



Office of the
Conflict of Interest and
Ethics Commissioner

Commissariat aux
conflits d'intérêts et
à l'éthique

ANNUAL REPORT

*Conflict of Interest Code
for Members of the
House of Commons*

20²¹₂₂

Mario Dion
Conflict of Interest and
Ethics Commissioner

Conflict of Interest and Ethics Commissioner – Annual Report 2021-2022, in respect of the
CONFLICT OF INTEREST CODE FOR MEMBERS OF THE HOUSE OF COMMONS

For additional copies of this document, please contact:

Office of the Conflict of Interest and Ethics Commissioner
Parliament of Canada
66 Slater Street, 22nd Floor
Ottawa, Ontario K1A 0A6

Telephone: 613-995-0721
Fax: 613-995-7308
Email: info@cie.parl.gc.ca

Ce document est également publié en français.

This document is available online at the following address: <http://ciec-ccie.parl.gc.ca>



Office of the
Conflict of Interest and
Ethics Commissioner

Commissariat aux
conflits d'intérêts et
à l'éthique

May 2022

The Honourable Anthony Rota, P.C., M.P.
Speaker of the House of Commons
House of Commons
West Block, Room 233-C
Ottawa, Ontario K1A 0A6

Dear Mr. Speaker:

I am pleased to submit to you my report on the performance of my duties and functions under the *Conflict of Interest Code for Members of the House of Commons* for the fiscal year ending March 31, 2022, for tabling in the House of Commons. The report is deemed permanently referred to the House of Commons Standing Committee on Procedure and House Affairs, under Standing Order 108(3)(a)(vii).

This fulfills my obligations under paragraph 90(1)(a) of the *Parliament of Canada Act*.

Sincerely,

Mario Dion
Conflict of Interest and Ethics Commissioner

TABLE OF CONTENTS

01 COMMISSIONER'S MESSAGE

02 OUR VISION AND MISSION

03 OUR STAKEHOLDERS

04 OUR ACHIEVEMENTS

- Reporting to Parliament
- Compliance
- Initial Compliance Process
- Ongoing Reporting Requirements
- Public Registry
- Direction and Advice
- Education and Outreach
- Enforcement
- Public Communications
- Collaboration and Best Practices

16 OUR TOOLS

- Our People
- Our Infrastructure
- Our Plan

19 OUR CHALLENGES

- Leveraging Technology
- Declining Public Trust
- Court Matters

21 APPENDIX

- Financial Resources Summary

COMMISSIONER'S MESSAGE



I am pleased to report on the administration of the *Conflict of Interest Code for Members of the House of Commons* in 2021-2022.

Throughout the year, the Office helped Members of the House of Commons achieve and maintain compliance with the Code, gave them confidential guidance tailored to their individual situations, and helped them understand their obligations. After the September 2021 election, we helped new and re-elected Members complete the initial compliance process under the Code.

Prevention is the major focus of the regimes the Office administers, and in the past year we strengthened education initiatives to help prevent conflicts of interest. The Office supports, advises and directs Members, and monitors their actions. However, it is up to all Members to take the time to learn about the conflict of interest rules and develop a reflex to act ethically.

In the area of enforcement, we reported on one inquiry under the Code.

I was pleased to appear before the House of Commons Standing Committee on Procedure and House Affairs during its review of the Code and to present and discuss my recommended changes.

We were also busy in other key activity areas. The volume of compliance work with regulatees increased by over 40% compared to the previous year. The Office supported transparency by maintaining the public registry and publishing quarterly statistical reports on its activities. We educated and informed Canadians about the conflict of interest regimes and the Office's work. We further grew the Office's social media presence. We also continued to work with our Canadian and international counterparts.

I passed the mid-point of my seven-year term as Commissioner in 2021-2022. This was an opportune time to take stock of the processes and procedures that are in place to support the achievement of our mission. The Office has evolved into a mature organization, and I believe our approach to compliance assurance has proven effective and efficient.

I remain honoured to serve Parliament and Canadians and am grateful to the employees of the Office for helping me fulfill my mandate.

A handwritten signature in black ink, appearing to read 'Mario Dion'. The signature is fluid and cursive.

Mario Dion
Conflict of Interest and Ethics Commissioner

OUR VISION

Offer exemplary services in support of a culture of integrity in order to achieve a high degree of public confidence in the integrity of federal institutions and Parliament.

OUR MISSION

Our Office provides independent, rigorous and consistent direction and advice to Members of Parliament and federal public office holders, conducts investigations and, where necessary, makes use of appropriate sanctions in order to ensure full compliance with the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*.

OUR STAKEHOLDERS

The Office’s stakeholders include regulatees—the individuals subject to the conflict of interest regimes it administers—as well as Parliament, academics, ethics practitioners and others with an interest in the field, the media and the general public.

This report touches on all stakeholder groups, but its focus is the Members of the House of Commons who are subject to the [Conflict of Interest Code for Members of the House of Commons](#).

Members are key stakeholders of the Office. One of the Office’s strategic objectives is to increase trust in and credibility of the Office with key stakeholders so that they become stronger allies in the delivery of its mandate and can effectively manage conflict of interest issues. The Commissioner is also mandated under section 32 of the Code to undertake educational activities for Members regarding the Code and the role of the Commissioner. Indeed, one of his recommendations to the House of Commons Standing Committee on Procedure and House Affairs regarding possible amendments to the Code was to establish mandatory training for Members on its principles and requirements. (Please see “[Reporting to Parliament](#)” section.)

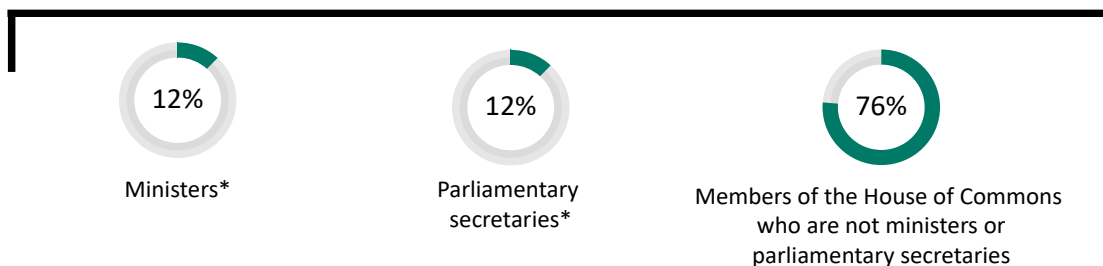
In support of stakeholder communications and engagement, a key focus area of the Office’s 2021-2024 strategic plan, the Office updated its list of stakeholders to allow for timely, proactive and fine-tuned messaging. An important purpose of this project was to assess regulatees’ individual needs to help improve education, outreach and service delivery. As part of this project, it identified a new category of stakeholders dubbed “accelerators.” These are entities or groups that are not subject to the *Conflict of Interest Code for Members of the House of Commons* or the *Conflict of Interest Act* but play a role in educational activities for regulatees. By engaging more actively with accelerators, the Office can better adapt its outreach and education activities to the needs of regulatees. For example, when the Office organized two educational sessions for Members of the House of Commons in November 2021, it also invited their staff. That is because even though Members’ staff are not subject to the Code, they can help Members with their compliance. More important, the actions or conduct of Members’ staff may positively or negatively impact the public perception of the integrity of Members and their office, which is the first of the four purposes of the Code.

The Office’s [quarterly statistical reports](#) provide an accurate reflection of the fluctuations that occur throughout the year. There was a general election in September 2021. When Parliament is dissolved, triggering a general election, Members of the House of Commons are no longer considered Members. They are also no longer subject to the *Conflict of Interest Code for Members of the House of Commons* so their information is removed from the public registry until, if re-elected, their initial compliance process is completed.

