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Chair: Mr. John Williamson



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• (1100)

[*Translation*]

The Chair (Mr. John Williamson (New Brunswick South-west, CPC)): I call this meeting to order.

Welcome to meeting 68 of the Standing House of Commons Committee for Public Accounts.

[*English*]

I'm just going to update everyone on where we are with several motions and then tell you about some news I have regarding the discussion we had last week.

You will recall that in the last meeting we adjourned debate on Mr. Genuis's motion that was amended by Mr. Desjarlais with respect to three witnesses related to the Trudeau Foundation. I am going to address this in a second.

There are also two other motions. One is on notice from Mr. McCauley with respect to funding from the Government of Canada and an alleged police facility operated by Beijing. There's also a second motion from Mr. McCauley with respect to CRA documents related to the Trudeau Foundation that the committee is deliberating on requesting. There's an amendment to that motion.

We can discuss those in a few minutes.

Mr. Genuis, you can put your hand down. I see you.

First of all, I'm pleased to report that, since our last conversation, Mel Cappe, Edward Johnson and the Right Honourable David Johnston have all agreed to appear. I'm going to try to schedule them for June 15. They're not all available for this on Thursday and, given that responses have been coming in this morning, that's perhaps too soon for some of them as well.

Don't answer me yet because I'm just going to address our meeting that is a week from today, where we have some officials coming in to also discuss the Trudeau Foundation. They're generally accepting that invitation as well. We seem to be on track for next Monday's meeting with federal officials with respect to the Trudeau Foundation. I'm going to work hard to have the three we were discussing in the end of next week on Thursday.

There's other committee business that I need to line up before the end of the year. I'd like to have the law clerk in to discuss the drafting of the COVID-19 vaccine review that we did. If required, I might do that in subcommittee because I do want to help my analysts out. If I do it in subcommittee, none of you can put a motion forward and send me off in another direction, so that's my backup

plan for the analysts so they have that done for the summer. That's the only item that the analysts require.

For those of you who are touring the Centre Block tomorrow, that is on. I know that is optional. I have done that recently, so I'm not going to be there, but it is worth doing. It is interesting to see the interior of the Centre Block.

That is my update.

Mr. Genuis, you have the floor, please.

• (1105)

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Thank you, Chair.

In light of the situation with witnesses, I'd like to move that we resume consideration of Mr. McCauley's motion on requests for documents from the CRA in relation to the study of the Trudeau Foundation. These are important documents that are part of the information we need for our study.

It's my understanding that it's a dilatory motion, so I just move that we resume consideration of that.

Thanks.

The Chair: All right. Where it stands now, there is the amendment that was put forward by the Bloc member, so the debate continues.

Mr. Fragiskatos.

Mr. Peter Fragiskatos (London North Centre, Lib.): Mr. Chair—

The Chair: Just give me one second, please.

By the books, do I have agreement to resume the discussion around this motion and the amendment?

If I have agreement, we just continue. If I don't have unanimous consent, then there's a recorded vote.

An hon. member: You don't have unanimous consent.

The Chair: Okay. We require a vote.

Ms. Carine Grand-Jean (Committee Clerk): Mr. Chair, the vote is five yeas and five nays.

The Chair: I'll cast the vote to continue with the debate.

(Motion agreed to: yeas 6; nays 5)

The Chair: Mr. Fragiskatos, you now have the floor to discuss this amendment to the motion.

Mr. Peter Fragiskatos: Thank you, Mr. Chair.

We've seemingly overcome one issue that I thought would have put us on a new path towards actually living up to the mandate of this committee, but here we are again stuck in a situation where this committee has been politicized.

Before colleagues take the opportunity to accuse me of being repetitive, I just wish to draw attention because it has been a number of days since we did discuss this. It's a bit of a reminder, out of courtesy, Mr. Chair, to colleagues around the table, particularly for those on the opposition Conservative side who have brought this forward.

Let's remember what this motion calls for. Ultimately, the CRA would be asked to provide documents from one charity organization that, if one is familiar at all with the privacy provisions of the Income Tax Act, would in fact put public servants in a very difficult if not impossible position because they would be asked to break the law.

That's not a small point, Mr. Chair. I repeat—they would be asked to break the law.

Mr. Garnett Genuis: I have a point of order, Chair.

My point of order is not about the falsity of the statements. It's about the fact that he's repeating statements that he made previously.

He's allowed to say things that aren't true, but he's not allowed to repeat those things.

Thank you.

The Chair: Mr. Fragiskatos, that is in fact a point of order.

I'll let you proceed, but you do need to raise new issues, and certainly, to speak to the amendment as well.

Mr. Peter Fragiskatos: It's a courtesy, Mr. Chair. It's a reminder.

Our colleague across the way might be the only one who stays up late at night and reads the blues of this committee. However, the point is that a few days have passed since we last discussed this issue, and I don't think it's out of place for me to remind colleagues what's at stake.

Let me make a new point, which is that I don't know—and perhaps we could have the clerk and the analysts look into this—if this committee has ever put forward such a motion or if there is any precedent that exists that has seen us ask any agency, in this case, we're talking about the Canada Revenue Agency, to provide documents about a single organization. It would be bad enough if it was a number of organizations, but it's a single organization that has been the subject of much discussion and debate and, I would say, politicization in the House of Commons, among other places, and in our political landscape.

Has this committee ever asked an agency of government to break the privacy provisions of the Income Tax Act and, in effect, ask public servants to break the law? I don't know if that's been asked for before. We know now that it is well outside the mandate of this

committee. I see a need to look into whether or not a precedent exists for us to go in that direction. I don't believe there is any precedent, but perhaps we could have that assessed.

The implications of this are very real. I used the phrase “a poisoned chalice” in the last meeting. This poisons our debates, discussions and analysis of very real issues. How is this committee to be taken seriously? This is another point. This is a new point.

How are we to be taken seriously as a committee? How are we to have credibility with fellow parliamentarians? How are we to have credibility with the wider public, most importantly, if we are seen as giving way to some sort of effort that is little better than a kangaroo court? This is what you find in emerging democracies, at best, where corruption is the name of the game and where politics define what is put on the table for study, not actual facts.

I'm inclined to also mention, Mr. Chair—and you were there, because you helped chair the meeting last year—the summer meeting of the various committees of public accounts across Canada. I wonder what those colleagues would think of what we're doing right now. There's a lot at stake in terms of our reputation. We should be looking at very important issues that relate to this committee.

I can think of a situation.... I know my friends in the Conservative Party will not want to delve into and address the finer points of climate change, but I know our colleague in the Bloc, Ms. Sinclair-Desgagné, and Mr. Desjarlais are champions of efforts to take a serious look at climate change. This committee has the ability to do that. We could ask the Auditor General to study the long-term impacts of climate change in terms of the approach that's been taken federally, provincially and territorially, understanding where that's gone since, let's say, 2006.

