite accurately.

I just want to take this opportunity to say that I would like to see our committee move forward, so I appreciate Mr. Fergus' attempt, but I think, as Mr. Fortin said, it really doesn't reflect the reality. I think he was quite accurate in his original motion, Mr. Chair.

I'd just like to say that I'm getting a little frustrated because I'm seeing this filibuster more as a procedural tactic to avoid accountability and continue a cover-up on the WE scandal. We're seeing it at PROC. We're seeing it at the national defence committee with the sexual assault issues. We do know that the Liberals would like to engineer an election. On the sexual assault issue, for example, they knew in 2018 before the last election that this was going on, but they hid it from Canadians. It makes you ask what else they are hiding.

I come from Oshawa. Before the last election the auto sector was extremely important, and it still is very important to us. The government negotiated a CUSMA deal, and they said it was a better deal for the automotive sector. We found out from Global Affairs and other reports that it was actually a hit of \$1.5 billion to the auto sector. My big concern here is that we have to be accurate. The Liberals want to do everything they can so that we don't talk about their scandals, but we have to be accurate.

The House of Commons directed us to do this. Our colleagues deserve the right to have a response in the House of Commons. For that reason, unfortunately, Mr. Chair, I won't be able to support Mr. Fergus' amendment, but I do appreciate the attempt.

I will cede to my next colleague to discuss this. I don't want to dwell too long on it.

The Chair: Thank you, Mr. Carrie.

Mr. Dong, we'll turn to you.

Mr. Han Dong: Thank you, Chair.

Good morning, colleagues.

I was looking at the clock. The last time I debated this motion, it was for less than 15 minutes, so I will follow that trend. I will keep it short today as well.

I've been listening a lot to my caucus colleagues as well as to my opposition colleagues on this motion. I would like to offer my observations and perhaps some suggestions. First of all, I'm sure that for Ms. Shanahan and other members who have been on this committee since the beginning of the session, there are times when it feels like we are deadlocked on the issues. To me, it's like a ball of tangled fishing line that we have to untangle before we can move on.

There were times that it felt hopeless, going back to last summer, on this specific topic, but eventually, through amendments, through discussions at the committee or in camera, things worked out. I think concessions were made by both the opposition and the governing party.

I like what I've seen here, the good intentions shown by Mr. Ferguson. I also want to point out the fact that the Liberal House leader's office issued a statement or letter responding to Mr. Barrett's motion in the House. There is nothing inconsistent between that letter presented in the House to all members—it's an open letter—and exactly what happened following that letter. As for reporting back to the House, I guess the only thing we need to report on is that it was consistent. It was the government's statement of position from the beginning on this specific motion. That's why I agree that it could be included in the report at the end.

I also want to humbly remind everyone here that we had a choice of which study to move on, to discuss and to work on. I'm not going to talk about what happened in camera, but unfortunately we decided to move on this one, this particular motion. That's where we're stuck.

I used the weekend to reflect on the work I've done in the past week. I think it's time for us to think about it and see if we can work out a solution so that we can move on. There aren't a lot of meetings left before we hit another break. I strongly encourage my colleagues opposite to consider this amendment. Maybe there's another subamendment they want to propose, but I think that's a good intentioned solution for us to get out of this current situation

Thank you, Chair.

The Chair: Thank you, Mr. Dong.

Mr. Angus, we'll turn to you.

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

I'm growing very concerned because I remember the last round of filibusters that sucked up the equivalent of 20 meetings. That's something I've never, ever seen before in my parliamentary career, where that much time of a committee that is supposed to do serious investigations could be so monkey wrenched.

I'm very concerned that we're in that situation again. It was a little over a week, maybe two weeks, that we met and all agreed that we were going to extend the Pornhub study by one meeting with witnesses, and then to report it to the House. In the middle of that meeting, Ms. Shanahan shut down the opportunity for those witnesses to speak by claiming she wanted many more witnesses. Now, Mr. Sorbara's saying how many more witnesses he wants to bring.

They're sending a message that they want to drag that study out, and I think they want to drag it out because it has become clear that the Liberal government is not interested in applying the legal codes that exist regarding Pornhub. I think that if we report that to the House, it will be problematic for the Attorney General, so they'll drag that out.

Regarding the WE study, I think we need to get this done. My Conservative colleague now wants to bring in Elder Marques. I have no interest in hearing from Elder Marques, but I feel I'm stuck

between a rock and a hard place, between the Liberals who want to drag one study out that we had all agreed should be done and my Conservative colleagues who want to continue to drag the WE study out.

We had all agreed that we were going to make a priority of the issue of facial recognition technology. I've pretty much given up on that as something my government colleagues are interested in following up because, with 12 meetings left, do they really want to report to the House the findings on the WE scandal? I don't think so. Do they really want us to report on the Pornhub study based on the evidence that we have? Apparently not. They want to drag that out as much as they can, so we're in a tough situation.

I would tell my colleagues that there's another issue that we have to look at. We spent months trying to get answers from the top executives at WE so that we could finish this study, and some of those answers were from Victor Li. As we now learn, according to his lawyer, it wasn't really Victor Li who actually answered those questions; it was the WE Charity that wrote those answers.

I don't know if my colleagues have bothered to read those answers that were recently given, but they're highly problematic. It really raises questions about the credibility of parliamentary committees if you have witnesses simply saying that it's none of our business how their financial dealings went and that they don't have to give us those answers.

This was about a \$516 million deal with the Canadian people. It's a pretty straightforward thing that Parliament has a right to know. What due diligence was done? What was the capacity of this organization?

I see on the Canada summer student service grant that Victor Li's signature is on the agreement. Some of the questions were as follows.

What financial information was requested by the Government of Canada in their decision-making process for WE to be awarded the Canada summer service grant?

“I do not know”, he wrote.

What assurance did WE give the Government of Canada that it could handle the financial load of this fund?

“I do not know,” he wrote.

What payment software was in place for WE to pay students through the funds earned through the CSSG?