Elections generate high work volumes for the Office. After a general election, it must guide all 338 Members, whether elected for the first time or re-elected, through the initial compliance process, advise them on meeting ongoing reporting requirements, post their information in the public registry and update internal records. These activities support Members in achieving and maintaining compliance with the Code during their time in office.

The following graph provides a snapshot of Members on March 31, 2022.

Members of the House of Commons (338)



*Also subject to *Conflict of Interest of Interest Act*

OUR ACHIEVEMENTS

Key Activities

Reporting to Parliament	Reporting to Parliament and testifying before its committees
Compliance	Helping regulatees achieve and maintain compliance with the conflict of interest regimes
Direction and advice	Giving regulatees confidential guidance tailored to their individual situations
Education and outreach	Helping regulatees understand their obligations under the regimes
Enforcement	Applying investigation and other enforcement provisions of the regimes as appropriate
Public communications	Educating and informing regulatees, the media and the general public
Collaboration and best practices	Exchanging information with domestic and international counterparts

REPORTING TO PARLIAMENT

As an Officer of the House of Commons, the Conflict of Interest and Ethics Commissioner has a duty to report to Parliament, testify before parliamentary committees and respond to requests from Parliament. The Commissioner takes this duty very seriously and makes fulfilling it a top priority.

Reflecting the Commissioner's [independence](#), he reports on behalf of Canadians to Parliament directly, not through a minister. He submits his reports under the *Conflict of Interest Code for Members of the House of Commons* to the Speaker of the House of Commons, who tables them in the House.

The Commissioner reports on inquiries under the Code to the House of Commons.

He submits a [list of sponsored travel](#) under the Code to the Speaker by March 31 each year. Under subsection 15(1) of the Code, sponsored travel is any travel worth more than \$200 that is not fully paid by the government, a political party, a recognized parliamentary association or by Members themselves. The [2021 List of Sponsored Travel](#) was tabled in the House of Commons on March 3, 2022. The number of sponsored trips accepted by Members was very low for the second year in a row in comparison to the pre-pandemic yearly average. They reported just seven trips in 2021 compared to an average of 83 between 2007, when the Office started publishing the *List of Sponsored Travel*, and 2019.

By June 30 each year, the Commissioner submits an annual report on the administration of the Code to the House.

The Office sends communiqués to parliamentarians when reports under the Code and the *Conflict of Interest Act* are tabled or released. Seven communiqués were sent in 2021-2022.

The Commissioner also testifies before parliamentary committees about the Office and its work when invited to do so.

On May 28, 2021, the Commissioner [appeared](#) before the House of Commons Standing Committee on Access to Information, Privacy and Ethics to discuss the Office's submission for the 2021-2022 Main Estimates. The Committee has oversight responsibility for the Office and reviews its annual spending estimates, as well as matters related to the Commissioner's reports under the Act.

The Commissioner reached out to the newly elected Chairs of the House of Commons Standing Committee on Procedure and House Affairs and Standing Committee on Access to Information, Privacy and Ethics to welcome them to the position and to offer a meeting.

On December 14, 2021, the Commissioner [appeared](#) before the House of Commons Standing Committee on Procedure and House Affairs, which has responsibility for the Code. Invited to discuss the Code, the Commissioner also indicated that if the Committee decided to undertake a comprehensive review of the Code, he would be pleased to participate.

The Committee launched a review of the Code and invited the Commissioner to its first meeting on the review. On February 3, 2022, the Commissioner [appeared](#) before it to discuss his recommended changes to the Code. A [written submission](#) to the Committee details six recommendations:

1. Establish an exemption from the Code’s acceptability test to allow Members to accept all gifts or other benefits of a modest amount (totalling \$30 or less, all inclusive, from a single source in a 12-month period) including those from lobbyists, as these would be unlikely to present any conflict of interest.
2. Strengthen the Code’s rules of conduct against furthering the private interest of friends and family by expanding its definition of “family” to match the broader definition of family in the *Members By-law*, which also includes a Member’s siblings, parents and in-laws.
3. Prohibit outside activities that are incompatible with a Member’s parliamentary duties and functions.
4. Make sponsored travel subject to the Code’s acceptability test for gifts or other benefits.
5. Establish mandatory training on the Code’s principles and requirements for new Members within the first 60 days after confirmation of their election, and annually for all Members.
6. Grant the Commissioner additional autonomy to issue generalized guidelines or forms without the approval of the House of Commons Standing Committee on Procedure and House Affairs.

The Code is an instrument of the House of Commons and the House has the sole authority to amend it. Whether or not any amendments result from the Committee’s review, the Commissioner believes it was a worthwhile undertaking.

COMPLIANCE

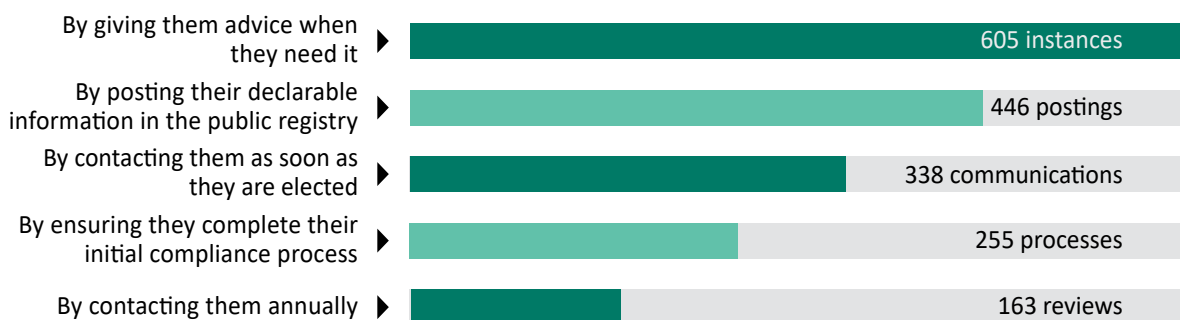
In support of its mission to ensure full compliance with the conflict of interest regimes it administers, the Office devotes most of its resources to helping regulatees achieve and maintain compliance with them.

The Office identified a preventative approach to compliance assurance as a key area of focus in its 2021-2024 strategic plan. It involves providing regulatees with proactive guidance, including direction on issues involving real or potential conflicts of interests. It includes offering annual training for Members who are ministers or parliamentary secretaries to strengthen their ability to identify potential conflicts of interest. As part of this approach, the Office will also identify new tools to help detect potential compliance issues, at-risk activities and areas that could raise concerns.

Employees in the Advisory and Compliance division guide Members through the compliance processes under the *Conflict of Interest Code for Members of the House of Commons*. They give them confidential advice supported by legal opinions on individual files as necessary, post their publicly declarable information in the [public registry](#) and ensure they have the information they need to understand their obligations.

The Office’s contact with Members starts shortly after their election or re-election and continues throughout their time in office.

How does the Office help Members comply with the Code?



INITIAL COMPLIANCE PROCESS

The [initial compliance process](#) is a critical step that all Members must complete to achieve compliance with the *Conflict of Interest Code for Members of the House of Commons*. It is an opportunity for them to learn the rules, reflect on areas where they might potentially find themselves in a conflict of interest and address potential issues. Once they have completed this process, they are well positioned to maintain their compliance with the Code throughout their time in office and thus avoid any [conflict of interest](#). Members are welcome to contact the Office for one-on-one personal advice about their situation at any time.