I'm prepared to put forward a motion in that direction, where we would look at all the lost years of what's happened across the country—not just federally—with a view to better understanding what can be done from a public accounts perspective to address the issue of emissions. I think this committee would have some very serious things to say on that, looking at what other jurisdictions have done as far as the whole issue of emissions is concerned and where the Auditor General identifies further things that can be assessed as part of that.

• (1110)

Again, if we're going to really keep a focus here, it should be the main focus, and I think something as important as the existential threat of climate change is something that this committee should wrestle with over and above, certainly, matters pertaining to the Trudeau Foundation, which I remind you, Chair—again, as a courtesy before my colleague raises another point of order—other committees are looking at.

The committee on procedure and House affairs, PROC, is looking at it. The ethics committee is looking at similar matters, but it's our committee that's left with the task.... Perhaps it's an enviable task, which is how my colleagues in the Conservative Party would describe it, but it's certainly not enviable from my perspective when we've asked public servants to go against the laws of the land and the privacy provisions of a very important act, the Income Tax Act.

I wonder, Mr. Chair, if you would be open to this. This is something that I think you really need to consider. Going back to the committees, the various committees on public accounts.... Again, we met last year, and you chaired the meeting very ably. We should ask them their opinion on what we're doing and understand what their position would be. It would be, yes, a bit strange if not extraordinary, but, if you're to make that argument, you'd also have to recognize that what's happening here is strange and extraordinary.

In the interests of this committee, for its future reputation to remain as it is, one of the most reputable committees in the House of Commons because of the non-partisan nature of the work that happens here.... I can only think of, for example, a few other committees that operate in this way by consensus. There's the Subcommittee on International Human Rights that operates in this way, but there aren't too many others that seek to do so, and here we've become politicized.

I'm a member of this committee, certainly, and have been for I think about a year and a half, but I did follow its work before and read its reports, because you could count on those reports. Sometimes I think it's the case that committees produce reports, and you have to wonder if there was politics involved in them. You hope not, but it can go in that direction. I think we have to admit that as members of Parliament.

I've looked back at some of those reports through my time as a member of Parliament, and I'll commend my colleague Ms. Shanahan, sitting next to me, because she's a long-standing member, and she knows very well, as previous members know, what this committee is capable of. I'm not even going to stick to praising Liberal colleagues. I'm talking about being non-partisan, so allow me to be non-partisan.

I think, Mr. Chair, that you worked with the former NDP member of this committee, David Christopherson, now retired. He was so passionate about the work of this committee that he participated in the various meetings of public accounts committees that I've already referenced. I think he's still involved, and he would constantly point to the need for this committee and committees like it throughout Canada to remain non-partisan. I would just put that forward as something that comes not only from the Liberal side but from an esteemed former member of Parliament, in this case, the former member for Hamilton, Mr. Christopherson, who, in fact, spoke last year, as I recall now, at the conference that happened, and he might be on the agenda this year when the meeting happens in Yukon, I believe.

Again, I am struggling to understand how we've gone in this direction. There are many other things that we could look at, and I have a hard time seeing how we can come back from this as a committee. This is another point. How are we now as a committee going to approach future issues when this committee has, without any

question, become entirely politicized? I'm not sure what happened, because we were working so well together, and we were producing reports that were thoughtful.

• (1115)

I can't think of the last time, in fact, that we talked about a report that we wanted to put forward as a committee. It's been some time, and the public deserves to know what committees like this are up to. It's hard to see how we can really hold our heads up when we've devolved in this way. It's a very unfortunate outcome. We'll see what transpires in the future, but it is difficult to see what this all means.

Mr. Chair, I'm not sure if you have put any thought into what I suggested before: for our clerk to go back into...because I think precedent is extremely important when it comes to understanding how committees approach their work. I think it would be important, for example.... Clerks are very busy, and we respect their work very much because, without them, our committees don't function. The same is true of analysts.

However, I wonder what would happen or, rather, what could happen if they went back and looked at precedent. Have we, as a public accounts committee...? Certainly, in my recollection as a member of this committee, I don't remember this taking place before.

Does precedent exist? Previous public accounts committees, going all the way back.... It's such an extraordinary thing that is being asked for here by Mr. McCauley that it would be important for this committee to better understand whether or not there are other examples where we have asked something so outside the bounds, something so extraordinary: for an agency of the government to provide a committee with documents in contravention of established privacy provisions.

It also surprises me because I know that my colleagues in the Conservative Party believe in privacy, or at least they say they do. I wonder...and this brings to mind an example that Mr. Desjarlais has mentioned in the past. If we're going to focus on a single organization, the Pierre Elliott Trudeau Foundation, naturally, I would expect my colleagues, unless they are politicizing things, to go beyond and entertain, just to name a few examples.... We could look at the Fraser Institute, for example. What documents does the CRA have on the Fraser Institute? What documents does the CRA have on the Canadian Coalition for Firearm Rights?

Let's be fair. We can't just focus on one organization. We ought to focus on a number of organizations that, I think, Canadians would have justifiable concerns about. Let's think about that. If they want to focus on one organization, we should focus on many, perhaps.

However, I'm not in favour of that, Mr. Chair. I don't think that is a place we should go. I think that we should return to our work as committee members and think long and carefully about what the logical consequence of this motion is.

I would love to hear Mr. McCauley's view on the issue of privacy. Curiously, he has not put his view on the record. I'm not sure what is holding him back. I've never known him to be shy. I've known him to be a thoughtful member of this committee who asks hard questions but always within the mandate of the committee and always within the boundaries of what is acceptable and appropriate from a parliamentary perspective.

I'm not sure if this motion comes from him. Maybe it comes from someone else. Maybe it comes from a particular office—the opposition leader's office. I don't know. I hope not because, as we know, committees must be the masters of their own destinies—that famous phrase. That is key to the parliamentary tradition. If we look at what happens in Westminster, the mother of all parliaments, for example, we see that's a sacrosanct principle. In fact, I have asked you to consider going back and looking at the opinions that might exist among other public accounts committees about our work.

• (1120)

I wonder if you might consider writing to the chair of the equivalent committee in the United Kingdom, its committee of public accounts, to ask that chair's opinion on what this committee is being asked to do by one of our members, or a few of our members, in fact, because it's not just Mr. McCauley who's supporting this. It's the entire Conservative side.

We would be embarrassed, Mr. Chair. There's no question about that.

How can we in good conscience...? In fact, how can we in good faith have delegations of representatives come to this committee, as they do? I think we've been quite happy to meet with them. We've been quite happy to socialize on particular occasions, and most importantly, quite happy to share information about what this committee does.

I think this is something we have to consider, again, from a reputational perspective. We have been an example of how committees can approach work that is non-partisan, that is focused on the national interest and that has members on the governing side asking very difficult questions of public servants not for any other reason than the public interest, the national interest. How can we now turn around to emerging democracies, as we should and as we must, to share our point of view on how committees like this can function?

It's stunning to me how this has—again, I used the term before and it is not out of place—devolved. We should evolve towards a better approach. We should reignite what this committee has always been about. I know my colleagues have things to share apart from what I've already put on the record, and I hope you'll allow them the opportunity, because what's at stake here is incredibly important in terms of the future work of one of Parliament's most important committees.