He wrote, “Our primary system was a national payroll provider.” He doesn't even say which one. “Our secondary service was working with one of Canada's largest financial institutions to deliver the funds.” He doesn't say who it is.

This is not a joke. We're talking about half a billion to a billion dollars of taxpayers' money.

What was the system that they were using? Who was their partner? We don't know.

Your signature is on the service contract to the Canada summer student service grant. Why was the contract retroactive to May 5?

He says, "I was not personally involved with the negotiations."

What assurances were you given from May 5 onwards expenses would be covered though no contract was signed?

Again, he says, "I was not personally involved," but the issue here is that according to WE's lawyer, "Because he"—Mr. Li—"is unable to review or access the company records, he asked WE Charity to help answer the committee's questions."

Are we to believe that the WE Charity executive doesn't know who authorized the spending of money on May 5 when there was no contract signed?

I will be returning to this issue when we have the final documents all presented, but I think it's highly problematic for our committee, regardless of your political stripe, that you could be given such disregard in the answers on WE's corporate ownership.

Why were we asking these questions? We were asking questions about corporate ownership of WE because we wanted to be able to know how the money flows. That's a pretty straightforward question to ask. We still don't know.

One of the questions was, who is the registered owner of Araveli For Mamas corporation? He wrote, "I do not know." That would be a WE executive saying they do not know. We have documents saying that this corporation was owned by Marc Kielburger. It's one of their flagship operations—a flagship operation selling bracelets—which they say is empowering women. If it's private company of Marc Kielburger, well, that certainly raises questions.

How many of the other WE companies are private or partly owned by the brothers or family members? He says that's outside the committee's mandate and refuses to answer. I think that's highly problematic. First of all, why are the WE executives deciding what's within our mandate to ask in terms of due diligence and funding? This is why we had to ask them back a couple of times. We were dealing with a signed agreement that would have given them \$500 and some million in the first round, and maybe upwards of \$900 million. We have a right, as parliamentarians, to know how the money flows, and to be told they don't know who runs these corporations, or they're not going to tell us, is not on in my books, not when we're dealing with a supposed charity that raises money in our kids' schools.

Again, Mr. Chair, I'm going to be returning to this, but I'm asking my colleagues to start reading up on these documents, because I think this is something we need to address. Regardless of what else happens at this committee, we need to be able to have a sense of whether we got clear and honest answers or whether we got played. As a parliamentarian, I don't like my committee time to be wasted by witnesses who are not going to give us answers.

We asked for a list of the schools that were built, because their lawyer wrote to us and said that WE built 1,500 schools. I believe they built 1,500 schools. I had no reason to doubt that, but then questions were raised. Questions were raised about donor manipulation. It would have been the best, simplest option for them to shut down all that concern by simply showing us the list: "Here are the 1,500 schools we built." By the way, 1,500 schools is the equivalent of one school every five days for 20-some years. That's an incredible machine for building schools, yet they can't tell us where the schools are. I find that extraordinary.

If you're raising money, if you're out there and you're on the ground doing this, you would know where those schools are, yet they tell us that it would take too much time to find out.

I've spoken with people who are in the field working in international development. You know where your projects are; you have to know where your projects are. So on this question of the 1,500 schools, where are they? Who built them? Were they built? We know that some schools were built, and I'm not doubting that some schools were built. I'm not doubting that some really good work was done. I am questioning why a parliamentary committee can be told, "It would be too hard to find out where all our schools are."

They said it would take them months. Well, we gave Mr. Li well over a month—a month and a half—to come up with this. The question of schools was well over four months in the public eye. I would think that if your business model is based on telling people that you build schools, you would have been able to supply that answer to Parliament right away. Instead we are told they can't tell us.

I'm going to be returning to this matter once we've seen all the documents. I want to make sure we know what's in every document and whether or not we were given the straight answers. I'm asking my colleagues to consider this as something bigger than our partisan interests. This is about the role of Parliament to get answers and to be able to report to Parliament.

With that, I would say that I think Mr. Fergus' motion is problematic, but I'm willing to vote on it. I'm asking my colleagues to stop these filibusters and let's get down to business. We have the WE report to finish. We have to [*Technical difficulty—Editor*].

The Chair: [*Technical difficulty—Editor*] to the amendment. Mr. Fergus opposed that.

Is there—

[*Translation*]

Mr. Rhéal Fortin: A point of order, Mr. Chair.

[*English*]

The Chair: Mr. Fortin.

[*Translation*]

Mr. Rhéal Fortin: Does the mover of a motion have the right to announce that he isn't ready to vote on his own motion?

Isn't that contrary to procedure or, at the very least, logic and common sense?

Mr. Greg Fergus: A point of order, Mr. Chair.

[*English*]

The Chair: Thank you, Mr. Fortin. It is not customary to allow for a vote until such time as the speaking order is exhausted. Mr. Fergus' name is on the speaking order, so I was polling the members generally.

I'll return to the speaking order as I have it in front of me now.

Mr. Barrett, we'll turn to you.

Mr. Michael Barrett: Thank you, Chair.

We're back again and the filibuster continues. We have this amendment in front of us for consideration, and having just heard Mr. Angus' comments with respect to the important work that our committee has done to this point and the important work we had planned to do, it is unfortunate that we find ourselves in this situation having burned the equivalent of 20 meetings in the fall, and now we're into a burn of the twilight of this committee in this session of Parliament. It's important that we do get work done.

A lot of it depends on operating in good faith. The motion to call more witnesses when we were hearing witness testimony, hearing survivors' testimony, was not consistent with the agreement or the understanding that we had, and was certainly disruptive in that meeting. It didn't speak to a willingness to move forward in a collaborative way.

We've seen this pattern at other committees and at committees chaired by Liberals. When there are problematic issues, the committees just don't meet. The defence committee is dealing with sexual misconduct in the military, and the chair has cancelled the meetings for this week.