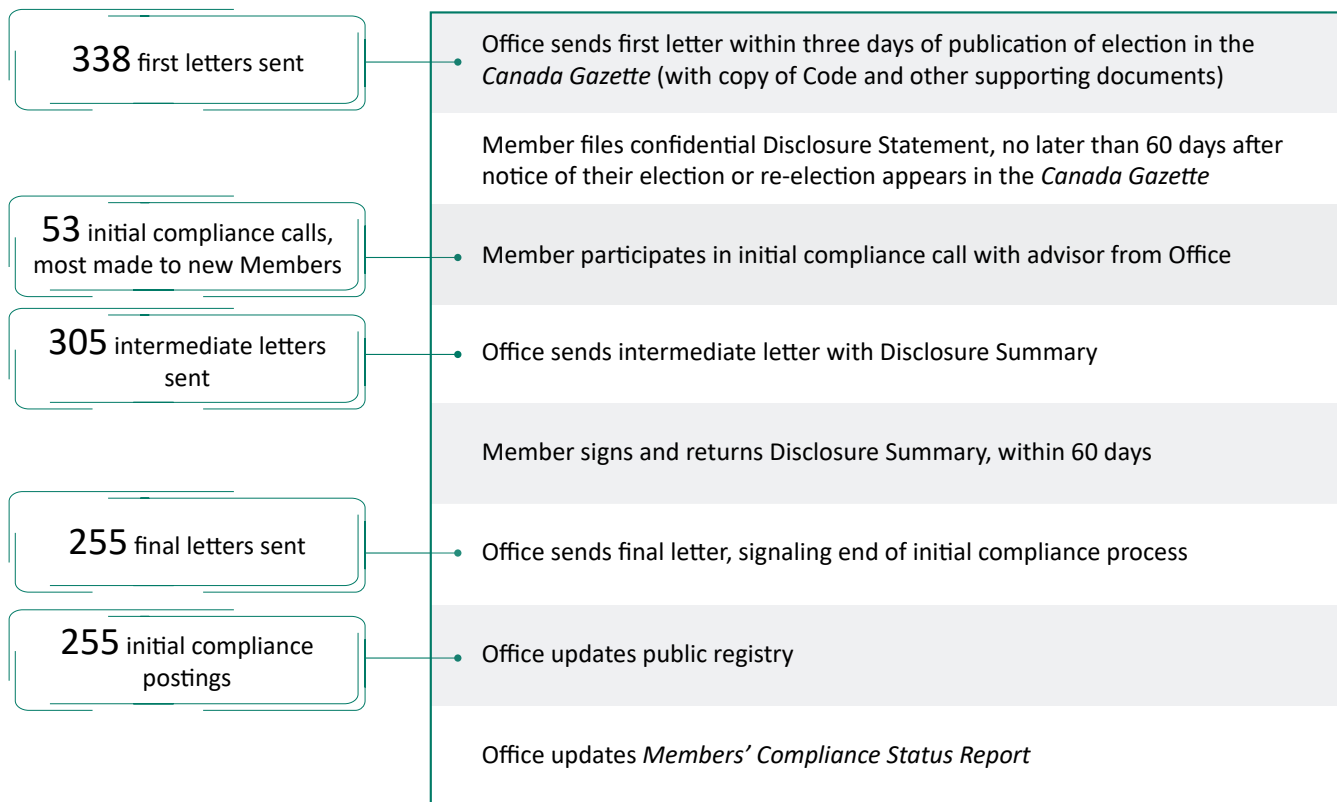
The initial compliance process begins soon after a Member is elected or re-elected in a general election or by-election, when their names are published in the *Canada Gazette*. Employees in the Advisory and Compliance division guide Members through the initial compliance process and the Commissioner is kept abreast of Members' files throughout. The Office communicates with Members in their preferred official language, as indicated by Elections Canada. Members may also inform the Office whether they wish to communicate in English or French.

Helping all 338 Members complete the initial compliance process under the Code was a key focus for the Office in the months after the September 2021 general election. The Office handled this significant increase in workload by ensuring all advisory positions were staffed and streamlining some of its administrative procedures. As a result, it maintained its service level and was able to address the influx within a reasonable period of time.

As of March 31, 2022, less than seven months after the election, the Office had completed its review of 90% of Members' files, with 75% of Members having finalized their initial compliance process under the Code.

The Office maintains a [Members' Compliance Status Report](#) that identifies where each Member is in the initial compliance process. It published an updated status report monthly following the September 2021 election.

Initial compliance process for Members of the House of Commons



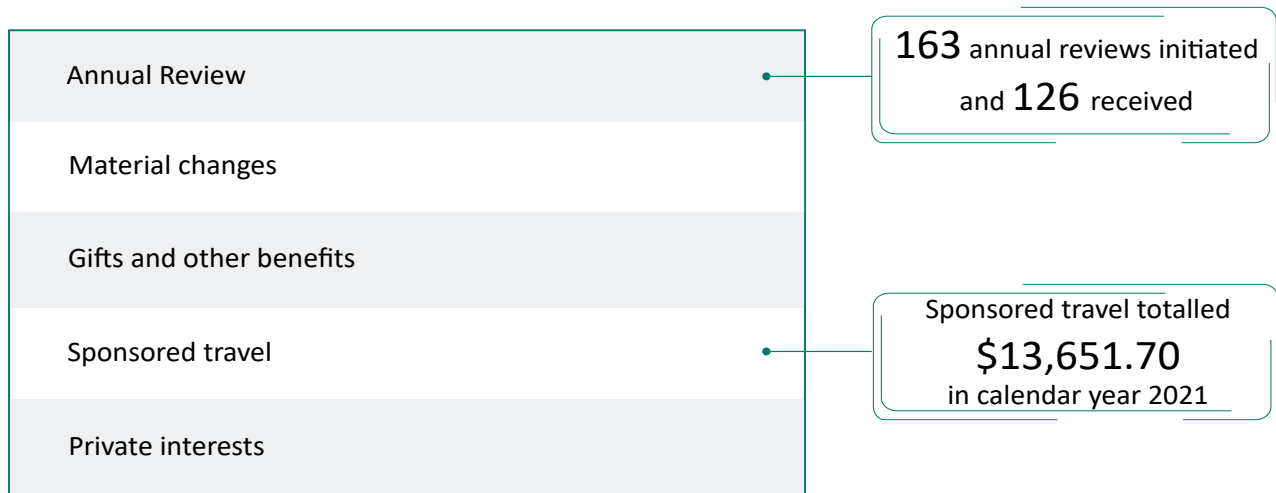
In 2021-2022, the Office began developing a new system which in fiscal year 2022-2023 will replace the [declaration portal](#) that regulatees currently use to submit their public declarations. It will give Members a fully secure, fast and easy way to submit to the Office information required under the Code, communicate with their advisors and keep track of their compliance requirements. (Please see "[Our Infrastructure](#)" section.)

ONGOING REPORTING REQUIREMENTS

After completing the initial compliance process under the *Conflict of Interest Code for Members of the House of Commons*, Members must meet various reporting requirements throughout their time in office to maintain compliance. This is a crucial requirement because changes to their personal situations over time, as well as other developments, may create the potential for conflicts of interest to arise. When they disclose such information to the Office, advisors can help them prevent and avoid such conflicts.

Within 60 days, Members must inform the Office of any material change to the information in their Disclosure Statement. This allows the Office to advise if there are any measures that must be taken and whether their Disclosure Summary needs to be amended. In 2021-2022, Members sought advice from the Office about material changes in 255 instances and publicly declared 53 material changes. In the second quarter, when the September 2021 election was called, 90% of requests for advice were about “material changes” and “general obligations,” which would include questions about the role of a Member when an election is called.