• (1125)

The Chair: Thank you.

I'm going to respond to those very quickly.

First, because the debate seems to revisit some of the votes that were taken, the decision to study this topic was unanimous, so I

will remind members that, when they're nearing casting aspersions on the direction of this committee, that vote was unanimous. I can understand your being opposed to this, but I do want to highlight that.

Next, I appreciate the advice, Mr. Fragiskatos, but your office is free to use the Library of Parliament resources. What you're asking would not just be limited to public accounts, I think you would have to review all committees. I've done this. When I first joined this committee as chairman, I was informed it did not invite ministers, so I went to check. I walked over myself to the Library of Parliament and asked them to go back 20 or 30 years to let me know if witnesses had appeared who were ministers and I discovered they had. You're free to avail yourself of those resources as well, Mr. Fragiskatos, and come back.

I'll leave it at that. I don't want to be part of the debate, but you posed a direct question to me and I will send your office or yourself to the library to find that information. They have great services for all parliamentarians.

Mrs. Shanahan, you have the floor.

Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.): Thank you, Chair.

Actually, it's interesting that you speak about that topic. I remember that was the subject of lengthy discussions in the 42nd Parliament, as to why this committee no longer invited ministers. It was actually something that the opposition brought forward, that indeed it had to be deputy ministers who were brought to this committee. Why? It was because of the goal of keeping this committee non-partisan, on topic, objective and dealing with the facts before us.

I think all members will agree, especially my Conservative colleagues, that when you're dealing with financials, it's as close to black and white as one can get. Numbers can be interpreted, but numbers don't lie.

It's interesting when you say to look at the past history of this and other committees. I certainly did, as you have done. It's very interesting. It's like having a window into history when one reads the minutes, which are there for all to see. I certainly recommend to my fellow parliamentarians, for this committee or any committee that they join, that they have a look at how, as my colleague Mr. Fragiskatos said, there has been an evolution in the operation of committees. That's for very good reason. It's always with measured debate and input from all parties as to how a committee could better perform its function and complete its mandate.

When we talk about bringing innovation to this committee, let me just say how proud I am that this committee was able, last week using fulsome debate, to come to a good place regarding the invitation of witnesses to this committee.

Chair, you'll recall that the motion of Mr. Genuis was for using a full-on, scorched earth summons to a committee when intermediate steps had not been taken. Intermediate steps are part and parcel of what Parliament is about. It is about the process. It is about working together to get to a place where.... I always like the word "Parliament" because it's *parler*—where people talk.

• (1130)

[Translation]

It's a place where we talk together.

[English]

In this case, because it was done in such a drastic and unprecedented way, particularly for this committee, it was egregious. I thank very much my colleagues, Madam Sinclair-Desgagné and Mr. Desjarlais, for having contributed to bringing a result, which I think we will agree was a very happy outcome. The witnesses have now agreed to come of their own volition.

Mr. Peter Fragiskatos: Mr. Chair, I have a point of order.

I don't want to interrupt my colleague because she's putting a number of important points on the record, as she always does. However, just out of respect, I think it would be important for our colleagues across the way—I'm looking at the Conservatives, not the Bloc or the NDP—to at least, if they don't want to listen, to please remain as quiet as possible out of respect. It's a decorum issue.

The Chair: I'll endeavour to do that. I hadn't noticed that, Mr. Fragiskatos.

I would remind members they are certainly free to step back and have a discussion amongst themselves, so speakers can speak and be heard. That is a valid concern. I was trying to police that. I wasn't aware of that round, but I had previously called for order.

Mrs. Shanahan, the floor is yours. I will endeavour to maintain order.

Mrs. Brenda Shanahan: I thank you very much for that, Chair, and I thank my colleague for stepping in. I do credit having grown up with eight brothers and sisters to the fact that I am used to a lot of chatter around the dinner table, but it was always done with respect, and that is something that we all learned from our parents.

Chair, this committee has shown that it is able to innovate and that it is able to evolve. That would have been in the instances when we invited the environment commissioner. That was something that had been requested of this committee a number of times, and due to the unanimous nature, the consensual nature, we were never able to get the consent of all members to indeed invite the commissioner of the environment, who comes under the Office of the Auditor General. Indeed the Auditor General at that time was certainly favourable to our—not just the environment committee—looking at those reports again from a performance and cost-benefit angle, which is the purview of this committee. Given that we know that the environment and the economy go together, it was very appropriate for us to call the commissioner forward to review those reports and to hear from the deputy ministers of those departments as to how they were progressing in reaching the targets that we all wanted to see attained.

That is another way that this committee, again in a consensual way, was able to work together to get to a good outcome. I think that is the kind of practice standard that Mr. Fragiskatos was alluding to when he looked at how the Canadian public accounts committee is considered internationally. In fact it is so highly considered on the international stage that the Office of the Auditor General is often called on to participate and to consult with other parliaments and other governments in other countries, and we often have delegations here from public accounts committees from other countries to observe the work that we do.

Chair, I'm very proud of the fact that we can serve as that kind of model, because we know that in some countries—it's the parliamentary and democratic processes that we take for granted—not only are they still evolving, but there's also the integrity of institutional processes, the fact that you need to separate the political from the partisan from the institutional aspects of government. Each one does have its role, but when they are conflated, then it serves no one.

We do not wish to see the Canadian government turn into a bureaucracy, so that it's strictly bureaucrats who are running the country. That is why we elect people who run on a platform, who propose different ideas and, as we all know, the party that brings in the most MPs then forms the executive end of the government.

• (1135)

Then they can bring forward the policies that they proposed or, indeed, policies.... I have seen this already, and I think it's quite a healthy process. Very often something seems like a good idea at one point, but when the environment changes, and I'm talking about not just the physical environment but also the economic, socio-political or geopolitical environments, then policies must be brought forward. Again, that is rightly the purview of the party that is in power, but it is done with input from all the other parties because, of course, legislation must be proposed and votes must be taken so everyone knows exactly where everyone stands.

Then, in the event of an election, it's very clear that the electors have the chance to make a decision as to whether they like what the current government is doing or if they do not. As we have seen during an election period, the government must still continue to function. That is the institutional side of the government, our public servants.

Our public servants are bound not only by their professional ethics, by their training and by their education but also by law. They must conduct their duties in a way that is compliant with the law of the land. That includes keeping certain documents and certain pieces of information confidential, because that is the only way that we can ensure that their work will not become politicized in such a way that it serves a partisan purpose, not to mention the other harms that can transpire from divulging the private information of an individual, which could be harmful to them, to their business, to their financial situation and to their person.

Depending on the agency in question, we know that this legislation protects us all from the abuse of any institutional arm or agency. We saw an example of that when the Auditor General was asked by members of this committee to divulge information about the contracts that she and her officials saw that were signed with the pharmaceutical companies. She made it very clear that it was not something she could do. It was made very clear that she and her officials are within the Auditor General Act, which is another text that I certainly recommend everyone involved in this committee read.