We need to make sure that we don't get locked into a filibuster and lose all of the work that we've done.

Mr. Dong spoke about the compromises or the progress the committee was able to make earlier in the year, and we have heard testimony following those votes.

It's important that we're able to move forward. Mr. Angus talked about my comments last week about potentially calling witnesses whose testimony could be included in our study on conflicts of interest in pandemic spending on the WE scandal.

I'm a pragmatic guy. I'm prepared to move forward, but we would need a commitment in an open meeting by members on the government side that they're going to commit to a timetable to conclude a report on that study. That's how we do that. We're going to have to make our commitments in open session in these meetings so that everyone knows where they stand.

This motion that we have in front of us I support in its original form. We have an amendment put forward by Mr. Fergus and if this

is an overture to end the filibuster, I would offer a compromise on the compromise. I would be prepared to vote on it.

I would move a subamendment, Chair, that the third point in the amendment be deleted. I'd like to speak to that.

The Chair: Okay.

I think that's simple enough to proceed. Members can get the sense of what that is, the deletion of the third point.

We'll return to you, Mr. Barrett.

Mr. Michael Barrett: Chair, the intent here it to adjust the language, which speaks to the concerns Mr. Dong raised in his previous intervention, and obviously addresses concerns that Mr. Fergus has. This would adjust the language per the first and second points, and then allow it to be reported to the House forthwith. That satisfies the point that Mr. Fortin raised in his intervention.

In its amended form, this is.... As I said, I supported Mr. Fortin's motion in its original form, but let's go with a bird in the hand and forget about the two in the bush, and we can all get a little of something that we were looking for here. I would encourage members to allow.... People have lots to say. We've had lots to say over the last several meetings, so let's allow the subamendment, amendment and main motion to come to a vote today.

Then on Friday we can get back to the work. We need to hear from the commissioners on the supplementary estimates; we need to give further instructions to our analysts, who have commenced their work. It would be wonderful to see the fruits of their hard and professional work be examined by the committee and then tabled in the House. We have a dozen meetings left, including today's, so let's not wipe today's meeting off how many we have left. Let's make today's meeting count. We can have three votes in fairly quick succession, still allowing time for interventions by members on all sides. Obviously, I'm prepared to support the subamendment, the amended motion, and then we can get on to the important work our committee does.

The Chair: Thank you, Mr. Barrett.

I'll poll the room as to whether there's a desire to vote on the subamendment. Just so that colleagues understand, we have the subamendment now, the amendment and the main motion once we've gone through this.

There's no desire for a vote on that, so we'll continue down the speaking order.

Ms. Lattanzio, we'll turn to you on this subamendment.

[*Translation*]

Ms. Patricia Lattanzio: That was the question I wanted to ask, Mr. Chair.

I wanted to know if, at this point, we should debate only the subamendment and the amendment or if we're in the process of analyzing it.

[*English*]

The Chair: That's correct, yes. We are only on the subamendment. Once we have voted on and disposed of this subamendment, we can return to the amendment and then the main motion. Right now we're only debating the subamendment.

[*Translation*]

Ms. Patricia Lattanzio: Once we've debated the subamendment, we should, in principle, proceed to the vote. Then we'll come back to the same list of speakers for the amendment.

Is that it? I'd like to know.

[*English*]

The Chair: That is correct, yes.

[*Translation*]

Ms. Patricia Lattanzio: Okay.

Since the speakers will take the floor in the same order as before, I'll be the next one to speak to the amendment.

Is that correct?

[*English*]

The Chair: This is the challenging part of these meetings when I have a speaking list to figure out. If you'd like to get back to the amendment, I would encourage you to raise your hand—unless there's a willingness, colleagues....

Just so that we're all clear as to what we're doing, if there's a desire to move away from this speaking order.... This speaking order was started originally for discussion of the motion; now I know there are members who may want to speak to the motion and the amendment, but not necessarily the subamendment. Because we are only discussing the subamendment now, I think it would probably be best to find out how many members would like to speak to the subamendment by raising their hand.

It looks as though, Ms. Lattanzio, you'd like to speak to the subamendment, so I'll let you have the floor.

Ms. Patricia Lattanzio: Yes, you gave me the floor. I just want to know if you want me to go to both the amendment and subamendment, or just the the latter.

The Chair: We're only on the subamendment, but you will cede the floor by debating on this point now and you'll have to return.

Ms. Patricia Lattanzio: Then I'll get back on the list for the amendment.

I got it. I'll raise my hand again.

The Chair: Just so that colleagues all know, I will be very restrictive on where debate will go. This is only on the subamendment.

[*Translation*]

Ms. Patricia Lattanzio: I understand that, Mr. Chair. Thank you for the clarification.

With respect to the subamendment, I understand that my colleague would like to strike out the third paragraph of the amendment made by Mr. Fergus last Friday. Personally, I have no problem with a report being tabled in the House. There was a vote in the House, and we have an obligation to go back and present a report detailing what happened in committee.

There was an impasse over the wording of the original motion, which referred to dissatisfaction. I'm hearing different opinions this morning. I'm very concerned about what's happening at this committee, where we should be working in good faith. There was even the idea of proposing a timeline. I made that suggestion a few weeks ago when we were trying to get to the conclusion of this study. I was told at the time that we didn't know if it was a good idea, that perhaps we could add more witnesses. This is the tendency of this committee, to go ahead in good faith, to start a study, to hear witnesses and then, all of a sudden, we start adding more and more witnesses.

Let's get back to basics. I have heard my colleagues discuss in the past how to get to this motion. Rightly so, this motion before us is a study that started out very simple, but has grown in scope. Why? Because we have been studying other issues that keep adding up. I have the impression that we have lost the essence of the original motion.

That said, I will reserve my arguments for the resumption of this motion. Let's be clear. In the beginning, there was a contract. It was never executed. That's the bottom line. Who paid the price? The students. All of a sudden, we ended up with a multitude of meetings and a large number of witnesses.