Ongoing reporting requirements



PUBLIC REGISTRY

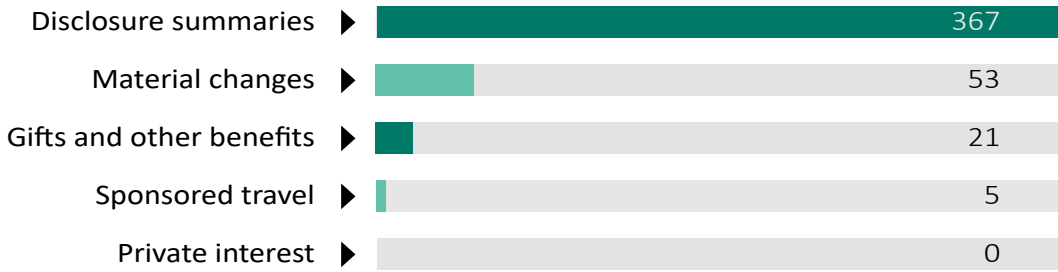
Making up-to-date compliance information accessible to the public contributes to transparency and enables public scrutiny; powerful tools that are key to the effectiveness of conflict of interest regimes.

The Office maintains a [public registry](#) of all of the information about individual public office holders and Members of the House of Commons that the Commissioner is authorized to make public. A searchable database, it is frequently accessed by regulatees, the media, members of the public, governments around the world and international ethics practitioners. Improvements to the registry are coming in fiscal year 2022-2023. It will become part of an integrated system that will include a new [declaration portal](#) and a new internal case management system, ensuring postings are timely and accurate and enhancing the user experience. However, there will be no changes to the types of information it contains. (Please see “[Our Infrastructure](#)” section.)

In 2021-2022, the Office posted a total of 1,250 items in the public registry, down 10% from the previous year. Contributing to this decrease was the high turnover among regulatees. This is typical of the period before and during an election call.

There were over 65,000 public registry page views in 2021-2022, which is in line with the previous year. During the September 2021 election, there was a slight dip in public registry page views and activity, followed by an increase in page views and postings. The registry contains a dedicated page for each regulatee and, depending on current events, some pages are consulted more often than others. Over the past few years, there has been an overall increase in the number of public registry visits, with a significant spike in the last quarter of 2021-2022. This may reflect a higher level of interest in the Office’s mandate, a better understanding of the rules that apply to regulatees and greater awareness of the registry following the election.

What did Members of the House of Commons declare in 2021-2022?



DIRECTION AND ADVICE

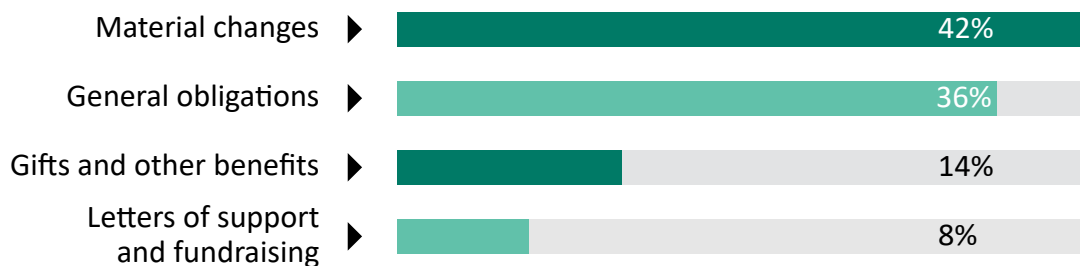
Prevention—that is, recognizing and avoiding conflict of interest situations—is a major focus of the regimes administered by the Office. Members of the House of Commons must familiarize themselves with the rules and take appropriate measures to prevent conflicts of interest.

The Commissioner encourages Members to seek direction and advice from the Office when they come across situations that may be difficult for them to navigate. To ensure it meets their needs in a timely manner, the Office has put in place a service standard of three business days for responding to requests for advice. This standard was met in 95% of cases in 2021-2022, surpassing the 80% target. The Office responded to 605 requests for advice from Members of the House of Commons, up 23% from the year before.

The Commissioner recognizes the importance of ensuring the confidential advice it provides to Members is clear and consistent and has made this a priority for the Office since his appointment. While there is no one-size-fits-all approach that can apply to every situation, as there may be factors that can change the outcome of a decision in cases that appear similar, the Office continues to take measures to ensure consistency. It records the Commissioner’s interpretations of the Code in an internal practice manual that advisors can consult. Whenever a Member consults the Office, the consultation is added to their confidential file for future reference. This process helps advisors better understand the realities faced by Members and to continue to adapt advice and messaging to help them prevent conflicts of interest. The Commissioner also maintains an ongoing dialogue with advisors.

The Office tracks the type of advice requested to establish trends that may impact its workload and identify training needs. After an educational session that the Commissioner hosted for new Members in November 2021, there was a 40% increase in requests for advice from Members within the same quarter.

What did Members of the House of Commons ask about?



EDUCATION AND OUTREACH

The Commissioner has a specific mandate under section 32 of the *Conflict of Interest Code for Members of the House of Commons* to undertake educational activities for Members and the general public regarding the Code and the role of the Commissioner.

In May 2021, the Office participated in a presentation to Members' staff to explain the Code's requirements. Although Members' staff are not subject to the Code, they are identified as "accelerators" in the key stakeholder list, because their awareness of the Code helps the Office achieve its mandate.

In November 2021, the Commissioner participated in two educational sessions, one in each official language, for Members and their staff, reaching a total of 109 participants. The purpose was to provide an overview of the Code and answer any questions about the initial compliance process under the Code.

The Office reached out to Members on Twitter ([@EthicsCanada](#)) as an additional means of helping them understand their obligations under the Code and how to comply with it. The Office also updated the list of accounts it follows to include all Members.

The Office reached out to candidates in the September 2021 federal election to make them aware of some of the conflict of interest rules they would have to follow if elected to the House of Commons. The Commissioner sent an email to registered parties asking them to forward information to all their candidates, an information page for candidates was added to the Office website and tweets targeting candidates and linking to that page were issued. These actions aimed to encourage new Members to keep their obligations under the Code top of mind after their election. This outreach prompted over 700 page views of the candidates page, generating over 2% of the website traffic during the election period.

ENFORCEMENT

The Commissioner can conduct inquiries of possible contraventions of the *Conflict of Interest Code for Members of the House of Commons* and the [inquiry reports](#) are made public.

Any Member who has reasonable grounds to believe that another Member has contravened the Code may ask the Commissioner to investigate by submitting a signed [written request](#) that identifies the alleged non-compliance and sets out reasonable grounds for the belief that the Code has been contravened.

When the Office receives a valid request for an inquiry from a Member, it must forward it without delay to the Member named in the request and give them 30 days to respond. After receiving their response, the Commissioner conducts a preliminary review to determine if an inquiry is warranted. Within 15 working days of receiving the response, the originator of the request and the Member named in it are notified of the Commissioner's decision as to whether an inquiry will be conducted.

Under paragraph 27(5.1)(iii) of the Code, the reasons for not proceeding with an inquiry may be described if the matter to which the inquiry relates has already been made public.

The House of Commons may also direct the Commissioner, by way of resolution, to conduct an inquiry, although this has not yet occurred since the Code was adopted in 2004.

The Commissioner also has the discretion to conduct an inquiry on his own initiative if he has reason to believe that a Member has contravened the Code. The Commissioner may decide to do so based on information from various sources, including media reports and complaints from members of the public. Fewer than a dozen requests for investigations under the Code were received from members of the public in 2021-2022.

Sanctions

The Commissioner is not empowered to impose sanctions under the Code but may recommend sanctions in inquiry reports. Under section 28 of the Code, the Commissioner may recommend that the House of Commons impose appropriate sanctions following an inquiry in which the Commissioner concludes, for example, that a Member has not complied with an obligation under the Code and did not take all reasonable measures to prevent the non-compliance, or where a request for an inquiry was frivolous or vexatious or was not made in good faith. Only the House has the right to discipline its own Members and is responsible for imposing and administering sanctions, including any that may be recommended by the Commissioner.