It makes it very clear that the Auditor General, on one hand, has the duty, ability or one might call it privilege, and it's part of her professional work, to see any and all documents that are required in the performance of her work. On the other hand, she and her officials, under pain of criminal prosecution, cannot divulge that information, not even in an in camera setting, because that is not sufficient for the purpose of the legislation.

There again, after much fulsome discussion here, there was a compromise that was reached with the highest assurance that the documents in question would be kept completely confidential and that permanent members of this committee could view those documents and then proceed with the study that we had at hand.

• (1140)

It is not without precedent that this committee is able to reach a place where, while some members are looking for a blank cheque, if you will, on seeing anything and everything that they want, without any clear direction, quite frankly.... That is where I say that, even when all members agree to conduct a study, the understanding is that it's conducted in the normal manner and in a legal and professional manner, as per the practice of this committee. In other words, that study is not turned into a kangaroo court.

This committee, perhaps more than any other.... Certainly, I have seen how some other committees operate. I've seen how some committees have operated in other international settings, and it is extremely unfortunate when committees just become a place to destroy reputations and hurl accusations behind the veil of privilege. Ordinary Canadians would not like to go the way.... I'm thinking of American committees we've seen. I remember, during the height of one crisis, every member of the American U.S Senate Select Committee on Intelligence walking out and—blah blah blah—talking about whatever they had just heard in a confidential audience. It was very distressing to see that.

When this committee agrees to do a study, I think that members—even those who are not too enthusiastic about, for example, our studying a report from the commissioner of the environment—would not appreciate it if we then became a wholesale environment committee. That would not be the appropriate use of this committee's time. I know that was a concern members had in the 42nd and briefly in the 43rd Parliament, before we had to move on to other matters when the pandemic hit.

It is certainly something that I personally would respectfully bear in mind. I would never want to see this committee, even if there is a majority of members who wish to conduct a certain study or to go about it in a certain way, do a study without any consideration whatsoever for the concerns and objections of the other committee

members. We lose exactly what we hope to achieve, which is to conduct a study, to hear witnesses, to put together findings and to have a report that has the name of the public accounts committee of Canada in its title, where it's very clear that this is the view of the members of this committee.

• (1145)

We lose that if members ride roughshod over the wishes of other members. I am adamant—as I have seen it work in this committee—that there be a way to work toward a common understanding of how we conduct ourselves and how we continue in the review of documents, and that it always be with respect to the law, which I think would be the very minimum that any parliamentary committee would subject itself to. It would not ask members of the public service to break the law. That, Mr. Chair, is a bridge too far. That is not acceptable whatsoever, and it's where I feel—and I hope that other members are thinking about this as well—it could have consequences, intended and unintended, for years and Parliaments to come.

I've already witnessed some committees that turn into a circus. It's no secret. We tune in on the television, and we see a public display that, quite frankly, does not behoove our Parliament, but there you have it. If the public accounts committee, of all the committees, was to fall in that direction, I would find it extremely disturbing because we have been able to get the answers that we're looking for.

When we had a member here.... I'm thinking of Mr. Desjarlais' rightful insistence and persistence that we have a minister of the Crown here to explain the continual delays and failures to meet not just stated goals but also basic services for indigenous peoples. That is something that we supported because, indeed, that is when.... If the institutional arm, on a repeated basis, is not able to meet its mandate...and this is where, Mr. Chair....

You know, I don't go nuclear right away. We have the meetings. We've had successive reports. We had the Auditor General—both the late Mr. Ferguson and Ms. Hogan—speak to this issue. Indeed, rightfully so, Mr. Desjarlais brought this forward so that we've had the minister once, perhaps twice, already, and we hope to see the minister again.

It is something that, on this side, we are certainly more than willing to support. It becomes part of our job. It is what we need to be doing because we're talking, again, about the performance of a department. However, we never want to let go of having the deputy ministers come because, apparently, at one time, that was—

• (1150)

Mr. Garnett Genuis: I have a point of order, Mr. Chair.

This obviously has nothing to do with the motion we're talking about, and it hasn't for some time.

Thank you.

The Chair: Mr. Genuis, you know what's going on here as well as I do, but the member has the floor.

Mr. Peter Fragiskatos: I have a point of order, Mr. Chair.

Mr. Garnett Genuis: With regard to the point of order, members do have unlimited time to speak to motions. Mrs. Shanahan, as you implied, is clearly filibustering and she's entitled to do so, but she is required to do so on topic and without repeating herself. I don't think those rules are being observed at all.

The Chair: Thank you, Mr. Genuis.

I'll hear from you, Mr. Fragiskatos. Is this a new point of order or the same point of order?

Mr. Peter Fragiskatos: It's on this point of order. Maybe I should have specified that.

Regardless, I didn't consider it deviating it from the topic at hand. Mrs. Shanahan is staying on track and within the motion. I guess it's a point of disagreement, but if you wish to continue to raise points of order, that would be fine.

The Chair: I'm going to allow Mrs. Shanahan to continue speaking. I will point out, because we are addressing the amendment to the motion, that what that amendment says is that we basically all voted for the study, so the government members are, in fact, arguing against their own vote by speaking against this amendment.

However, you have the floor, Mrs. Shanahan, and you're welcome to continue to inform us. To Mr. Genuis's point about repetition, I've not noticed that yet but I'm all ears.

It's over to you.

Mrs. Brenda Shanahan: Thank you, Chair.

Indeed, the members voted for the motion, but it's the how that we're talking about. Now we're talking about amendments. We're very concerned that the very prescriptive nature of some of the amendments and motions that we are seeing coming forward will, I will say, not only hurt the study that we have agreed to do but, in fact, jeopardize its very utility to the Canadian people, because it would rightfully—and this is the risk that apparently other members are willing to take—be seen as just a partisan hack job.

I would like to remind members that we did hear from CRA officials. It was a very interesting meeting, and members certainly availed themselves of the ability not only to ask very detailed questions of the CRA officials but to request those replies in writing.

I thank the clerk for forwarding the replies that we received. I find it very pertinent that, in those replies, we have the answers that we are looking for. I think they were given verbally, but it's always clearer when you have a document in black and white.

There was one question from Mr. Lawrence concerning what the penalty would be if a charity wilfully put the incorrect name on a donation receipt. There was some discussion about what the penalty was. The official said at the time that she would come back with the answer. What's interesting about the answer is that, apparently, it's not necessary to identify donors. You can have an anonymous donor. It only becomes an issue if the donor asks for a tax receipt for deduction purposes. That makes sense, because, for the Canada Revenue Agency, it is the Income Tax Act that is their primary concern and that, indeed, charities do not issue donations to an incorrect name of someone who would then claim the charitable donation credit when, in fact, the gift did not come from that entity.

When there is an incident, when they identify it during an audit.... I like the incremental process they take, because maybe it was a mistake. Maybe it was human error. Maybe it was lack of education. As we know, charities very often have volunteers working for them. Not everyone is an expert in this area, so they give the charity a chance to correct its non-compliance with an education letter.