Let's go back to the basis of the subamendment. We have this obligation to report to the House. The issue for my colleague is to be able to change the wording and make it very clear that we aren't hiding anything, that we are very transparent. It says that the named witnesses did not show up. It does say that the non-appearance of witnesses will be highlighted as an appendix to the main report of the study on conflict of interest and lobbying issues in relation to pandemic spending. It seems to me it's very clear, we're saying exactly what happened. As for the motives, goodness knows we have disposed of them, talked about them, debated them. We are clear, we have nothing to hide, we will state it in writing

Let's be honest. First of all, I don't understand why we're disagreeing about not reporting this. Second, we have a proposal that they want to strike out completely and not talk about. Is it because they want to make a separate motion afterwards? When there is dissatisfaction, we report it to the House. When there is dissatisfaction, we propose something. What do we do? We have a choice: vote for it or vote against it. Dissatisfaction can be expressed by voting against. That is all we have to do.

I'm very comfortable telling the facts. I'm not at all comfortable with striking that and not reporting to the House. I'm very comfortable with the amendment made by my colleague Mr. Fergus.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you.

The next person on the speaking list is Ms. Shanahan.

Go ahead, Ms. Shanahan, on the subamendment.

[*Translation*]

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

I completely disagree with the subamendment. I think I understand the intent of the subamendment, but I would like to hear from the other members of the committee on this.

What is the purpose of this subamendment? Why do they want to delete the last sentence, which, as my colleague Ms. Lattanzio just said, in no way negates the principle that we must report to the House? All the members of this committee know very well that we have to report to the House on all the work we do. That's the way we operate.

To say that we need to send a separate report on this to the House is contrary to the intent of the motion. I'll read the motion again, which was adopted on November 16, 2020:

That this study continue our work relating to the Canada Student Service Grant, including this committee's work to review the safeguards to prevent conflicts of interest in federal government expenditures; government spending, WE Charity and the Canada Student Service Grant; and the administration of the Canada Student Service Grant... And that this study include...

That's when we started listing the witnesses one after the other. That led to a lot of debate in this committee. I recall that some of the names of witnesses were crossed out because some of our colleagues rightly said that these witnesses were not relevant to the study. We agreed to hear from other witnesses, including Frank Baylis, a former Liberal MP, and Rick Jamieson, on procurement contracts for medical ventilators.

When I hear my colleague suggest that the Liberals are hiding something, I am shocked. Mr. Baylis testified before the committee. So who is hiding what?

[*English*]

The Chair: Ms. Shanahan, I hate to interrupt, but I just want to remind you that the debate we're undertaking right now is with regard to the subamendment.

It seems as though you're looking to debate the original motion. In fact, it is a subamendment. It's the striking of number 3 from the amendment. I'd encourage you to return to the debate with regard to the subamendment.

You will have an opportunity to speak to the amendment or the main motion later on, but right now, it is the subamendment that we're debating.

[*Translation*]

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

Actually, I'm talking about witnesses who appeared before the committee and those who did not, and that is precisely the subject of the subamendment. We can see what the purpose of this sub-

amendment is. Mr. Barrett says he wants us to finish the report on this subject. People who are listening can look at the motion and see that the motion was to invite many witnesses, including David MacNaughton, and also—

[*English*]

The Chair: Ms. Shanahan, I think there may be some confusion. The subamendment is with regard to the striking of number 3, so I would encourage you to move to debate the subamendment. Then you'll have an opportunity to debate the other points at the other stages. I would encourage you to move to the debate with regard to the subamendment.

[*Translation*]

Mr. Greg Fergus: A point of order, Mr. chair.

[*English*]

The Chair: On a point of order, Mr. Fergus.

[*Translation*]

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

I'd like to better understand what you're saying. It seems to me that the subamendment, which we're talking about right now, deals with exactly the issues raised by Mrs. Shanahan. That is the scope of the amendment—

[*English*]

The Chair: Mr. Fergus, I think that's a point of debate.

I have made it very clear that we are moving to the debate with regard to the subamendment, which is the striking of number 3. This is with regard to reporting back to the House and the form it will take. It is the striking of point number 3 that is the debate on the subamendment.

I will now encourage members to move to a debate with regard to the subamendment. I'm happy to entertain more broad discussion on other points, but with the subamendment, this is very specific. I fear that if we get into the debates on the other points we will have a redundant and repetitive debate when we move to debate on those portions of the amendment and then the main motion.

Right now, we are debating simply the subamendment, which is on the striking of number 3.

Ms. Shanahan.

Mrs. Brenda Shanahan: Chair, that's number 3 on Mr. Fergus's amendment. That is what the subamendment is referring to, not number 3 on Mr. Fortin's motion.

The Chair: Pardon me. Yes, that is right, so as you are aware, you will have plenty of opportunity to debate those larger points down the road, but right now we are on the subamendment.

Thanks, Ms. Shanahan.

Mrs. Brenda Shanahan: My understanding is that Mr. Barrett's subamendment wants to delete....

Maybe you should say it. What are the words that Mr. Barrett wants to delete?

The Chair: It is number 3 of Mr. Fergus's amendment.

Mrs. Brenda Shanahan: I'm sorry. I don't have it numbered in front of me. I have a different version.

The Chair: No, it has been circulated by the clerk and it is numbered, Ms. Shanahan. If you'd like to check with your office as to where your copy is, we can move to the next speaker if you're not prepared to debate the subamendment.

Mrs. Brenda Shanahan: No, I'll be happy to continue—

Mr. Michael Barrett: Chair, on that point of order—

The Chair: On a point of order, Mr. Barrett.

Mr. Michael Barrett: —if there is confusion about the subamendment, in Mr. Fergus's amendment the points were numbered 1, 2 and 3.

Point 1 began with “That the point 5” and concludes with “March 25, 2021”. Point 2 begins with “And point 6 be deleted” and concludes with “March 25, 2021”.