Inquiry case files in 2021-2022

How many case files were opened and closed?	
Total case files (a case file is a concern that is reviewed by the Office)	25
Ongoing	5
Closed without an examination	19
Closed with publication of report	1
Who was the subject of each case file?	
Current or former Member of the House of Commons	25
Person not subject to the Code	0
What was the source of these case files?	
Member of the House of Commons	10
Within the Office	4
Member of the general public	9
Media	2
What was the nature of the concern?*	
Furthering private interests	16
Influencing a decision or attempting to influence a decision	4
Disclosure of information	4
Attempt to engage in prohibited activities	2
Sponsored travel	1
Gifts and other benefits	2

*some case files have more than one concern

Inquiry Case Files

When the Office receives information about a possible contravention of the Code, including through media reports or complaints from members of the public, a case file is opened. The information is reviewed to determine whether the concern raised falls within its mandate. Some of these initial reviews lead to inquiries where there are reasonable grounds to believe that a contravention of the Code has occurred. In other cases, an inquiry is not found to be warranted and the files are closed.

Compared to the previous fiscal year, there was a 19% increase in case files. The Office experienced an influx of complaints that prompted case files to be opened during the second quarter, coinciding with the electoral period. Since Members of the House of Commons are no longer considered Members and thus no longer subject to the Code once a general election has been called, their requests for investigation are counted as requests from members of the general public.

Following that influx, there was a sharp drop in the number of case files opened during the last two quarters. However, in February and March 2022, the Office received over 1,000 requests from members of the public asking the Commissioner to investigate the participation of Members and ministers in the World Economic Forum. Since the requests did not provide sufficient evidence to warrant an investigation and they were all related to the same topic, they were counted as a single case file by the Investigations and Legal Services division. (Please see “[Media and Public Inquiries](#)” section.)

As of March 31, 2022, the Office was not working on any active inquiry under the Code. One inquiry remains suspended.

Inquiry Report

In 2021-2022, the Office issued one inquiry report under the *Conflict of Interest Code for Members of the House of Commons*.

In the [Ratansi Report](#), issued on June 15, 2021, the Commissioner found that Ms. Yasmin Ratansi, Member of Parliament for Don Valley East, contravened section 8 of the Code by employing Ms. Zeenat Khatri, whom she publicly referred to as her sister, in her constituency office. Section 8 prohibits Members, when performing parliamentary duties and functions, from acting in any way to further their private interests or those of a member of their family, or to improperly further another person’s or entity’s private interests.

The Commissioner determined that Ms. Ratansi had furthered Ms. Khatri’s private interests within the meaning of the Code by employing Ms. Khatri in her constituency office. As Ms. Khatri was not considered a family member for the purposes of the Code, the Commissioner had to determine if those private interests were improperly furthered.

While the Code does not set out the circumstances that constitute an impropriety when considering actions that may improperly further another person’s private interests, the Commissioner has determined that an impropriety could include circumstances where a Member acts contrary to a rule outside the Code. In this case, he considered the *Members By-law* (By-law) of the House of Commons Board of Internal Economy, which governs the use of the resources provided by the House to Members for the purpose of carrying out their parliamentary functions. The By-law prohibits a Member from hiring members of their immediate family, including a brother or sister.

The evidence showed that while Ms. Ratansi had always considered Ms. Khatri her sister and publicly referred to her as such, Ms. Khatri is in fact her foster sister. However, the public perception of Ms. Ratansi’s family relationship to Ms. Khatri, based on Ms. Ratansi’s own public statements and actions, led nonetheless to the strong appearance of an employment relationship that was contrary to the By-law.

The Commissioner used his discretion under section 3.1 of the Code to take into consideration its purposes and principles in deciding whether the rules of conduct had been contravened in a particular case. Principles 2(b) and (c) state that Members are expected to avoid real or apparent conflicts of interests and to perform their official duties and functions in a manner that bears the closest public scrutiny, an obligation that may not be fully discharged by simply acting within the law. Taking these principles into account, the Commissioner found that the appearance that a Member has contravened a rule outside the Code can, in certain circumstances, lead to an impropriety for the purpose of section 8.

Having found that Ms. Ratansi furthered Ms. Khatri’s private interest by hiring her to work in her constituency office, and that she did so improperly because of the appearance of an employment relationship that contravened the By-law, the Commissioner determined that Ms. Ratansi contravened section 8 of the Code.

Barring exceptional circumstances, the Office’s target is to conduct inquiries within a 12-month timeframe. Since the Commissioner took office in 2018, seven reports have been published under the Code. The average time to complete an inquiry is just over five months. The Office makes it a priority to produce inquiry reports with due dispatch to ensure that Canadians are well informed in a timely manner of any transgression to the Code, especially when the matter has been made public. To complete inquiries within a reasonable timeframe, the Office relies on the cooperation of the subject of the inquiry and other witnesses.

PUBLIC COMMUNICATIONS

In support of public education about the regimes that it administers, the Office makes a range of information available on its website, is active on social media, responds to inquiries from the media and members of the public, and delivers presentations to the interested public. Below is a summary of its activities in these areas for 2021-2022.

The Office monitors the volume of relevant Twitter mentions, news mentions, website activity and mentions during Question Period. In general, high mentions lead to workload increases for the Office. Tracking these trends can help the Office prepare for an influx of public and media inquiries, for example, or become aware of issues that might relate to its work. The Office publishes this data in its quarterly statistical reports.

“In support of public education, the Office makes information available on its website, is active on social media, responds to inquiries from the media and members of the public, and delivers presentations.”

Website

The Office continued to maintain its website as an important source of information to help educate and inform regulatees, the media and the public. The number of website visitors increased by 19%, for a total of 52,765 visitors.

In July 2021, it added to the website a detailed [chronology](#) that highlights milestones—dating back almost to Confederation—in the development of Canada’s federal conflict of interest regimes and their administration. The chronology is a useful research tool that brings together information from a range of sources and details how the culture of ethics and integrity has been shaped in Canada.

Social Media

The Office’s Twitter presence allows it to be aware of and participate in relevant discussions and provides an additional source of public information about the Office and the public registry.

The Office continued to be active on social media. The total number of followers for [@EthicsCanada](#) and [@EthiqueCanada](#) grew by 16% (3,596 followers), further increasing the Office’s social media reach. It tweeted 159% more times than in the previous year, sending one to two tweets per day. More than 6% of visits to the Office’s website were from links on Twitter and the Office’s own tweets drove 2% of the traffic. Over half of the Office website’s traffic resulted from an Internet search. Although difficult to pinpoint, Twitter conversations relating to ethics can lead to independent searches of the Office website to verify facts or find more information.

Twitter is a preferred tool used by the media, who have been identified as key stakeholders of the Office. The Office’s tweets can help them report accurately on the Office and its work. When the Office releases a report, its associated tweets often attract attention that may lead to additional inquiries from the public and the media.

Media and Public Inquiries

The Office fielded nearly 3,500 information requests received from the media and members of the public by phone, email, post and fax, as well as through direct messages on Twitter. The Communications, Outreach and Planning division has developed procedures and processes to ensure that it provides accurate, timely and useful information to the individuals and groups seeking information. Although the conflict of interest regimes’ strict confidentiality provisions mean no information can be provided about individual cases, the Office strives to provide as much information as possible about the rules and their general application.

The Office was also copied on a number of emails that were not relevant to its mandate. Its practice is to respond only to those that are directly addressed to the Office. Such emails represented 60% of total correspondence received in 2021-2022.