• (1155)

If it's not corrected, then they will move to a compliance agreement, which is something that's a principle of justice we have in this country—that people are given a chance to do better and to comply. We have seen that before where even members of Parliament make errors in the conduct of various activities, but they will be spoken to and advised and in some cases given, and they sign, a compliance agreement saying they will do better.

Of course, in the event of someone wilfully then doing the same or failing to correct their error, then there are penalties. In this case, the CRA responded that the issuing of a receipt to a wrong name could be assessed at a penalty equal to 125% of the eligible amount. In this way we have the assurance that the CRA has tools that, when they are made aware...and I'm going to get to the section I know many members were interested to hear about, which is how the CRA decides who they're going to investigate, because we want to make sure that they're going to investigate X, Y, and Z.

Here we have the assurance that there is a process and indeed they have fully provided an annex with a complete list of penalties and sanctions for registered charities, which is not confidential information. It can be found on the CRA website along with, of course, a list of registered charities that anyone can consult, and indeed they should do so. Of course, the ultimate.... I think it probably could go further to charges, but certainly their registration would be withdrawn in that case.

There were other answers to questions that members had posed.

I did want to say that a disbursement quota is not something that everyone is familiar with, but indeed if charities do not disburse funds according to their mandate to the minimum that is prescribed by the Canada Revenue Agency Act, then that penalty is that much greater because the whole purpose of the charity is to collect donations that the donors can then receive receipts for and then they can get a reimbursement on their taxes. There's a monetary benefit involved. If these charities then do not disburse their funds in accordance to CRA rules, it could constitute fraud.

Sometimes again it's a charity where the people who are operating it are not experts in the area. They don't understand the rules, so the CRA will work with the charity. However, they will indeed revoke the registration of charities and they have. It was Madam Sinclair-Desgagné who asked for an example and further explanation on that. The CRA responded that since 2006-07, indeed 25 charities have been revoked. The registration for 25 charities have been revoked for reasons that included a disbursement quota shortfall.

• (1200)

Again, this is information that they were happy to provide to the committee members here. They do give examples, which I won't repeat here. Personally, I don't see the benefit of naming and shaming when there could be any kind of reason. Sometimes it's the death of the founder of the charity. I've sat on boards before. It's a lot of work. I would hesitate to say that anyone who starts a charity with the intention of defrauding the Canadian taxpayer.... That's usually not the purpose, but things can happen. We can be assured that the CRA is attentive to those matters.

What I did want to get to was the question regarding the number of leads. That was Mr. Desjarlais. I appreciate that question because it gives us an idea of what the universe was like. Is it one or is it...? As it turned out, it's something in the area of 30,000. Did I read that correctly? A leads program typically receives over 30,000 leads from the public on cases of alleged tax or benefit cheating each year. I believe that can include individuals as well as businesses and charities. That is very interesting.

I know the classic, of course, is a falling out between partners or spouses or whatever. The first call after the divorce lawyer, apparently, is to the CRA. People do need to bear that in mind. Your private information may not be so private.

We were assured here by Mr. Hamilton and his officials that every lead that comes to them is looked at one way or the other. Now perhaps members might ask whether other departments that we work with in the government have the same standard of practice. I would venture to say that, where there is the possibility of collecting money, there's a particular motivation that comes into play. I am glad to see that this kind of due diligence is at play.

Can we know who the folks are that are named on these leads? Can we know what the outcome is? If it's one of us that provides the lead, will we get a personal report? We heard from the officials that the answer is no on those lines. Again, they are directed under Canadian legislation, as part of the authorities that they have to conduct this work, to keep it private. No one wants to hear about a leak from CRA. Nobody wants that.

• (1205)

The repercussions of a leak do not bear contemplating. I dare say that I'd be the first in line—and I know I'd have colleagues with me—demanding for the head of any official who allowed a leak to occur. That information is kept private, but those investigations are undertaken. Eventually, if they do fall into the public view in a court scenario, and so on, we do have the results and rightfully so. As we know, in our system of justice, one is innocent until proven guilty, and rightfully so.

I find this so reassuring to know we can ask questions and get these kinds of detailed answers. I will have more to say, because I'm still looking through the documents the clerk provided, but I would like to hear from other colleagues on this topic.

I thank you very much, Chair, for giving me the floor.

• (1210)

The Chair: I do have a list.

Mr. Fragiskatos, you have the floor. We will then hear from one of your opposition colleagues, and then Ms. Yip.

Mr. Peter Fragiskatos: I look forward to hearing from opposition colleagues, Mr. Chair, particularly if it's Mr. McCauley on your list. I'm not sure if it is. I would love to hear what he has to say about the fact that there's no.... I mean, there are a number of problems, as we've already put on the record, to put it mildly. I continue to be polite because this is the audit committee of Parliament, where we're supposed to be non-partisan, so what does it say if I seek to agitate? I won't do that. Others might want to do that, but not me.

I wonder if Mr. McCauley could address, when it is his turn to speak, that glaring omission in his motion and in the amendment, as well, about the lack of protections for public servants. There are no protections that are included here. If he's going to put forward an idea, a motion, an amendment or whatever it might be.... Ultimately, it's an idea that the CRA go down this path of submitting to this committee documents from a particular organization that would, without question—let's be clear on this—contravene the privacy provisions of law, of the Income Tax Act in this case.

I'll get to this point, but now, as I speak, I realize that there could be other contraventions of privacy that are included here. By invoking, as he has, his motion and his amendment, I wonder what other privacy protections of organizations and of Canadians, the Conservatives have thrown into question. I see nothing. I see no protection mentioned at all and no thought given to that.

You know, I hate to say it because, as I said, I'm trying to be collegial, but it takes me back to things that have been said about the Conservatives, this particular iteration of Conservatives: that they don't have respect for public servants. If they did, if they had respect for public servants, there would have been an inclusion—at least a sentence—in terms of protecting public servants who would reveal this information. It's not there. I don't see it. None of us sees it.

It's hard to take seriously the idea that there's respect being given to public servants on the side of Conservatives who have made that point in this debate and in other places. It's just not here. I think we need more information on that particular point, Mr. Chair. How can we ask public servants to go down the path of in effect, or not in effect but directly.... I'll be very blunt. They're being asked to break the law. I can't believe I'm saying this at a public accounts committee, at a parliamentary committee.

When I was elected in 2015, I never thought we would see a committee go in this direction. Some of the best work you can do on Parliament Hill—and you, Mr. Chair, and I have shared these conversations because we've sat on another committee before and worked well together—is at committee. Here we're talking about ordering public servants to reveal documents that would have them break the law. Is this really what we're debating? Is this what we were elected to do? It's not right. It's not in keeping with the obligations of parliamentarians, and it goes completely against any notion of fairness in a modern democracy.

As you know, there are very important branches of Parliament. There is the executive. There's the legislature. However, within those, of course, is the public service—or the “bureaucrats”, to use the term my Conservative friends are so inclined to use. If we're going to be serious about our obligations as parliamentarians, we have to pay attention to the needs, interests and concerns pertaining to parliamentary obligation, and that means recognizing that in no way should any parliamentary committee or any parliamentarian ever ask public servants to break the law.