The nature of my subamendment is to strike point 3, which says:

And the words “That the Committee report these events to the House of Commons in order to express its dissatisfaction” be replaced with “That the non attendance of witnesses be added to an annex to the main report on the study of Questions of Conflict of Interest and Lobbying in Relation to Pandemic Spending.”

To be clear, my subamendment is to delete from Mr. Fergus's amendment all of the words after “And the words”, concluding with the end of his amendment, which is “Pandemic Spending”.

The Chair: Thank you, Mr. Barrett. That isn't necessarily a point of order, but it might help to clarify Ms. Shanahan's confusion.

We will turn back to Ms. Shanahan.

We are specifically debating the subamendment. I'll ask the clerk to recirculate that to members so that there is no confusion henceforth.

Ms. Shanahan, are you prepared to debate the subamendment?

Mrs. Brenda Shanahan: Yes, I am indeed, and I do thank Mr. Barrett for his reading of it, because exactly the point I am making is that the subamendment, by deleting that text from Mr. Fergus's amendment completely confounds the whole sense of the work we are trying to do here, as cobbled together as it is.

[*Translation*]

I certainly object to this subamendment. It shows Mr. Barrett's intention not to do the work. Basically, it's taking a small portion, out of context, and sending it to the House, in a context that is completely devoid of all the work and analysis that is normally included in reports.

That's why Mr. Fergus—

[*English*]

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

I'm just looking for your guidance on whether it is, in fact, parliamentary for a member to impugn the motives of another member. Ms. Shanahan made comments specifically to do with what she believes my motives are, and I'm not sure if they would fall within the realm of acceptable parliamentary language or behaviour.

I'm just looking for your guidance, Mr. Chair.

The Chair: Thank you, Mr. Barrett.

I wouldn't encourage it. Obviously, it isn't for me to, probably, rule one way or another, but it's encouragement to Ms. Shanahan, maybe, to reconsider things that will bring the committee into disorder.

Ms. Shanahan.

[*Translation*]

Mrs. Brenda Shanahan: Mr. Chair, we've actually already discussed possible solutions to the situation we're in. We suggested that we include a reference to the fact that the three witnesses in question did not appear before the committee, and you've heard me talk at length about why it was appropriate for them not to appear.

Making an observation is one thing, but mentioning the context surrounding that observation is another.

Our committee has the ability to include an analysis, discussion or description of why these three political staff witnesses were told not to appear before the committee. It was only logical that the ministers would be the ones to give us the details and explain the situation with respect to the issues that gave rise to our motion, namely expenditures made during the pandemic.

We have been hearing witnesses since November. In other committees, we have seen 5,000 pages of documentation and heard hours and hours of testimony. With all of that, would we not be able to complete our report?

We can't do that when there's no will to actually wrap up the work.

If we send some of the information to the House, what will that mean? It will mean that we will go fishing to find more. That's what I've already heard this morning: the Liberals have something to hide.

Mr. Chair, I don't mind not having—

[*English*]

Mr. Charlie Angus: I have a point of order.

If I'm looking at the subamendment, it's to just report to the House. It has no references to fishing expeditions or conspiracy theories. I know that conspiracy theories are very popular in the public right now and maybe with Ms. Shanahan, but they're not in the subamendment as far as I read it.

Can we move to a vote?

The Chair: Thank you, Mr. Angus.

I have, again and again, asked Ms. Shanahan to return to the debate with regard to the subamendment. I would strongly encourage her to do so.

I will move to the next speaker, Ms. Shanahan, if you're unable to return to the debate at hand.

Ms. Shanahan.

[*Translation*]

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

It's funny that my colleague is talking about conspiracy theories because the whole story around Reed Cowan and the WE Charity is in the same realm.

However, I'll come back to the subamendment—

[*English*]

The Chair: Thank you, Ms. Shanahan. I do want you to return to the debate with regard to the subamendment; otherwise, I will move to the next speaker.

[*Translation*]

Mrs. Brenda Shanahan: Mr. Chair, thank you for your patience.

In this whole witness thing, why mention some witnesses who had nothing to contribute, when we still had the information? Why make this report separately?

We disagree strongly with the subamendment.

The amendment, as suggested by Mr. Fergus, is the purpose of our study, and I think it represents all the points of view of the members of the committee, my colleagues around the table. We must defend the principle—

[*English*]

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

The Chair: I'm recognizing your point of order, Mr. Barrett.

Mr. Michael Barrett: Chair, on relevance, the witnesses were referred to the committee by an order of the House. This was not a decision of the committee to invite the witnesses. To conflate the two is not relevant to the issue of having the witnesses appear, nor to the subamendment that is being proposed.

The Chair: Thank you. I think that's debate. It is a demonstration that I think members are getting caught up in the different stages we're undertaking.

Ms. Shanahan, again, it sounds like you are moving to the debate with regard to the amendment. You will have an opportunity to speak to that once we move to a vote on the subamendment.

I think that having exhausted the discourse in moving on to a different subject, you're demonstrating that you've probably completed the debate with regard to the subamendment.

Is there anybody else who would like to speak to the subamendment, not the motion at hand, but the subamendment on the amendment?

Mr. Michael Barrett: Chair?

The Chair: Is this a point of order, Mr. Barrett?

Mr. Michael Barrett: Yes.

I've heard two speakers from the Liberal side express an unwillingness to support the motion.

Because the motive that is suggested is that this is an effort to circumvent advancing and reporting the conflict of interest and pandemic study to the House and that there's an ulterior motive, I would offer, respectfully to the chair, that I would withdraw my subamendment, if all parties would agree to a timetable to report the study to the House.

I withdraw my subamendment, with unanimous consent of the committee, if all members would agree that over not more than two meetings, we could report the conflict of interest and pandemic spending study back to the House.

That should alleviate a concern about ulterior motives, Chair.

The Chair: Do I have unanimous consent for Mr. Barrett to withdraw his subamendment?

Mr. Greg Fergus: I have a point of order.

The Chair: On point of order, Mr. Fergus.