The media can help the Office provide accurate information to the public about the conflict of interest regimes that it administers. In 2021-2022, the Office received 47% fewer requests from the media compared to the previous year. Many of those requests sought information about the *Trudeau III* and *Morneau II* reports and were received in the months preceding their May 2021 release. Direct inquiries about the status of a current case file or public office holder constituted 80% of media requests. Only 20% related to general inquiries about the role and mandate of the Office. Journalists have demonstrated an increased understanding of the regimes, which may have resulted in fewer requests for information about general topics. The Office met its four-hour service standard for responding to media inquiries in 100% of cases.

The Office started categorizing by subject the information requests it receives, to see if any trends could be observed. For example, does an increase in media inquiries about a particular topic prompt more requests about it from members of the public and from public office holders seeking advice? This kind of information helps the Office adapt its education and outreach activities as appropriate. For example, there were several general inquiries about regulatees' general obligations, gifts, post-employment and outside activities, all of which align with the categories the Office tracks when it provides advice to regulatees. The Office consequently tweeted about these subjects to help educate the public.

The data also revealed that 15% of media requests received in the past year related to ongoing public investigations while 65% were direct inquiries about a regulatee's compliance. Because of confidentiality restrictions, the Office cannot provide any information about individual regulatees other than what is already in the public registry. The Office provides additional context about the administration of the Act and the Code when possible.

Just over a third of public inquiries were complaints about various subjects. The Office generally cannot act on these complaints, because they are either outside of its mandate or there are no reasonable grounds to believe a contravention has occurred based on the information received in the query. When relevant, complainants are asked to fill out an investigation request form. If they submit a completed form, the Office notifies them that their information will be reviewed.

Over 1,000 of the public and media inquiries received by the Office in fiscal year 2021-2022 were from members of the public asking the Commissioner to investigate the involvement of Canadian parliamentarians in the World Economic Forum. These requests were received in February and March 2022. The Communications, Outreach and Planning division responded on behalf of the Office to each one by explaining the mandate and role of the Office and providing information about the investigation process. The responses were tracked in its public inquiry statistics.

In the first quarter of the fiscal year, the Office achieved its service standard for responding to public inquiries within 10 days at 80%. Although this met the threshold set by the Office, an analysis of the response process revealed there were some efficiencies to be gained so it was changed slightly. The Office was subsequently able to achieve its service standard at higher rates, ending the year with 89% achievement of its 10-day service standard.

COLLABORATION AND BEST PRACTICES

Thanks in part to the technology that makes it possible to have productive and effective meetings virtually, the Office continued to maintain and strengthen connections with officials and organizations in Canada and other countries in 2021-2022.

Domestic Outreach

The Commissioner participated in the annual meeting of the Canadian Conflict of Interest Network ([CCOIN](#)) in September 2021 and in its semi-annual meeting in March 2022. CCOIN is made up of federal, provincial and territorial conflict of interest commissioners. The Office coordinates information sharing within the network, gathering and disseminating information and materials acquired by or developed in various Canadian jurisdictions.

Several Canadian universities asked the Office to provide an overview of the Commissioner's role and mandate to give students an opportunity to gain a firsthand understanding of Canada's federal conflict of interest regimes. The Commissioner delivered a presentation at Carleton University, and at York University alongside Information Commissioner Caroline Maynard.

“The Canadian Conflict of Interest Network is made up of federal, provincial and territorial conflict of interest commissioners.”

In July 2021, the Commissioner participated in Quebec Ethics Commissioner Ariane Mignolet’s [podcast](#) with Senate Ethics Officer Pierre Legault. They discussed conflict of interest and ethics jurisdictions across Canada and the benefits of belonging to networks of ethics practitioners.

In February 2022, the Office submitted [comments](#) on the draft update of the *Lobbyists’ Code of Conduct* during a consultation process initiated by Commissioner of Lobbying Nancy Bélanger. Participating in this process aligned with the principles of the [Memorandum of Understanding](#) signed by the two commissioners in March 2018.

The Commissioner met privately with other agents of Parliament to discuss common issues and concerns, and Office employees liaised with their counterparts in those agents’ offices.

International Outreach

The Office always considers the value added to its mandate when it agrees to participate in international events. Sharing best practices, learning about the ways conflict of interest rules are applied and listening to the public discourse around ethics issues in other jurisdictions are part of ongoing developmental activities for members of the Office. As the field of public ethics continues to change and grow, keeping abreast of ongoing developments can help inform the Office’s work.

The Office remains an active member of the Réseau francophone d’éthique et de déontologie parlementaires ([RFEDP](#)) [link in French only] within the [Organisation internationale de la Francophonie](#). The RFEDP fosters the sharing of best practices to enhance expertise and help the parliaments of Francophonie member countries adopt ethics principles and conflict of interest rules. In 2021-2022, the Office contributed to two RFEDP working groups focused on training and best practices. In November, the Commissioner and several other members of the Office participated in the RFEDP’s two-day annual general meeting and the Director of Advisory and Compliance was nominated to its Bureau.

The Office also continues to be an active member of the Council on Governmental Ethics Laws ([COGEL](#)), a U.S.-based international not-for-profit organization of government ethics practitioners in which other Canadian conflict of interest and integrity offices also participate. In December, the Commissioner and Office representatives attended COGEL’s virtual annual conference. The Director of Communications, Outreach and Planning is a member of the program planning committee for COGEL’s 2022 conference, an in-person event that will be held in Montreal in December.

International outreach activities in 2021-2022 included participation by the Commissioner and other senior Office representatives in bilateral meetings with international counterparts to discuss Canada’s ethics regimes and share best practices, and in other events. The Office also responded to several requests for information from or on behalf of international organizations.

“As the field of public ethics continues to change and grow, keeping abreast of ongoing developments can help inform the Office’s work.”

In September 2021, communications methods and tools were discussed with France’s [Haute Autorité pour la Transparence de la vie publique](#).

In October, the Office met with the Public Sector Directorate of the Organisation for Economic Co-operation and Development ([OECD](#)) to answer its questions about best practices that could be implemented by the Office of the Commissioner for Standards in Public Life in Malta.

In November, the Commissioner participated in a panel at the [one-day conference on ethical standards in government](#) organized by the United Kingdom’s Institute of Government. The panel was entitled “What can the UK learn from how other governments uphold standards?” Commissioner Dion participated alongside the Director of Policy Transparency International UK and the Commissioner for Standards at the Northern Ireland Assembly. The invitation to this event resulted from the Commissioner’s March 2021 appearance before the United Kingdom’s independent Committee on Standards in Public Life to discuss how Canada’s federal ethics regimes work.

That same month, the Office sent comments on the Third Resolution for the [9th Session of the Conference of the States Parties to the United Nations Convention Against Corruption](#) through Global Affairs Canada. The resolution, “Enhancing the use of beneficial ownership information to facilitate the identification, recovery and return of proceeds of crime,” seeks to address asset recovery.

In December, the Office was approached by the Treasury Board of Canada to provide input into the OECD's integrity indicators. Its input related to reporting requirements of appointed and elected public officials and general information about Canada's federal conflict of interest regimes. This project was part of the [OECD Public Integrity Indicators Portal](#), which will compile data to provide an accurate picture of the state of public integrity among OECD countries. The Office will monitor the portal, which will provide access to comparative data for benchmarking purposes.

“When approached, the Office is pleased to share best practices relating to the administration of the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*.”

In February 2022, it shared information about Canada's public integrity framework with representatives of Israel's Ministry of Justice.

Finally, in March, Office representatives attended the OECD's [Global Anti-Corruption and Integrity Forum](#). The theme was “Renew governance, business, finance, sustainability, development aid, taxation and more, with integrity.”

When approached, the Office is pleased to share best practices relating to the administration of the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*. In March 2022, the Commissioner met with the Honourable Stéphane Dion, Ambassador to Germany and Special Envoy to the European Union, to discuss sharing best practices with the Office's counterparts in Armenia. Later that month, it was contacted by the Embassy of Mongolia and agreed to meet with its counterparts in Mongolia. Future meetings may take place during the next fiscal year.