• (1215)

It's stunning. It represents a low point in this committee's history—there's no question about that—and it represents a low point in terms of what I've seen in almost eight years of having the honour of serving the people of London North Centre. That's the first point I wanted to raise.

Related to it, I wonder.... Again, I'm waiting for Mr. McCauley to put his opinion on the record, but before we get there, I want to make a few more points.

I wonder if we could look into this, Mr. Chair. Have we ever had a committee that has asked public servants to do something so egregious without asking for protections at the very least? Is there any precedent for that?

Maybe you can tell by my tone, Mr. Chair, that I'm not completely serious. However, if we're going to be serious about debating this overall motion and the amendment, then perhaps it makes sense to go down this path. I think we'll find that no committee worth its salt has ever asked that of public servants. To offer no protections is something that, as I said, is a real low point.

Mrs. Shanahan said a number of interesting things that I want to build on, not to repeat, Mr. Chair. The implications of the work that we do here are far-reaching, and if we were to go forward and support the amendment and the overall motion of Mr. McCauley and the Conservatives, then I think we would be running into a real challenge because this point about leaks from the CRA is not an inconsequential point.

The implications of that.... What does it mean? There are implications for charities. If charities are looking at the overall picture and wanting to exist in a context of fairness, you need a—

Mr. Kelly McCauley (Edmonton West, CPC): I have a point of order, Chair.

I appreciate that we have wide latitude when filibustering. There's no mention at all of any risk of leaks from the CRA. I'd ask you to bring the member back to the issue at hand.

The Chair: Thank you, Mr. McCauley.

I'm curious to hear where this is going, Mr. Fragiskatos. You have the floor.

Mr. Peter Fragiskatos: Sure.

The point relates to the substance of the overall idea that Mr. McCauley has put forward, including the amendment. If we go ahead and support the amendment, it means, in effect, that we support the motion and that is just out of bounds, as Mrs. Shanahan has said.

If we have our tax agency seen as leaking documents—and, in effect, this goes in that direction—it calls into question what that tax agency ultimately represents. It wouldn't be a leak officially, but, in effect, that's what you have when you have public servants being asked to submit to this committee the private documents of an organization. Whether it's a leak in the classic definition or not, the effect is the same.

What matters to me is outcome, and here it would be—

The Chair: I'll meet you halfway, Mr. Fragiskatos. I'll let you continue this line, but could you not refer to producing documents to Parliament as a “leak”?

I take the point. I was wondering where you were going, but I think you just need to be respectful of the right that Parliament has to seek documents. There's nothing nefarious or underhanded about that. Your line of reasoning.... I think there's an argument there, but I'll ask you to be a little more judicious in your words.

• (1220)

Mr. Peter Fragiskatos: All I'm saying is that the effect would be the same whether one wishes to call it a leak, which I won't in this case. I'll indulge you on that one point, but when we have any organization looking at this and asking if we have fairness in our tax system, I think they can say yes.

They might have issues with the Canada Revenue Agency. That's fine. That's democracy. Many Canadians have the ability to raise concerns about the CRA. There is an appeals process and so on and so forth, but it starts from the very basic understanding that the tax agency is fair and is not going to, for example, divulge information on a whim or on a request by a parliamentary committee for political purposes.

Where is it going? It's ultimately going towards creating an environment of mistrust that organizations, whether they are charities or businesses.... The Conservatives used to style themselves as the party of businesses, of the free market, of entrepreneurship. Business needs, almost by definition, a level playing field. That includes a tax agency that is fair. If a tax agency is asked, in this case by a parliamentary committee, to reveal the information of a particular organization.... We're talking about charities here. It could just as well be a business. There is nothing preventing a future committee from looking at Mr. McCauley's motion and saying, "Let's gather the information that the CRA has about this business". Then the level playing field I talk about is not in place.

That is a huge problem. This is an advanced democracy. This is a G7 country. Yes, we have many challenges, but we're still one of the most advanced democracies in the world, where people come to learn the practice of democracy. Now we're going to ask our tax agency to reveal the confidential information it has about a charity organization. There are huge problems that come from that.

Ultimately, the T3010 form that is mentioned and that Mr. McCauley is seized with—let's just be sure of our terms here—is an income tax return for charities. That is what that form is, so the information in that is quite sensitive. I wouldn't ask you, Mr. Chair, or any colleague here to see your income tax return. That's a private matter. Could you imagine if we started asking the Canada Revenue Agency for individuals' tax returns? It's not that different in terms of what's being asked for here.

This is an enormous breach of parliamentary obligation that can't be allowed to stand for the reasons I've mentioned, which are new reasons that build upon what Mrs. Shanahan has already offered. Committees set precedents. That is the case. We have to be very careful about the precedent that is set here.

What will the business community think when it becomes clear, as it is already becoming clear, that it's the Conservatives who are trying to obtain particular documents that are protected under privacy provisions? What will they think, if this were to go through, about what this Parliament is all about? They have privacy rights, as all Canadians have the right to privacy. It's a very curious and strange motion and amendment that the Conservatives have put forward for that reason. Again, it's about fairness, a level playing field. This is what's required in the charitable sector, in business and in all realms of Canadian society and democratic life.

I see that my colleague has something that she wants to share, and I'll give up the floor in a moment. I'm interested to hear what Mr. McCauley says, particularly on this point about protections. I'm stunned that someone who has been a parliamentarian for so long has neglected to put that forward.

• (1225)

To go back to my other point about precedent setting, I mentioned an organization that represents the gun lobby. It's probably the lead organization in the country when it comes to lobbying on guns. If the Conservatives want to go down this path, it opens up the floor entirely. I'd love to hear what Mr. Desjarlais would have to say on this.

They want to know about the ins and outs of a particular charity organization or not-for-profit organization. They've used the Pierre Elliott Trudeau Foundation in this case. They must understand that this does open the path for any member of this committee to put forward a motion to obtain information from any organization, whether it's relating to the gun lobby or other organizations that seem to be close to the Conservative Party and actually are close to the Conservative Party.

I'm not sure that they've thought this through. There is a domino effect to what they are trying to pursue with respect to the Pierre Elliott Trudeau Foundation. I'm not saying that this is the direction the committee should go, Mr. Chair. Again, I put forward an idea. I don't know if colleagues across the way have considered it. I know the Conservatives won't, as I've said.

Colleagues in the Bloc and colleagues in the NDP, I am ready to put forward a motion that would have us get back to what this committee is all about, which is to delve in and understand things like climate change. We could look at other things like poverty, for example, and what the Auditor General says about where things are at as far as poverty is concerned in Canada.

I do note, Mr. Chair—and it is relevant to the conversation because I am going to mention the Auditor General—I would love to know what the Auditor General would have to say on the plight and position of children living in poverty in the modern day. I know that we have seen some substantial declines in child poverty. The Auditor General could look at the overall landscape, not just in terms of federal policy but provincial and municipal policy, as those policies relate to what we do on the federal side. That would be a much more serious and substantive approach to take with respect to what this committee is all about.