Mr. Greg Fergus: Chair, thank you very much for choosing to sound this out—this very serious point that Mr. Barrett has proposed.

If you can please give me a couple of minutes to just consider this, I'm trying to understand the full ramifications of what he is proposing.

I would like a couple of minutes, without the pressure of an immediate determination. I compliment you on trying to find a solution to keep this going, but could we have a couple of minutes to consider the proposal by Mr. Barrett?

The Chair: Well, as we seek to move to a solution, I will suspend the meeting to allow for members to discuss it. I will suspend for three minutes, and in three minutes, I'll call this meeting back to order.

The meeting is suspended.

● (25155)

(Pause)

● (25200)

The Chair: I am looking to committee members to see if there is unanimous consent for Mr. Barrett to withdraw his subamendment. Is there unanimous consent to do that?

Mr. Dong.

Mr. Han Dong: On a point of order, Chair, I just want to clarify this. I'm wondering if there's any way that we can have Mr. Barrett, in the form of a motion or an amendment or subamendment...because I think what he's proposing is pretty smart. It probably will get us moving along.

I just want to try to understand this. Is there any way that we can have him send us an email so that I can understand it from reading it? My understanding is that he is withdrawing his subamendment to Mr. Fergus's amendment and he is asking for everyone's commitment to deliver the report on this study within the time frame. Is that correct?

How do we put this in writing? Would it be in the form of a motion?

I look to my colleague Mr. Angus. He has been on this for many years. Maybe he can chime in on this.

The Chair: Well, we'll go back to Mr. Barrett to clarify exactly what he is asking for.

Mr. Barrett, I'll turn it back to you.

Mr. Michael Barrett: Thank you, Chair.

My proposal is just an agreement between honourable members to do basically what Mr. Dong said. That is, if we get unanimous consent to withdraw my subamendment, I would be prepared to support Mr. Fergus's amendment and to then support the main motion, but to do that with the view that members of the committee agree that we would dedicate the next two meetings to send our final report on the conflict of interest and pandemic spending study, meaning that I wouldn't put forward a motion and my colleagues in the official opposition would agree not to put forward another motion for more witnesses to include in that study before the conclusion of those meetings.

We would put it behind us in a week, provided the analysts have had enough runway.

The Chair: Okay.

The challenge is that there are two different parts here. For Mr. Barrett to withdraw his subamendment, all that is required is unanimous consent of the members. The second point, in terms of the timeline, would require an agreement of all members. That would be in a motion.

My sense is that Mr. Barrett's own support for his suggestion is contingent on the second part. So unless I get a sense from committee members that there is a willingness to proceed on both points, I think it's probably pointless to continue down the road of seeking unanimous consent on that part but not on the condition that would result in the unanimous consent.

Mr. Fergus.

Mr. Greg Fergus: First of all, Chair, thank you. I know this is not normal parliamentary procedure, so I appreciate your recognizing me on this.

I would like to ask just a further point of clarification of Mr. Barrett, because he had mentioned the importance of an agreement amongst honourable members, which I am quite happy to do and I am always willing to encourage. Did I understand him correctly that if we were to agree to provide him with unanimous consent to withdraw the subamendment, he would be supportive of my amendments to Monsieur Fortin's motion—of all the amendments?

The Chair: Mr. Fergus, I am seeing by the indication of a hand that Mr. Barrett is indicating support for that.

Mr. Charlie Angus: A point of order.

The Chair: On a point of order, Mr. Angus.

Mr. Charlie Angus: I think this is a sign that we can work together. I am very suspicious, though, because we had an agreement on Pornhub for one more meeting, and that got completely blown

out of the water by the Liberals. I don't really have a lot of trust for them right now. I'd like to have an assurance that we are actually going to start to work more focused on the agreements that we have made and we can start to put these issues behind us.

The Chair: Colleagues, there are a couple of things. Number one is I don't want to blow up anything here in terms of what I see as a pending agreement. There is an issue of the technical capacity to produce a translated report and report it back to the House within two days. I just want to warn members that even if we move down this road, there may be some additional delays on the technical side.

Having said that, I do like the idea that members would agree to a time frame and an outcome. We'll have to suspend the meeting to allow for something to be put in writing. If there's general support from the committee, we can move outside the speaking order to allow for this, and I will take a general sense of agreement of...as long as nobody's resisting it, I'll accept that's unanimous consent to proceed in this way.

Mr. Charlie Angus: I have a point of clarification, Chair.

The Chair: Mr. Angus.

Mr. Charlie Angus: My understanding was two more meetings and we're wrapping it up. I don't think we're expecting that we'd have a report done in two meetings because our analysts are extraordinary, but it probably wouldn't be the best report. The maximum of two meetings is to wrap up all the extra pieces of this report so we're done and they have their instructions in that time. Am I correct in my understanding?

Mr. Francesco Sorbara: Chair.

The Chair: Before we suspend so something gets in writing....

Mr. Sorbara.

Mr. Francesco Sorbara: Chair, this is the first time I've spoken at today's meeting, and I want to speak to MP Angus's comments. I hope we can get as quickly as possible to the Pornhub/MindGeek study and get that done, and get the WE study done. We have lots of work to be done, Charlie, and I'm in full agreement with everything you've said today of the intentions. I'm here, I'm listening and I want to thank Mr. Barrett for bringing this forward.

The Chair: Thank you, Mr. Sorbara.

I think we're getting a lot of agreement here. We will suspend for 10 minutes. I'd ask that members of all parties work together to have something that might be a collaborative outcome. We'll have to have that translated and circulated. As soon as you can, I'd ask that you provide the text to the clerk, so it can be translated and distributed.

The meeting is suspended.

• (25210) _____ (Pause) _____

• (25225)

The Chair: We are at the 10-minute point. I'm not aware of what discussions have happened or not happened. I am seeking committee members' decision in terms of where we go from here.