OUR TOOLS

The Office's accomplishments result from the hard work, dedication and resilience of its employees in implementing the Commissioner's vision, with the support of a sound internal management framework.

OUR PEOPLE

To ensure the Office has the human resources it needs to fulfill its vision and achieve its mission, two staffing processes were completed or initiated in 2021-2022.

The Office continued to operate primarily in a telework environment. It developed a new telework policy that will take effect in the new fiscal year. Under it, the Office will adopt a hybrid model where employees may choose, in consultation with their director, to work from home some or all of the time, while continuing to ensure the Office delivers on its mandate. The flexibility this approach has given employees can help them achieve a better work-life balance and reduce stress, thereby helping the Office retain and attract talent. In general, employees appreciate being able to telework and this contributes to a positive workplace. The Office is also planning to reduce its physical space requirements as fewer employees will need to be accommodated on-site.

To continue to address matters of importance across the federal public sector and elsewhere, the Office has created two cross-divisional working groups. One is focused on Equity, Diversity and Inclusion and aims to apply the concepts that harness the strengths of a diverse workforce. The other is focused on Learning and Development and aims to equip employees with the tools and skills that are required to efficiently fulfill the Office's mandate.

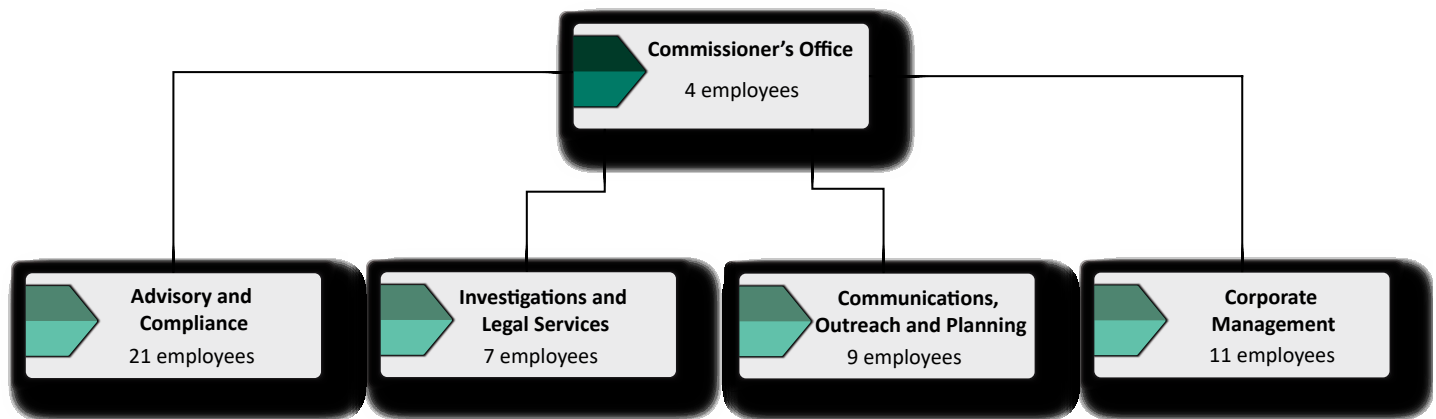
The Office has started taking steps to implement [Bill C-81](#), An Act to ensure a barrier-free Canada. This legislation will benefit all Canadians, and especially persons with disabilities, by preventing barriers in areas like information and communications technologies.

The Office refined and started implementing a comprehensive plan to strengthen and expand internal communications. Strong internal communications can build employee engagement. They can help ensure employees' well-being by contributing to their mental health, motivation and happiness. And they can drive operational excellence, by ensuring all employees have the information they need to do their jobs, helping them see the big picture and how their work supports it, and making them feel invested in the organization. Internal communications are also especially important in a telework or hybrid environment.

In February 2022, the Office launched a new intranet, a collaborative hub that enables employees to easily access the internal information and resources they need to do their jobs effectively and eliminate potential duplication of effort. It reflects a key focus area of the Office's strategic plan—establishing efficient, accessible and user-friendly information and data management systems—and contributes to the goal of ensuring an engaged, collaborative, healthy, inclusive and diverse workforce. The Office updated its employee orientation guide to better support onboarding. It created a new tool to improve collaboration among employees by providing ideas and approaches for handling new types of cases that may not fall within pre-set processes, suggesting questions that employees should ask themselves to help guide them and providing a list of internal contacts, categorized by file, to help them find the answers they need. The Office also linked employee awards to specific competencies by developing an updated awards and recognition program that aligns with the Office's [Code of Values and Standards of Conduct](#).

To ensure the Office's policy framework reflects current realities, the Office developed and implemented a Policy on COVID-19 Vaccination and a Work Place Harassment and Violence Prevention Policy. It also published a [Pay Equity Act](#) notice signalling its intent to post a pay equity plan by the legislated deadline of August 31, 2024, and to update it.

The Workplace Harassment and Violence Prevention Policy, which took effect in May 2021, was established to meet the requirements of the [Parliamentary Employment and Staff Relations Act](#) regarding the *Canada Labour Code, Part II*, and its Work Place Harassment and Violence Prevention Regulations. It applies to all employees of the Office, as well as to every person granted access to the work place. This includes the Office’s premises at 66 Slater Street in Ottawa, or any location or any event related to work activities, including while working remotely/from home in accordance with an employer-approved telework arrangement. As required by the policy, the Office conducted an assessment of internal and external risk factors to target any hazards specific to the Office that could contribute to harassment and violence in the work place. While the assessment showed that many measures were already in place to mitigate identified risks, the Office developed some additional measures. The Office held a mandatory information session on the policy for all employees, made related resources available on its intranet and required all employees and managers to take relevant training. Going forward, all new employees must complete training on workplace harassment and violence prevention within three months of their start date.



No employees left the Office in 2021-2022. While turnover among Office employees has historically been quite low, it appears to have stalled during the COVID-19 pandemic, possibly because of uncertainties in the external environment. By comparison, four employees (8.7%) left the Office in 2019-2020 and two (4.2%) left in 2020-2021.

As an organization of just over 50 employees, the Office recognizes that its small size has some benefits. These include being nimble so it can respond quickly to changes in the external environment and being able to quickly and easily draw on expertise from throughout the organization to address emerging issues and priorities. However, it is also aware of potential challenges, such as the need for employees to have multiple skill sets. This can make it difficult to staff positions, creates additional training requirements, makes it harder for other employees to cover the duties of absent colleagues, and reduces opportunities to meet succession planning needs from within the organization. As well, in small organizations, internal views may be prioritized and there may be fewer opportunities to seek input and opinions from outside the organization. There are also fewer professional development and career development opportunities. The Office is working to address these challenges on several fronts. In addition to actions mentioned elsewhere in this report, it is identifying training opportunities for employees, encouraging them to join communities of practice that bring together individuals from federal departments and agencies, and monitoring international counterparts for new and innovative ideas.

OUR INFRASTRUCTURE

The Office continued to update its policies and guidelines in line with those of other parliamentary entities and the wider public service.

To make internal operations more efficient, its Corporate Management division implemented a new document management system and a new human resources management system. It also updated a suite of financial policies that will take effect in the new fiscal year.

The Office's financial statements are audited each year by an independent external auditor. The Financial Resources Summary appended to this report outlines its financial information for the 2021-2022 fiscal year.

To better serve regulatees and the public and to improve internal administrative processes, in 2021-2022 the Office undertook the most significant information technology project in its history. With support from House of Commons IT staff, it began developing a new, integrated system that will replace the [declaration portal](#), the [public registry](#) and the Office's internal case management system when it launches in fiscal year 2022-2023.