Instead, we're putting forward a motion that, if taken to—I used the phrase before—its logical conclusion, would have us examine the ins and outs of the gun lobby. The Conservatives are opening a huge can of worms here for themselves. It's stunning. Let's look at their income tax return. Let's look at that T3010 form, for example. Is that something that the Canadian Coalition for Firearm Rights is interested in divulging? I would think not, Mr. Chair.

Let's better understand their political activities. If they want to politicize this committee, then naturally, by definition, they want to politicize the analysis of charity organizations. They are trying to do so with the Pierre Elliott Trudeau Foundation.

Again, take that to its logical conclusion. What are the political activities of that particular organization—the Canadian Coalition for Firearm Rights—or other gun lobby organizations vis-à-vis the Conservative Party? Have they been involved in helping to craft the overall public safety policy of the Conservatives with respect to guns? We don't know that. Is there anything in CRA documents that would show particular relationships of that kind? Perhaps there are. Is there anything in terms of foreign funding to be concerned about, with the National Rifle Association, for example? Are they involved in helping to fund particular gun lobby organizations?

I won't only focus on one. There are a few that we could put forward in terms of a motion. I think we would have opposition support for that because, while there are differences between the Bloc, the NDP and the Liberals—many differences—there is much more in common among the Bloc, the NDP and the Liberals on things like gun policy and responsible gun ownership. We saw this recently with Bill C-21 and there are other examples. The Conservatives are going down a path where this can of worms is a very real one for them.

• (1230)

Mr. Kelly McCauley: I have a point of order, Chair, on relevance.

The Chair: Mr. Fragiskatos has the floor.

We'll go over to you, sir.

Mr. Peter Fragiskatos: Thank you, Mr. Chair.

Again, we're all politicians, and in politics, you have to think about second and third order consequences. There's always that ripple effect. They've cast their stone in the water, and the ripple effect is such that they're putting themselves in a very compromising position. Those folks in the gun lobby are probably calling the opposition leader's office right now.

Mr. Kelly McCauley: I have a point of order, Mr. Chair.

Again, relevance...?

The Chair: Mr. Fragiskatos, you have the floor. I would maybe ask you not to speculate on what's happening in the OLO or with some of these groups. You know about as much as I do in terms of what might or might not be happening. Let's stick to the facts.

Mr. Peter Fragiskatos: I won't speculate. I raise it as a possibility only to make the point that this has now turned into theatre. This has now turned into a sideshow. Mrs. Shanahan and I both used the term that this is now.... We threaten to open up a kangaroo court here. I can't believe it.

We're asking the CRA and its public servants to break the law. We have a motion and an amendment related to that motion that offers no protections for public servants whatsoever. It's something the Conservatives haven't thought about on that front. They haven't thought about what the overall impact of their motion would be in terms of the organizations they clearly care so much about. I think that we should be neutral in anything that we raise here and that we should be as objective as possible.

I have no particular affinity for the Pierre Elliott Trudeau Foundation. It has provided scholarship support to outstanding graduate students. On its board have sat noted Conservative politicians—not

just politicians but giants of the Canadian conservative political tradition. Bill Davis, I believe, was on its board—former premier of Ontario. A former premier of Alberta, Peter Lougheed, was involved. This is an organization that's done good work. However, we're seeing the entire debate around it politicized.

There's the impact that this would have in terms of a precedent. I've already noted that. The path forward here opens the door to either this committee's or some future committee's looking at the Conservatives and saying, “Well, there are organizations that your party cares so much about. Let's look in, and let's examine that further.”

Like I said, I don't have a particular affinity. I'm not tied to the Pierre Elliot Trudeau Foundation, but this is the implication of what the Conservatives are raising.

I would love to hear Mr. McCauley's point that he wants to make.

The Chair: Thank you, Mr. Fragiskatos.

Mr. McCauley, you have the floor now.

Mr. Kelly McCauley: Good heavens, I would need many hours to address a lot of the falsehoods that have just been brought up. However, this is their filibuster, not mine, so I'll just touch on a couple of points.

First of all, I would welcome the government's launching any investigation into any of the entities that he mentioned if they are also ones that are named after the father of the current Prime Minister, that perhaps received a \$125 million of taxpayers' money, that are implicated in foreign interference or that actually fall under the Federal Accountability Act. However, seeing that not a single other charity in the entire country meets those requirements, I think we should probably just stick to this one.

I have a couple of comments just really quickly.

Yes, the CRA was here, but they did not answer the questions. If you look at what they've actually tabled, we asked very specific questions. For example, who makes the decision to audit charities? The answer that came back was a word salad, basically.

We've seen the CRA prosecuting faith-based charities, apparently just on a whim or perhaps politically based or racism based. The Ontario supreme court made it very clear about Islamophobia being involved in the prosecution of a charity. We asked about that and we did not get any answers. To sit and say that the CRA answered our questions is a complete falsehood, and it's unfortunate that the governing side continues to take their side for political reasons.

On addressing the issue of precedence and that this committee in the past has done this or that, public accounts is a very important committee, and I'm very proud to be part of it. I'm very proud to be working with very dedicated colleagues who are focused on accountability and transparency, but the reality is that I don't believe public accounts has been very successful. One of the files we're looking at has been ongoing since I sat in once in 2018, five years later. This is the issue of the government bureaucrats—or public service, however you wish to call them—doctoring graduation rates of indigenous...and it's still going on.

I remember asking Mr. Ferguson at that meeting, because it was the famous incomprehensible failure report on the Phoenix, but also this. He said it had been going on for a decade. It's 15 years. I'm not willing to be part of a committee that's just going to sign off and say, what a great report, AG, thanks for bringing it up. Let's put it away for five years and dust off the disastrous consequences then. That's not good enough for me, and I don't think it's good enough for my colleagues sitting over here.

While this committee does incredible, valuable work, it's not enough. What's been done in the past is not enough to serve Canadians.

I want to quickly address one last thing. I realize it's politics. I realize it's theatre. It's unfortunate that the government side repeatedly is knowingly and willingly misleading anyone watching, but misleading Canadians when they talk about forcing CRA employees to break the law.... It's very clear that the committee has the power. It's on page 895 of our rules and procedure book. It makes it very clear that Parliament's committees have the right to ask for any documents we wish. There's a set-aside for national security issues, but this clearly is not one of those.

To say that CRA officials would be jailed or would be breaking the law is a falsehood. I respect what the government's trying to do. I respect that it's theatre. I'm sure they're going to get some great Facebook clips they can post up saying that the Conservatives are trying to force our brave public servants into breaking the law. That's not the truth, and we should just end this misleading right now.

Parliamentary committees have the right to call for documents. It's precedent. It's clear. Repeatedly, we have the right. We saw it with the vaccine documents. We had the right to access the vaccine documents. We had the right to call for documents. The public service is not breaking the law by following the law.