Currently, I have on the subamendment a speaking list that still exists. Ms. Shanahan still has the floor, followed by Mr. Dong, Mr. Sorbara and Mr. Barrett, and then Mr. Sorbara, Mr. Fergus, Ms. Shanahan, Mr. Angus and Ms. Lattanzio.

If there is a—

Mr. Francesco Sorbara: I have a point of order, Mr. Chair.

I would like to withdraw my name from the speaking order to speed things up.

Thank you, sir.

The Chair: Thank you.

I have Ms. Shanahan and Mr. Dong, then Mr. Barrett. As for Mr. Barrett, my sense is that his own condition to his own unanimous consent support for withdrawing his motion would be the condition of the later point, which is this other motion. I suspect what would be helpful right now is that we wait until the new, proposed motion is translated and circulated so that committee members can either support or not support it. Then we can probably move through this expeditiously.

Mr. Barrett.

Mr. Michael Barrett: Mr. Chair, my proposal, in both official languages, is in everyone's mailbox.

The Chair: Okay, folks. Let me suspend for the next three minutes to allow members to read and to review. I think that's the courtesy that would be helpful.

• (25225) _____ (Pause) _____

• (25230)

The Chair: I call this meeting back to order.

On my speaking list right now, I have Ms. Shanahan, Mr. Dong and Mr. Barrett.

I know it's been a little bit unorthodox what we've done over the last number of minutes with the attempts to build a consensus and to build some type of resolution to what has been a very lengthy meeting. It's gone on now for days.

Ms. Shanahan still has the floor. Mr. Dong has the floor on the debate on the subamendment. I suspect that Mr. Barrett is not able to move any motion until such time as he actually has the floor.

I'll turn to Ms. Shanahan.

Mrs. Brenda Shanahan: I think that this is a positive development. I certainly welcome it. I think it's a sign of what we can do in this committee. I have nothing further to say other than that I welcome this development of the removal of the subamendment by Mr. Barrett.

The Chair: Mr. Dong.

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

I don't have much to add. I do agree with Mr. Angus's point. Maybe we should check with the analysts or the clerk to see if it's possible to meet these deadlines. I see that the report has to be completed by June 1. I think the time is quite reasonable. I just want to double-check if it's possible for them.

The Chair: Thank you.

We'll turn to our analysts now.

Mr. Ryan van den Berg (Committee Researcher): Thank you, Chair.

The analysts have drafted a report based on the proposed draft outline that was distributed to the committee a few weeks back, but I don't believe that we ever received formal approval for it. However, with that caveat, if we don't receive any other evidence or other witnesses, we do have a draft report, which is fairly lengthy. We would have to double-check with translation to see if that would be possible to have for distribution to the committee before June 1.

The Chair: Thank you very much.

I do believe that a month should allow for translation of a report, and that's what we're looking at with this suggestion.

Thank you. I know that the analysts have been working to try to keep up with us. What I'll do—

Mr. Han Dong: Mr. Chair.

The Chair: Is this on a point of order, Mr. Dong?

Mr. Han Dong: Yes, after listening to the analysts, is it possible to build in some flexibility for June 1, just in case? I know that it's going to be a lengthy report. In general, I welcome the change. I'm willing to support it, but in terms of technicalities, I just want to make sure that we have a fulsome report on this study.

Thank you.

The Chair: Before we start the debate with regard to the motion that I suspect will be proposed here shortly, probably the most appropriate thing to do is for Mr. Barrett to have the floor. If everyone before him cedes the floor, we'll go to Mr. Barrett, and then we can begin the debate with regard to the motion that he may present.

Mr. Barrett.

Mr. Michael Barrett: Chair, as discussed, I would seek unanimous consent to withdraw my subamendment, based on the word of my honourable colleagues that we can expeditiously—that is, today—pass the motion that has been circulated to members, with the caveat that if translation doesn't permit for June 1, the committee would be able to of course grant an extension to ourselves for that report, solely on that basis. This is just so that the committee can move ahead. I'm going to propose this on the understanding that all members who support that motion support the proposal that I've made and circulated to them.

Chair, I'm just looking for unanimous consent to withdraw my subamendment to Mr. Fergus's amendment.

The Chair: Is there unanimous consent to do that?

Monsieur Fortin.

[*Translation*]

Mr. Rhéal Fortin: I just need a clarification.

I agree with what Mr. Barrett is proposing. My understanding is that we agree that the two motions, the one dealing with the absence of witnesses and the one dealing with the lack of due diligence, would not proceed before the committee, but would be included in the final report, which would be produced by June 1.

Is that what we're agreeing on?

[*English*]

The Chair: I believe that is the motion that was circulated and has not yet been moved, but I think Mr. Barrett is seeking assurance from members that if they grant him unanimous consent, they're giving their word that they will agree to his motion that was circulated. That is what he is seeking, Monsieur Fortin.

[*Translation*]

Mr. Rhéal Fortin: Thank you.

[*English*]

The Chair: Is there unanimous consent for the withdrawal of Mr. Barrett's subamendment?

(Subamendment withdrawn)

Mr. Barrett, I will turn back to you. I suspect you're looking to propose a new subamendment.

Mr. Michael Barrett: No, Chair. I would just ask the chair to move to a vote on Mr. Fergus's amendment, and once we've disposed of this motion, then, with consent of colleagues, I would move the motion that was circulated.

The Chair: That's probably the better way to do it.

We'll move, then, to a vote—unless there's any opposition—on Mr. Fergus's amendment to Monsieur Fortin's motion.

Mr. Greg Fergus: Sir, could we have a recorded vote, please?

(Amendment agreed to: yeas 10; nays 0 [*See Minutes of Proceedings*])

(Motion as amended agreed to: yeas 10; nays 0 [*See Minutes of Proceedings*])

The Chair: I think there's general consent to move to Mr. Barrett. Then we'll go through the speaking list.

Mr. Barrett.