This all-in-one platform will give reporting public office holders a fully secure, fast and easy way to submit to the Office information required under the *Conflict of Interest Act*, communicate with their advisors, keep track of their compliance requirements and request reimbursement of blind trust fees. It will give public office holders who do not have reporting obligations a more convenient way of communicating with the Office. It will give the Office a more accurate and more efficient means of managing regulatees' files. And it will enhance the usefulness of the public registry by helping to ensure the timeliness and accuracy of postings.

OUR PLAN

The Office has put in place a three-year strategic plan that captures the Commissioner's vision and is designed to improve the way it fulfills its mandate in the 2021-2024 period. Not only does the plan identify a number of projects, the Office also strives to align other projects to the key focus areas identified in it to ensure that resources are adequately harnessed.

Many of the initiatives mentioned in this report align with one of those key focus areas along with the projects that were completed:

- Stakeholder communications and engagement
 - Key Stakeholder List, Public Office Holder Survey, tailored educational activities
- People and culture
 - New policies and guidelines, working groups on Equity, Diversity and Inclusion and Learning and Development
- Information management
 - New collaborative tools and records management, new intranet
- Information technology
 - Work on the new software for managing public office holders and Members of the House of Commons
- Approach to compliance assurance
 - Analysis of public sources to ensure compliance, review of the Act and the Code exercises

The strategic plan is an evergreen tool. The status of all projects identified in it was assessed quarterly and the results shared with senior management, allowing for some timelines to be redefined based on changing operational needs while ensuring continued progress towards their completion.

OUR CHALLENGES

The Commissioner sees challenges as opportunities that carry the potential for positive change.

LEVERAGING TECHNOLOGY

Responding to the workplace challenges caused by the COVID-19 pandemic was an opportunity for the Office to improve and streamline how it operates on a day-to-day basis. Forced to rethink many of its work processes, it has embraced collaborative tools and new technology that can save time by making processes more efficient and enable employees to work together more effectively. Time saved can be spent on other activities that support the achievement of the Office's mandate, such as information gathering and strategic analysis.

Technology is now at a point where it is reliable, user-friendly and convenient. The Office is leveraging these tools, while prudently balancing the risks of relying on automated processes.

In 2021-2022, the Office built on its efforts in recent years to streamline and improve processes by using technology in new ways. For example, since April 2021, production of its quarterly statistical reports, which were previously created manually using input from the Office's different divisions, is now 80% automated. Thanks to advancements in collaboration technology, the tools and software used have been tailored to significantly reduce the need for manual input, avoiding human error and speeding up the task. This leaves more time for the analytical thinking that translates into meaningful observations that can inform decision making. Using technology to improve other internal processes has positively impacted regulatees by streamlining the Office's interactions with them.

The Office's 2021-2024 strategic plan has a component that focuses on building for the future. In support of this forward-looking approach, the Office is developing a new, integrated system that will replace the declaration portal, the public registry and the Office's internal case management system. (Please see "[Our Infrastructure](#)" section.)

This recalls the theme of the [2019 OECD Anti-Corruption and Integrity Forum](#), "Tech for trust." Examining the relationship between technology and democracy, the forum focused on the risks and opportunities afforded by new technologies and demonstrated that, with the proper tools, conflicts of interest could be effectively prevented and managed using technology.

DECLINING PUBLIC TRUST

The 2022 [Edelman Trust Barometer](#) and Transparency International's [2021 Corruption Perceptions Index](#) both indicated declining levels of public trust in governments and institutions in democracies around the world, including Canada.

By helping regulatees avoid and prevent conflicts between public and private interests, the Office plays an important role in contributing to Canadians' trust in public officials and the institutions in which they serve. Indeed, one of the purposes of the *Conflict of Interest Act* is to "minimize the possibility of conflicts arising between the private interests and public duties of public office holders and provide for the resolution of those conflicts in the public interest should they arise." Similarly, one of the purposes of the *Conflict of Interest Code for the House of Commons* is to "maintain and enhance public confidence and trust in the integrity of members as well as the respect and confidence that society places in the House of Commons as an institution."

Transparency is also key. In recent years, the Office has taken steps to make its administration of Canada's federal conflict of interest regimes as transparent as possible. It posts information in the public registry in a timely manner, provides as much information as the regimes allow when responding to requests for information from the media and others, publishes quarterly statistical reports on its activities, issues regular updates of the [Members' Compliance Status Report](#) and draws attention to the public registry through tweets and presentations. It has also started to focus on using plain language in its communications to help the public better understand the federal ethics framework.

The Office will continue to develop this aspect of its mandate to help inform Canadians' opinions about the state of institutions and democracy in Canada.

COURT MATTERS

Matters involving the Office have been the object of several applications for judicial review. While dealing with them can consume a significant amount of resources, they can also be opportunities to clarify the Commissioner's mandate and powers.

One court matter was resolved in 2021-2022:

Democracy Watch v. Attorney General of Canada, 2021 FCA 133: Democracy Watch applied for a judicial review of the Commissioner's decision in the *Trudeau II Report*. The Commissioner had commenced an examination in relation to allegations that the Prime Minister had used his position to unduly influence the Attorney General of Canada in a criminal proceeding. The applicant alleged that the Commissioner fettered his discretion and unreasonably refused to exercise his jurisdiction under the Act when he stated he did not have reasonable grounds to pursue concurrent examinations of eight public office holders who acted under the direction or authority of the Prime Minister. In dismissing the application, the Federal Court of Appeal held that the Commissioner's decision not to commence concurrent examinations was not a reviewable matter because it did not affect rights, impose legal obligations or cause prejudicial effects to those eight public office holders.

Only one court matter is outstanding as of March 31, 2022:

Democracy Watch v. Attorney General of Canada (A-169-21): Democracy Watch is challenging the findings of the Commissioner's *Trudeau III Report*. Specifically, Democracy Watch alleged in its notice of application that the Commissioner twice erred in law, erred in fact and violated a rule of natural justice. In support of its application, Democracy Watch requested a certified copy of all relevant documents related to the Commissioner's examination. The Commissioner objected to Democracy Watch's request for the certified tribunal record, noting that the record is not relevant to establish, validate or support any of those grounds. The Attorney General of Canada also filed a motion to strike the application on August 20, 2021. The Federal Court of Appeal has not yet rendered its decision on the motion.

APPENDIX

FINANCIAL RESOURCES SUMMARY

(thousands of dollars)					
Program Activities	2020-2021 Actual Spending	Main Estimates	2021-2022 Total Authorities	Actual Spending	Alignment to Government of Canada Outcomes
Administration of the <i>Conflict of Interest Code for Members of the House of Commons</i> and the <i>Conflict of Interest Act</i>	6,305	6,853	6,853	6,568	Government Affairs
Contributions to employee benefit plans	756	817	817	771	
Total spending	7,061	7,670	7,670	7,339	
Plus: cost of services received without charge	1,127	n/a	n/a	1,141	
Net cost of department	8,188	7,670	7,670	8,480	

The budget process for the Office of the Conflict of Interest and Ethics Commissioner is established in the *Parliament of Canada Act*. Before each fiscal year, the Commissioner has the Office prepare an estimate of its budgetary requirements. The estimate is considered by the Speaker of the House of Commons and then transmitted to the President of the Treasury Board, who lays it before the House with the estimates of the Government of Canada for the fiscal year. The mandate of the Standing Committee on Access to Information, Privacy and Ethics includes reviewing and reporting on the Office's effectiveness, management and operations, together with its operational and expenditure plans.

The figures in this summary have not been audited. Complete audited financial statements will be available on the Office's website at ciec-ccie.parl.gc.ca.