I will just leave it at that. Again, it's politics. It's theatrics. The government is going to filibuster and try to protect the Trudeau Foundation, their government and the Prime Minister. That's fine, but please stop the misleading comments about bureaucrats breaking the law, or this or that.

Again, if they wish to put through motions about investigating one charity or another charity, they're welcome to it. That is their business and that is their right as members of Parliament, but again I would ask them to find a single other charity that has received \$125 million of taxpayers' money, that has been involved and has received illegal donations linked to Beijing, the Communist

Chinese government, the PRC, or another one that has been accused of being involved in thought-influencing the Prime Minister.

• (1235)

I'll leave it at that.

Thanks, Chair.

The Chair: Thank you.

Ms. Yip, you have the floor.

Then I see Ms. Bradford.

Ms. Jean Yip (Scarborough—Agincourt, Lib.): On our side, we may have agreed to the study, but it doesn't mean that we have to agree to the amendment.

The motion is to be amended by adding, before the words “all documents related to any audit”, the following: “And, as requested by the committee in its Report No. 27 asking the Canada Revenue Agency to investigate the Pierre Elliot Trudeau Foundation”.

It's really concerning to me, as it's been mentioned by a number of my colleagues here, how it doesn't protect CRA officials. It doesn't protect individuals. All documents related to the audit by the committee.... That's a lot. I'm sure these hard-working public servants, when they took on the job, would have never expected to anticipate being asked to break the law.

Then there are the concerns of other charities that accept donations. This amendment targets a specific charity and its donors. Do we really want to open this line of examination? I think we're going down a rocky path there. There are many other charities that could be examined and with that, there are many other donors. Is this really the direction we want to go in?

What about the examination of donors who supported the freedom convoy? I question the motives for these donors and how they influence our politics. We all remember that time. It was quite something to hear from the various news sources how so many donations came from the U.S. Certainly the dollar amount donated by Canadians was quite a lot too. I'm sure that they would also not want their names revealed.

This would lead us to open doors to all sorts of organizations, which Mr. Fragiskatos has already mentioned, like the gun organizations. I just feel that we really have to think about this amendment and what it represents.

Thank you.

• (1240)

The Chair: Thank you, Ms. Yip.

Mrs. Shanahan, you have the floor again.

[*Translation*]

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

I'm pleased to continue my comments on Ms. Gaudreau's amendment, which in fact refers to the Committee's 27th report, in which we ask the Canada Revenue Agency to conduct an investigation. This is something we always have the right to do, but I wouldn't recommend doing on a regular basis. Indeed, this type of request from the Committee requires a certain amount of thought and involvement. It also goes without saying that such a request must be of some importance. It followed our discussions and questions from some Committee members about a charitable foundation that received a substantial sum from the Government of Canada. I think there was consensus among all the parties present in Parliament, but I wasn't there.

Frankly, this foundation wasn't on my radar when it was created. Its purpose was to recognize the legacy and life of a prominent Canadian, Pierre Elliott Trudeau through its nonpartisan work.

Everyone knows quite well that Mr. Trudeau came to politics rather late in life, unlike others who began their careers in Parliament at the age of 19 or 20 and managed to pursue them for decades. Mr. Trudeau, on the other hand, devoted his life to a kind of global education. I think he even resisted identifying with any one of his professions. He was a lawyer and a journalist, and certainly highly involved in the various issues of the day on a personal level.

I therefore see in the mandate of the Pierre-Elliott-Trudeau Foundation a certain recognition of his life, hence its name, which is entirely appropriate. It's also a deliberately nonpartisan mandate, above and beyond any political considerations. It aims to encourage students to excel in their fields of study, which is precisely what Mr. Trudeau chose to do. The Foundation is dedicated to nothing other than Mr. Trudeau's work.

● (1245)

I can't recall exactly who was there at the time, but it certainly wasn't a decision forced through Parliament by the Liberals. At the time, all political parties agreed to create this kind of foundation. That's why it had this special status.

In my opinion, the Foundation has always fulfilled its mandate impeccably. I may have heard it mentioned a few times when I was studying at McGill, and we know that many students received scholarships from the Foundation. However, as we heard from senior Canada Revenue Agency officials when they appeared before us, if someone raises questions, they certainly deserve answers. For our part, since the Foundation was created by Parliament, we felt it was appropriate to vote in favour of this motion calling on the CRA to investigate.

There were other questions from our colleagues and a desire to question CRA officials directly, and we will have the opportunity to directly question people who were members of the Foundation's Board of Directors. I believe one of them is still a member. Once again, we've acted appropriately. We've managed to secure their cooperation in appearing before us, because they too want to answer questions and set the record straight about any allegations or

accusations made against the Foundation. We're well aware that this has been a high-profile case, and I can understand that.

Anyone who's ever sat on a board of directors knows it's not a full-time job. It's something you do on a volunteer basis to give back to the community.

● (1250)

It's true that board members must be accountable, but that's not always the case when a media storm erupts. When they're bombarded with questions, it's understandable that they're not prepared to answer all of them and can't convey information as clearly as they'd like.

Past and present members of the board of directors have already testified before certain House committees. I have to say that I didn't expect the issue of charitable giving to fascinate everyone quite so much. It's not normally the most interesting subject, and people don't want to talk about it. We've all learned about it, and there's more to come.

I was quite reassured not only by the questions and answers given to the Committee by Canada Revenue Agency officials, but also by the written answers provided to us. In fact, I mentioned that more than 30,000 reports had been sent to the Agency.

One of the members wondered whether CRA knew who was raising the alarm and whether those people or employees might suffer the consequences. CRA told us no, and that it would never reveal the identity of a whistleblower. That reassures us, because people who have information about an organization are in a position to help the general public by alerting the Agency. It's important that confidential and personal information be protected by Canada Revenue Agency officials. I imagine this is part of CRA's culture, which is reassuring for the general public.

● (1255)

I see that my colleague Ms. Yip also had a very good question about the timeframes surrounding an investigation. It goes without saying that a whistleblower wants to know that it's not going to take ten years for action to be taken.

Once again, I think that, for reasons of confidentiality and to protect the process, it's important for Canada Revenue Agency officials to advise us that they can't go into detail. They did talk about variables, suggesting, for example, that it would be self-evident that an investigation would take time in a situation that went back several years, or that sometimes the Agency would have to visit the offices in question.

We can expect an audit of any significance to take at least a year. Again, I think that's reassuring. This isn't the Wild West. We don't believe that it's enough, in the wake of an alert, to carry out an investigation that's more or less serious and make superficial or hasty decisions. We simply must take the time required.

I can speak to the seriousness of the answers that were provided. I think all Canadians can rely on the work, which was done properly, as requested. Indeed, the Committee itself asked that Canada Revenue Agency, when it conducts an investigation, do so properly.

• (1300)

[*English*]

The Chair: Thank you.

I see it's one o'clock, so I'd like to adjourn the meeting.

Mr. Garnett Genuis: Let's vote.

The Chair: I still have a speakers list here, so I don't think I can cut to the vote.

Is there any dissent to adjourn the meeting?

Hearing none, the meeting is adjourned.

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