Mr. Michael Barrett: Mr. Chair, I move the following:

That in relation to its study on questions of conflict of interest and lobbying in relation to pandemic spending, the committee dedicate the next two meetings, Friday, May 7, 2021, and Monday, May 10, 2021, to drafting instructions, and that the committee agree to present this report to the House by Tuesday, June 1, 2021, if possible, and that any outstanding documents be provided to the analysts as evidence to be integrated into the report.

That has been circulated to all members in both official languages.

The Chair: Is there debate with regard to this motion?

I have a speaking order here of Mr. Sorbara, Ms. Shanahan, Mr. Angus and Monsieur Fortin.

Mr. Sorbara, we'll turn to you first.

Mr. Francesco Sorbara: Just to speed things up, I will cede the floor to my colleague MP Shanahan.

Thank you, Chair.

The Chair: Thank you.

We'll turn to Ms. Shanahan.

Mrs. Brenda Shanahan: Chair, again, I welcome these positive developments in enabling us to wrap up the report. I always worry about deadlines too, knowing how translation is often the last thing that's thought of. We're working on a best-efforts basis, as I think we always do. Yes, I am agreeable to the motion before us.

Thank you.

The Chair: Mr. Angus.

Mr. Charlie Angus: I'm certainly supportive of these efforts. We do need to get this report done. The Canadian people expect it from us. We have to get it to Parliament. I would like to get this done as soon as possible. As I said, the next thing is to clear up the Pornhub/MindGeek study, which is also very important, and get that to Parliament.

I would like to remind my colleagues that we did agree to facial recognition technology. I don't know when Bill C-11 is ever going to come to our table, but we could be looking to get some good work done in the next few weeks.

With that, I'm ready to vote.

The Chair: The last person on my speaking order for now is Monsieur Fortin.

We'll turn to you, Monsieur Fortin.

[*Translation*]

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

I, too, applaud this breakthrough, which I hope will continue until the final report is signed. I just want to make sure there's no oversight. I said it earlier, and I'll say it again: I agree with this approach because we can actually be more efficient and look at other issues.

The fact remains that the final report will have to include not only the absence of the witnesses, as stated in the motion amended by Mr. Fergus, but also the absence of a due diligence report, as worded in my other motion, which we won't have discussed in the end. These inclusions should be mentioned to the analysts.

These are important points, and I understand that all members of the committee agree that these items should be included in the final report. I would hope that we won't see a filibuster in the discussions on the final report and that we won't again find ourselves at the end of June without having adopted anything.

To the extent that we are indeed all acting in good faith and moving in the same direction as we have been discussing, I applaud our efforts. This gesture shows a strong commitment to democracy and to all the voters who have placed their trust in us.

Thank you, Mr. Chair.

[*English*]

The Chair: Mr. Ferguson.

[*Translation*]

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

[*English*]

I've long believed that sometimes we should seize victory. We've all come together after a very contentious debate for a long period of time.

If there's a will, I would like to move that we adjourn today's meeting.

The Chair: On seeking an adjournment—?

Mr. Charlie Angus: Have we voted yet?

The Chair: We have not yet voted.

This is a non-debatable motion, so we'll move to—

Mr. Greg Ferguson: Sorry, Mr. Chair; forgive me. I didn't realize there was a motion on the floor.

I will withdraw that for the time being. I don't want to mess around with the goodwill that we've had around this table, so please forgive me. I withdraw that motion.

The Chair: Thank you, Mr. Ferguson.

Okay, we'll move to a vote on Mr. Barrett's motion.

Mr. Charlie Angus: I have a point of order.

The Chair: Mr. Angus.

Mr. Charlie Angus: On a point of order, because it hasn't been discussed, the report does come back to us as we prepare recommendations. We are sending it off to be prepared, but it does come back to the committee, and then we have to agree, within that time-line, to be able to meet those deadlines for recommendations as well. That's just something I want my colleagues to be aware of.

The Chair: We'll move to a vote now on the motion that Mr. Barrett circulated.

(Motion agreed to: yeas 10; nays 0 [*See Minutes of Proceedings*])

Colleagues, I'll ask the analyst over the next couple of days about this.

The clerk will circulate the draft, the work that has been done thus far, to allow members to review that before we meet next time. That will give everybody a chance to be prepared for our next

meeting. I know the analysts have done some work. That will allow members to get up to speed, and then be able to provide suggestions and clarifications and additional recommendations at that point.

I see that one of our analysts has raised her hand.

Ms. Alexandra Savoie (Committee Researcher): Thank you, Mr. Chair.

I just want to specify that we obviously wrote the draft in one language, so it would also require translation. Normally the way we proceed is that we would send a final draft to be translated. Of course, if the members have questions at the next meeting, we can tell them....

You also have the outline, so we could provide information and details about what's in the report as it is drafted right now. However, it would be hard for us to have anything translated and—

The Chair: Thank you.

I think I misspoke there. It's the outline that, I believe, has been translated. I'm not sure that it has been circulated to all members yet, so we'll make sure that gets circulated to all members to allow them to review it.

[*Translation*]

Mr. Rhéal Fortin: A point of order, Mr. Chair.

[*English*]

The Chair: Monsieur Fortin and then Mr. Angus.

[*Translation*]

Mr. Rhéal Fortin: I want to be sure I understand.

The draft report will be distributed in both official languages, and not just English. We have to work in both official languages. I don't imagine I'll surprise anyone by saying this, but I must mention that, for us, this is what is known as a deal breaker.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you, Monsieur Fortin.

You are right that it is the practice of this committee and all committees to only circulate documents that have been fully translated, so of course, that would be the same moving forward in this process.

Mr. Angus.

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

I thank all my colleagues for showing up ready to work. I put forward a motion that we now adjourn.

The Chair: That's a non-debatable motion.

Mr. Han Dong: I believe it must be something I said in my debate that got Michael to propose such a [*Inaudible—Editor*] report.

(Motion agreed to: yeas 10; nays 0)

The Chair: Thank you, colleagues.

The meeting is adjourned.

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